

# COMMODORE YACHT CLUB POOL RULES & REGULATIONS

Adopted: April 2, 2016

All Members, and their guests, shall abide by the Commodore Yacht Club Pool Rules & Regulations as follows:

## SECTION 1. FACILITIES

1.1 The Commodore Yacht Club (“CYC”) facilities are located at 1301 Fourth Avenue, Dayton, Ohio 41074. The facilities include a swimming pool and its surrounding barge space (the “CYC Facilities”).

1.2 Use of the CYC Facilities is restricted solely to CYC Members and their guests. Access to the CYC Facilities is restricted by a coded security gate or other entry system. Members shall be provided a security access measure, which may change periodically. To access the CYC Facilities, Members must use the provided security access measure. This security measure shall not be given to any non-member, including guests. Everyone entering the CYC Facilities must sign in.

1.3 The swimming pool operating hours are from 9 a.m. to 10 p.m. Members are permitted to use the surrounding barge space at any time provided no one enters the space alone. The CYC Facilities are generally open from Memorial Day through Labor Day Weekend.

1.4 Use of the CYC Facilities is governed by the CYC By-laws, as applicable, and these Pool Rules & Regulations. Members, and their guests, are expected to comply with all federal, state, and local laws governing civil and criminal behavior while using the CYC Facilities.

1.5 Members, and their guests, are expected to be considerate of others and treat the CYC Facilities as they would their own home and property.

1.6 A Member’s failure to comply with these Pool Rules & Regulations, and other governing documents of the CYC, may result in suspension of CYC Facilities privileges and/or lead to termination of the Member’s membership without refund. The CYC, in its discretion, may prevent a Member’s guest from using the CYC Facilities for the guest’s failure to comply with these Pool Rules & Regulations.

## SECTION 2. MEMBERSHIP

2.1 Access to the CYC Facilities requires a CYC Membership Unit. A Membership Unit is defined as an individual or family, which definition may be amended at the discretion of the CYC. Voting rights shall be determined by the CYC. For purposes of these Pool Rules & Regulations, all persons covered by the Membership Unit are Members.

2.2 Terms and fees of Membership Units shall be assessed by the CYC and may be amended at the CYC's discretion.

2.3 All Members over the age of 18 must sign an Assumption of Risk, Waiver of Liability, and Indemnity Agreement prior to using CYC Facilities. For all Members under the age of 18, the Members parent or guardian must sign an Assumption of Risk, Waiver of Liability, and Indemnity Agreement on their behalf prior to the Member using CYC Facilities.

2.4 Members may invite guests to use the CYC Facilities. Guests must be accompanied by a Member. A Membership Unit shall not host more than 10 guests at the CYC Facilities on any one occasion. Guests are not permitted to remain at the CYC Facilities without the hosting Member present. This guest policy is not a substitute for CYC membership. Members should use discretion when bringing non-members on a regular basis. It is suggested that if any guest, regardless of which Member(s) hosts such guest, uses the CYC Facilities on more than three occasion in any one membership year, such guest purchase a Membership Unit. This would apply if Social Membership is open. Persons with vessels docked at Manhattan Harbour, including dry docked vessels, are not eligible to be a Member's guest and are not permitted to use CYC Facilities without a Membership Unit. Abuse of this guest policy will be addressed by the CYC and may result in suspension of CYC Facilities privileges and/or lead to termination of the Member's membership without refund. Policies and procedures regarding this guest policy are at the discretion of the CYC and may be amended.

2.5 All Members, member's children, and Member guests under the age of 18 must be accompanied by an adult or competent supervisor over the age of 18.

2.6 Members are responsible for the conduct of their guests and are responsible for informing guests of these Pool Rules & Regulations.

### **SECTION 3. RULES OF CONDUCT**

3.1 No persons having bandages, open sores, or wounds are permitted to use CYC Facilities.

3.2 Persons with excessive sunburn are not permitted to use CYC Facilities.

3.3 Intoxicated persons or persons exhibiting erratic behavior are not permitted to use CYC Facilities.

3.4 **All children under the age of 18 must be accompanied by an adult or competent supervisor over the age of 18.**

3.5 All diapered and/or non-toilet trained infants and children must wear approved swim diapers at all times.

3.6 No pets are permitted in the pool area.

3.7 The following activities are prohibited:

- a) NO diving
- b) NO running on the pool deck
- c) NO pushing
- d) NO horseplay
- e) NO dunking
- f) NO spitting, spouting of water, blowing the nose, or otherwise inducing contaminants into the pool water
- g) NO rafts or floats except personal floatation devices for infants and children
- h) NO toys except those of reasonable size and specifically designed for use in swimming pools
- i) NO smoking in the pool

3.8 No private grills are permitted on CYC Facilities.

3.9 Members and their guests are expected to clean-up after themselves. Members and their guests must take with them all items of personal property, including all trash, when they leave the CYC Facilities. CYC is not responsible for cleaning up after Members and their guests. A \$50 fine will be assessed on Members who do not remove their trash, regardless of whether such trash was left by a Member's guest. Cigarette ash and stubs are considered trash and will be addressed in the same manner as trash, including a \$50 fine for a Member's failure to remove such cigarette ash or stubs from CYC Facilities.

3.10 No glass is permitted on CYC Facilities.

3.11 Members are expected to be reasonable and courteous in the level of noise they generate, particularly after dusk.

3.12 Appropriate pool/swimwear is expected. No cut-off clothing may be worn in the pool as it can interfere with the pool filtration system.

3.13 In the event of severe weather, and if thunder and/or lightening occurs, all persons shall vacate the pool. No person shall be permitted to enter the pool until a period of at least thirty minutes after the thunder and/or lightening ceases.

3.14 Other Rules of Conduct may be added at the discretion of the CYC.

3.15 No one may enter the CYC Facility or swim alone

## SECTION 4. RESERVATIONS

4.1 A Private Event is defined as an event where the Member intends to invite more than 10 guests to use CYC Facilities.

4.2 Members may reserve space at the CYC Facilities for Private Events. All Private Events must be scheduled with the CYC Secretary. The reserving Member must be present and host during the entirety of the Private Event.

4.3 Members will be charged a \$100 fee for Private Events.

4.4 The CYC Secretary may deny a Member's request to reserve space at CYC Facilities for a Private Event at their discretion.

4.5 The number of Member's or guests expected for a Private Event may be limited by the CYC Secretary at their discretion.

4.6 Guest policy restrictions are not applicable to Private Events.

4.7 No Private Event may be scheduled during a holiday weekend or during a scheduled CYC event at CYC Facilities.

4.8 Multiple Private Events are permitted with the permission of all Members scheduled to host a Private Event at that day and time.

4.9 Members are responsible for cleaning and returning the CYC Facilities to the same condition as before the Private Event within one hour after the reservation time ends. The CYC may charge a \$100 clean-up fee at its discretion if the CYC Facilities are not returned to the same condition as before the Private Event.

## SECTION 5. ASSUMPTION OF RISK

5.1 Use the CYC Facilities involves certain risks. Such risks include, but are not limited to, the risk of audio &/or video recording while in the pool or on pool barge, property damage, the risk of injury, disability, or death, and risks resulting from the conduct of others. All persons using the CYC Facilities assume all risks associated with the use of the CYC Facilities and do so at their own risk.

**5.2 ALL USE OF THE CYC FACILITIES, INCLUDING, BUT NOT LIMITED TO, THE SWIMMING POOL, IS AT THE RISK OF THE MEMBER AND/OR THE MEMBER'S GUEST ENTERING THE POOL.**

**5.3 No lifeguard is stationed at the CYC Facilities. ALL MEMBERS AND THEIR GUESTS TAKE RESPONSIBILITY FOR THEIR ABILITY TO SWIM AND THEIR MEDICAL AND PHYSICAL CONDITION.**

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5.4 The CYC is not responsible for the loss or damage to any personal property of the Member, the Member's guest, or third parties. The cost of any property damage caused by a Member or their guest will be charged to the responsible Member.

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