



## **Villa Capriani HOA - Pool/Hot Tub and Courtyard Rules and Regulations**

The Villa Capriani Homeowners Association has adopted these rules and regulations to govern the use of the pool, hot tub, and courtyard amenities. These rules are designed to ensure fair and reasonable access to owners and guests. In this policy, the term "guest" means any family member, visitor, or guest of an owner or a resident, occupant, or renter of an owner's unit.

The obligation for enforcing these rules and regulations is placed primarily in the hands of the Villa Capriani HOA, its selected HOA Management Company, and its staff or designees. It is further the duty of owners and their guests to understand and abide by these rules. Owner and guest cooperation is required to ensure the safety and value of Villa Capriani amenities.

Violations of these rules may subject owners to fines of up to \$100.00 per violation, suspension of the right to use amenities for themselves and their guests, and assessments to recover the cost of any damages to common areas. Owners will be held liable for any violations of their guests.

### **POOL AND HOT TUB OPERATING HOURS AND SEASON**

The Villa Capriani has three pools, two hot tubs and a baby pool.

- Pool and hot tub hours of operation are 9am to 11pm daily.
- The pools are open April 1<sup>st</sup> until October 31<sup>st</sup> each year (weather permitting).
- The hot tubs are open year-round.

### **POOL SAFETY**

No lifeguard is on duty at the Villa Capriani. Users of the pool or hot tub amenities do so at their own risk. The Villa Capriani Homeowners Association will not be responsible for any accidents or injury in or around the pool or hot tub amenities. Use of the pool or hot tub amenities indicates acceptance of these conditions

### **BASIC RULES**

- Use of the Villa Capriani pool and hot tub amenities is reserved for those owners who are in good standing and their guests. "Good standing" means that the owner has not had their amenity privileges revoked by the HOA due to delinquent assessments or unresolved violations of HOA rules or restrictive covenants.
- The HOA Management Company and/or the Board of Directors has the right and authority to close the pools or hot tubs at its discretion.
- Persons entering the pools or hot tubs outside of their hours of operation will be in violation of Association rules and will be deemed as trespassing, subject to Association fines and/or legal action.



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- Foul or abusive language will not be tolerated and are grounds for suspension of amenity privileges or expulsion from the pools and hot tubs. The HOA Management Company and/or Board of Directors has the right to enforce this rule.
- **No glass containers** of any kind are allowed in the courtyard and pool/hot tub areas. This includes the two wooden decks in the upper pool area. If glass makes it into the pool, the pool must be drained, cleaned, and refilled. The cost of this work will be the responsibility of the owner or their guests who fail to follow this rule.
- Horseplay, or running are not allowed around the pools or hot tubs.
- No climbing, jumping, or diving off the rocks in the pool areas.
- All types of games involving alcohol consumption (i.e., beer pong) are prohibited in the courtyard and pool/hot tub areas.
- Do not sit or stand on the main pool rope. This is in place as a visual guide to indicate the deep end of the main pool.
- The Villa Capriani Homeowners Association and the HOA Management Company are not responsible for lost or stolen items in the courtyard and pool/hot tub areas.

### AMENITY ACCESS WRISTBANDS

Approved amenity access wristbands must be worn at all times while using the courtyard area and the pool/hot tub amenities. Owners and guests must produce their wristbands if asked by the HOA Management Company or the Board of Directors. There are two types of wristbands:

Adjustable RFID wristbands which will open the courtyard gates. **Adults and children 7 years or older must wear an adjustable RFID wristband at all times** when using the pool and hot tub amenities.

- In the event an adjustable RFID wristband is lost, the missing wristband should immediately be reported to the HOA Management Company and will be immediately deactivated to prevent unauthorized access to onsite amenities.
  - Note: Owners/guests will be required to bring the remaining adjustable RFID wristbands to the front desk when requesting a replacement band. This will allow our Property Management staff to identify the missing band and deactivate it.
- Once the lost adjustable RFID wristband is deactivated, a replacement wristband can be obtained at the front desk. There will be a \$25.00 replacement charge for adjustable RFID wristbands and this fee is due when the replacement wristband is issued.

Non-adjustable wristbands which will not open the courtyard gates. **Children 6 years or younger must wear a non-adjustable wristband at all times** when



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using the pool and hot tub amenities. Infants (0 to 12 months old) are not required to wear wristbands.

- Non-adjustable replacement wristbands can be purchased at the front desk for \$25.00 each.
- Wristbands are issued to units based on the percentage of undivided interest in the Common Elements set forth in the Declaration of Covenants, Conditions and Restrictions. Wristbands are allotted as follows:
  - Units with up to .75%-unit ownership (typically one-bedroom units) will be issued **four adjustable RFID** wristbands and **four non-adjustable** wristbands.
  - Units with .76-.9999% unit ownerships (typically two-bedroom units) will be issued **six adjustable RFID** wristbands and **four non-adjustable** wristbands.
  - Units with 1%+ ownership (typically three- and four-bedroom units) will be issued **eight adjustable RFID** wristbands and **four non-adjustable** wristbands.
- Owners may purchase a maximum of two (2) additional adjustable RFID wristbands by contacting the HOA Management Company or visiting the front desk. Additional adjustable RFID wristband cost is \$50.00 each.
- Amenity access wristbands are assigned to owners and distribution of the wristbands to guests is the sole responsibility of the unit owner. The HOA Management Company will not distribute regular rental materials at the front desk.

### CHILDREN

- Children under the age of 13 should **NOT** be allowed in the courtyard or allowed to use the swimming pools or hot tubs without adult supervision (adult supervision defined as an individual who is 18 years old or older who accompanies the supervised child on the premises of the amenities and who has assumed responsibility for their supervision, and authority to ensure the supervised child's compliance with all applicable HOA rules). Unsupervised children will be required to leave the pool/hot tub area.
- Children under five (5) years of age will not be permitted in the pools at any time unless accompanied IN THE POOL by a parent/guardian.
- All incontinent persons must wear swim diapers or protective clothing to prevent waste contamination in the pools and hot tubs. Should a fecal accident occur, anyone using the pool or hot tubs must get out of the water and the HOA Management Company should be notified immediately. If it is found that an owner or their guest was negligent in reporting such an occurrence, the Board of Directors may assess fines in order to cover costs associated with cleaning/treating the pool.



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### FOOD AND DRINK

- **No glass containers** are permitted in the courtyard or any pool/hot tub area.
- No chewing gum, candy, or food while in a pool and/or hot tub or sitting on the edge of a pool and or hot tubs.
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- The HOA Management Company and/or the Board of Directors reserves the right to ask any person who is considered unruly, intoxicated, or otherwise misbehaving to leave the premises.

### GUESTS

- Guests may use the pool and/or hot tub amenities at an owner's invitation and **must be accompanied by the owner at all times**. Renters may use the amenities in the place of an owner pursuant to a rental agreement.
- All guests must wear an approved, age-appropriate amenity access wristband at all times.

### POOL GROUNDS

- All users must ensure that all gates are securely closed and locked when you enter or exit the courtyard area. Propping any courtyard gate open is prohibited.
- Lounges, chairs, and tables are available on a first come, first served basis. Reserving pool furniture or tables by placing towels or personal items on the furniture is prohibited.
- Pool furniture shall not be removed from the pool areas.
- Clean your area of trash and refuse when you leave.
- Close and tie umbrellas when you leave.
- Report damaged furniture to the HOA Management Company.
- Entering the pool pump mechanical room is prohibited.

### FLOATATION DEVICES

- Swim Floaties – Assisted flotation devices such as floaties or other similar items designed for use by individuals who cannot swim on their own are prohibited in the pool and hot tubs.
- Surf boards and the use of oversized/extra-large floating devices e.g., those that accommodate more than one person) are prohibited in and, around the pool areas.

Adopted by the Board of Directors: 06/24/2022