

Cherry Village Pool Rules and Resolution

Pool hours are from 7:00 am to 10:30 pm.

Children under 14 years of age or children over 14 who are not strong swimmers are not allowed in the pool area without the supervision of an adult. Children that will turn 14 during the current pool season who are strong swimmers may swim without supervision.

A resident of Cherry Village must accompany their guests at all times. Guests are considered anyone who does not reside permanently in Cherry Village with the exception of adult children or grandchildren who have signed the pool rules. Residents will make sure that guests are aware of the rules and help enforce them.

- **All pool users must shower and remove bandages and hairpins before entering the pool.** This removes dirt and oils from the body to keep the pool clean, and helps keep the filters unclogged.
- **No animals**
- **No running or diving off the deck**
- **No swimming during thunderstorms**
- **No smoking**
- **No food or drink** (non-alcoholic drinks are allowed in containers with a lid.) No glass is allowed in the pool area.
- **No electronic devices**, except personal ones with headphones.
- **No offensive behavior** such as rough housing, swearing or otherwise causing damage to property or persons. Chairs and other non-pool toys are not allowed in the pool. This damages the pool's finish and presents a danger of injury. Please shut the gates softly or they will slam and damage the locks.
- **People who are sick may not swim.** This includes those who have "intestinal system illnesses," open wounds or sores, and cold-like symptoms.
- **Toddlers need to wear both a swim diaper and rubber pants while swimming.**

The Board reserves the right to revoke pool privileges for violations of any pool rules. Homeowners will be held responsible for the actions of their family and guests including the payment for any damages.

Please report any violation of pool rules to board@cherryvillage.com.

LIFEGUARDING and SWIM LESSONS

Because of our insurance policy restrictions, lifeguarding as well as swim lessons could be a major liability to Cherry Village. The only condition our insurance would allow lifeguarding or swim lessons is if the lifeguard or swim teacher has their own insurance policy with Cherry Village specifically listed as a beneficiary. This scenario does not seem reasonable considering the small amount of compensation offered for this job. Therefore, no lifeguarding or swim lessons are allowed in our pool.

VIOLATION OF RULES

1. First violation: Patron will receive a warning to stop.
2. Second violation: Patron will be expelled from the pool area for the rest of the day.
3. Third violation: The patron's parents or members of the Board will be informed.
4. Further violations: The patron will only be allowed in the pool area if accompanied by a parent. Guests would never be allowed to return. Other residents will have to receive permission from the board to return.

PARTIES

Residents may not reserve any facilities or exclude others from using the pool and other common areas. If they plan to host a large group we ask them to notify other residents as a courtesy with the date and length of time that they plan to use the facilities. Please avoid large parties on Holidays.

PARK AREA

Please clean up after yourself in the park and at the pavilion. Please lower the umbrellas after use. They will last longer and won't be ruined when sudden wind storms arise. Toys left on the lawn could be broken by the lawnmower and cause injury to the lawnmower and residents. Out of respect to our little residents, no smoking near the playground. Lost & found items will be kept for 2 weeks before being donated to charity. Pool lost and found items will be in the large hamper just inside the east gate. For park items, email board@cherryvillage.com.

Cherry Village Pool Resolution

Before

In 2021 the following Cherry Village Pool Resolution was presented to the community where we received your feedback.

- A. A resident may not be allowed the exclusive use of the pool for their private use at any time, unless otherwise allowed by the Board of Directors in writing.
- B. A resident may arrange and provide private swimming lessons to be given at the swimming pool ("swimming lesson") subject to the terms of this policy and any other reasonable requirements imposed by the Board. Any changes to this policy shall be sent to Owners at least thirty (30) days prior to enactment.
- C. A private swimming lesson may not unreasonably interfere with the use and enjoyment of the swimming pool by other residents and their guests.
- D. A resident may be limited as to the number of guests allowed with them in the pool at any one time, whether for swimming lessons or any other reason.
- E. An individual, whether a resident or guest of a resident utilizing the swimming pool to teach swimming lessons must be trained and certified under a Utah Lifeguard Certification Course, Utah Water Safety Instructor Course, or other equivalent Lifeguard/Swim Instructor Course. Such license or certification shall be provided to the Board of Directors upon request.

- F. Owners are not prohibited from teaching swimming lessons to his or her own family members and shall not be required to be trained or certified for any such personal family instruction.
- G. All individuals who enter the pool do so at their own risk. No lifeguard is provided by the Association. The Association and Board of Directors shall be indemnified for any claims, damages, loss or injury which may result from the use of the swimming pool. Individuals utilizing the swimming pool represent that they are aware that the pool poses inherent risks of death and serious injury and such risk is hereby assumed.
- H. The Board of Directors may require residents sign indemnification and hold harmless agreements for the use described herein.
- I. In addition to the policy created herein, all other swimming pool rules adopted by the Association shall be followed by all residents and guests

After

Subsequently we took your feedback and reduced the Cherry Village Pool Resolution to the following which was approved by the Cherry Village Board on May 19, 2021.

- A. The Cherry Village swimming pool is an amenity for the enjoyment of the residents.
- B. Residents of Cherry Village must accompany their guests at all times. Guests are considered anyone who does not reside permanently in Cherry Village with the exception of adult children or grandchildren who have signed the pool rules.
- J. Residents may not be allowed exclusive use of the Cherry Village swimming pool for their private use at any time.
- C. Residents and guests must abide by posted Cherry Village swimming pool rules. Residents are responsible for the behavior of their guests and may be held liable for any damages.
- D. Individuals who enter the Cherry Village swimming pool or common area do so at their own risk. The Cherry Village Homeowner Association and Board of Directors shall be indemnified for any claims, damages, loss or injury which may result from the use of the Cherry Village swimming pool.

We felt that the other items of concern were already included in the CC&Rs specifically Section 3.12 which reads:

Section 3.12: Non-Residential Uses Prohibited. No part of the Property shall be used for any commercial, manufacturing, mercantile, vending or other such non-residential purposes, provided however, that professional and administrative occupations may be carried on within the Residence so long as (1) there exists no meaningful external evidence thereof, including, but not limited to, increased pedestrian or vehicular traffic within the Subdivision; and, (2) all other provisions of this Declaration are complied with.

Please respond electronically to board@cherryvillage.com with your name and agreement to abide by the Cherry Village Pool Rules and Resolution.