

# IPSWICH VILLIAGE HOMES ASSOCIATION, INC.

## Rules and Regulations For the use of Common Areas and Facilities

May 1979 (rev 5/02)

### ARTICLE I

PURPOSE: These rules and regulations governing the use of the Common Areas and facilities, the personal conduct thereon of members, their published by the Board of Directors under the authority as established in Article VIII, Section 1 (b) of the By-Laws of Ipswich Village Homes Association.

### ARTICLE II

#### DEFINITIONS:

- A. Member. Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by the Declaration to assessment by the Association. (By-Laws Article IV)
- B. Declaration. Refers to the Declaration of Covenants, Conditions and Restrictions as recorded in the Clerk's Office of the Circuit Court of Chesapeake, Virginia, in Deed Book 1768 at page 345.
- C. Common Area. ("Greenbelts") Shall mean all real property owned by the Association and as more fully described in the deed recorded in the Clerk's Office of the Circuit Court of Chesapeake, Virginia, Deed Book 1781 at page 14.
- D. Recreation Area. That area, including the clubhouse, known as 2018 Paramount Avenue and "Parcel E" (Recreation Area) as shown on the plat entitled "Subdivision of College Park, Section Four E, Washington Borough, Chesapeake, Virginia", and recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia, Map Book 61 at pages 85 and 85A.
- E. Pool Area. That area within the Recreation Area bounded by fencing and designated specifically for and in support of swimming.

F. Tennis Court. That area within the Recreation Area bounded by fencing and designated specifically for and in support of tennis.

G. Equipment Area. Those areas so designated by the Board of Directors for the storage of equipment or machinery for the support and maintenance of the Recreation Areas.

H. Manager. The Manager is a representative of the Pool/Recreation Committee and is guided by the Board of Directors. The Manager is responsible for the maintenance, up-keep and operation of the Recreation Area, including supervision of other employees. This person is responsible for enforcing the recreation rules and admitting only authorized persons into the Recreation Area. The Manager is authorized to expel unruly persons and persons in violation of these rules. In each case, the President shall be advised of action taken by the Manager.

I. Assistant Manager. That person, volunteer or paid employee, so designated by the Pool/Recreation Committee. This person shall have the same authority and duty as detailed for the Manager in the absence of the Manager from the Recreation Area.

J. Lifeguard. A person certified by current Water Safety Instructor and/or Red Cross procedures to be qualified to monitor pool activity and employed by the Board of Trustees. Lifeguards on duty are responsible for the safety of persons within the pool area and, as such, have complete authority to expel unruly persons in violation of pool area rules from that area.

K. Guest. A non-member person admitted to the Recreation Areas under the sponsorship of a member as described later in these rules.

### ARTICLE III

USE OF RECREATION AREA. The Recreation Area shall be open for use during hours of operation by all members and their delegates throughout the year except as it may be closed for maintenance, repair, or reservation.

A. Means of controlling access to the facilities. In order to provide an opportunity for maximum enjoyment to those who should rightfully benefit from the available recreational facilities, access to the Recreation Area shall be controlled by the use of identification cards according to the following policy:

1) Member cards shall be issued by the Recreation Center Manager to all who:

A. satisfy the definition of "member" as described, and

B. have completely paid the annual assessment, according to the records of the Association Treasurer.

2) Delegate Cards will be used to enter the Pool and Recreational Facilities Area. These cards will be signed by each member In order to control access to the Pool Area each member will identify himself by signing his name and address and the name of his children, if participating, and guest on a sign-up sheet that will be made available each day at the Pool Area. The Pool Recreation Committee will furnish the Lifeguard with a rolodex file which will include a current list of all members and members of their households and delegates. The Lifeguard will have the responsibility of verifying the names of the people listed on the daily sign-up sheets or membership card.

3) Members residing in Ipswich Village must appear at the Recreation center in person to receive their member cards as well as Delegate cards for those individuals each member is eligible to so designate. Members unable to appear personally due to extenuating circumstances may arrange for identification cards by contacting the Pool/Recreation Committee Chairperson.

4) No identification card will be valid for more than the calendar year of issue.

5) There will be a fee of one dollar (\$1.00) imposed to replace lost identification card. Cards which become excessively worn or mutilated may be exchanged for new ones without charge.

6) To enter any element of the Recreation Area during hours of managed operations, persons 18 or over must exhibit identification cards and persons under the age of 18 must surrender his or her identification card to the Manager or the Manager's agent. This card is to be regained when one departs the premises even if only for a brief period.

7) As part of his responsibility to control the behavior of those in the Recreation Area, the Manager is authorized by the Association's Directors to confiscate or impound the identification card of any person whose conduct is, in the judgment of said Manager, unruly, undesirable, or in violation of these or other duly published rules pertaining to use of the recreation area. In such instances, the Manager will notify one or more directors who will assume responsibility for further action.

B. Admission of guests into the Recreation Area

1) Books containing ten guest tickets may be purchased from the Manager, at a cost of \$10.00 per book. Tickets purchased may be used from year to year until depleted.

2) Members may bring two guest without charge to the Recreation Area Pool on

Tuesday, Wednesday, Thursday and Friday during pool hours. One guest ticket must be surrendered per guest over the allotted two, to the Manager for any entrance to the Recreation Area.

- 3) Guests under age two (2) do not require guest tickets.
- 4) Members are responsible for their guest's conduct and for ensuring that guests abide by Association rules.
- 5) Before bringing more than five (5) guests to the Recreation Area at any one time, a member or delegate must get the express permission of a member of the Pool/Recreation Committee or, in their absence, the Lifeguard.

C. Hours of Operation. The hours of operation will be established by the Manager as directed by the Association President. Hours of operation will be posted at or near the entrance to the Recreation Area.

D. Use of Recreation Area outside hours of managed operation.

- 1) Use of the Recreation Area facilities other than the Pool Area can be made by any member or adult delegate upon the securing of the lock combination from the Manager in advance of the desired use. The hours of this use are limited to sunrise until 11:00 PM on Sunday through Thursday and from sunrise until 1:00 AM Friday and Saturday.
- 2) Use of the Pool Area can be made by any member upon the registration of such desired use with the Manager. Keys will not be issued for this use. Arrangement must be made for an Association Lifeguard to open the Pool Area during the desired period. A fee will be charged by the hour to offset the Lifeguard's expense to the Association. This fee will be determined by the Manager and received in advance of the desired use period.
- 3) No rental charge will be made for the use of any Recreation Area facility when the Board of Directors sanctions the event.
- 4) In all cases not covered by item three (3) above, where either individuals or groups utilize any facility(ies) in the Recreation Area, after the hours of managed operation, users will be charged a rental fee according to the following schedule:
  - A. If pool is used, rental fee will be 50.00 plus a \$10.00 refundable deposit.
  - B. If pool is not used, rental fee will be \$30.00 plus \$10.00 refundable deposit.
  - C. In either of the above cases, the \$10.00 deposit will be returned if the

utilized area (s) is/are cleaned to the Manager's satisfaction.

5) The decision to allow other than Association members or delegates to reserve Recreation Area facilities remains solely the prerogative of the Board of Directors to whom such outside parties must apply by filing a written petition describing the activity planned.

6) Parties designed to attract teenagers primarily, must be chaperoned by at least four (4) adults, two of them Association members with one member being a male.

7) In all cases where use of Recreation Area facilities is authorized after managed hours of operation, one or more users must identify himself to the Manager as the person (s) responsible for the care of the facilities and the conduct of those attending the scheduled activity. At least one of the person (s) so identified must be present in the Recreation area at all times during the course of the function for which they have assumed responsibility.

8) Recreation facilities, when used after managed hours of operation, will close at 1:00 AM for adults and midnight for teenagers. The pool, if used, will close at 11:00 PM

9) Priorities for use of the Recreation facilities are in the following order with scheduling within a given category on a "first-come, first-serve basis:

- A. General use by all Association members.
- B. Private activities with only association members attending.
- C. Private activities with non-Association members.

10) Use of the Recreation Area not in compliance with these rules is unauthorized and will be prosecuted as trespassing and other action(s) taken as deemed appropriate by the Board of Directors.

E. General Regulations:

1) Pool Area

A. Children under the age of 14 must be accompanied by a parent or responsible person over the age of 18 years old

B. Babies should wear diapers under their bathing suits. No pampers or other paper diapers are allowed in pool at all.

C. All children should demonstrate their ability to swim to the Lifeguard. All non-swimming children must remain clear of the deep end of the pool

- D. All residents and guest swim at their own risk.
- E. Pets of any kind are not permitted in the pool or Recreation Area.
- F. Positively no glass containers of any kind are allowed in the Recreation Area.
- G. Use of plastic or inflatable toys will be at the discretion of the Lifeguard.
- H. All persons must take showers before entering the pool.
- I. Street clothes or cut-offs with frayed edges or any type of clothing that may foul the filtering system shall not be worn in the pool.
- J. Persons with colds or other possible contagion may not use the pool.
- K. No eating or drinking shall be permitted within 8 feet of the pool.
- L. Towels shall be used on pool furniture to protect it from discoloration from lotions and oils.
- M. Active sports other than swimming are not permitted in the pool area, other than with the written consent of the Manager.
- N. The Lifeguard shall have authority to close the pool during inclement weather.
- O. Running is not permitted in the pool area.
- P. Use of the pool is absolutely forbidden when a Lifeguard is not on duty, other than with the written consent of the Manager.
- Q. Persons under the influence of alcohol will not be permitted in the pool area.
- R. The lifeguard on duty has authority over all persons in the pool area. Failure to comply with these rules or the Lifeguard's instructions will result in expulsion from the pool area and loss of recreation privileges as determined by appropriate authority.

## 2) Tennis Court

- A. Tennis courts will be available for use every day of the week. The courts will be locked. The combination will only be given to members 18 or older. The members must call the Chairperson or Co-Chairperson of the

Pool/Recreation Committee to obtain the combination. Members must identify themselves by name and address before the combination will be given. Children under 12 must be supervised by an adult.

B. Court reservations can be made by signing the Reservation Roster located in the Tennis Court Area. Reservations may not be made more than twenty-four hours in advance. A member may not reserve the court for more than one hour during a Twenty-four hour period. Reservations will be made to commence on the hour, (i.e.- 9-10:00, 12-1:00)

C. No group may use the court continuously for more than a one-hour period when others are waiting to play. Those desiring to use the court must check the Reservation list upon entering the Recreation Area and sign in for the period of time that they intend to use the court.

D. Only tennis shoes may be worn on the court.

E. Only players are allowed in the playing area when the court is in use with the exception of ball retrievers and/or spectators as desired by the players utilizing the court at that time.

F. Children under 10 years of age may be asked to relinquish the court to adult players unless the aforementioned children are accompanied by a member or delegate who is at least 13 years old.

### 3. Miscellaneous

A. No pets are allowed in the Recreation Area.

B. No bicycles, tricycles, or roller skating allowed in the Recreation Area.

C. Alcoholic beverages may be consumed in the Recreation Area, except where excluded herein, by those members legally allowed to consume such beverages in accordance with existing State laws.

D. Damage to the Recreation Area and Facilities will be repaired at the expense of the offender's head of family. If the offender is a guest, cost of repair will be borne by the guest's host.

E. Nothing will be placed in or on the premises of the Recreation Area nor removed from it without the express permission of the Manager.

## ARTICLE IV

### COMMON AREAS ("GREENBELTS").

A. No motorized vehicles are permitted on any portion of the Common Areas.

B. Landscaping within a particular section of the Common Area may be tastefully accomplished by a member whose property adjoins that particular section. However, the Board of Directors reserves the right to require the member to remove at his or her expense any non-grass landscaping for which he or she was responsible. Such removal must be accomplished within five (5) days after the member receives such notification from the Board.

The Board shall not act in this regard in the absence of a written complaint from not less than any ten (10) members.

Should the Board, in its sound discretion, refuse to act on a written complaint from not less than any ten (10) members then upon subsequent written complaint from not less than twenty-five (25) members the Board will be compelled to issue the aforementioned notice for removal.

C. Consistent with reasonable requirements for uniform style and quality, the Architectural Control Committee is authorized to approve any request from a member that that he or she be permitted to erect a post and split rail fence along the line directly paralleling and limited by imaginary extensions of that member's lot lines and immediately inside the boundary separating Ipswich Town Villas Common Area from a non-Ipswich Village area contiguous to it.

## ARTICLE V

### PENALTIES FOR INFRACTIONS OF THE RULES.

The Board of Directors, having been notified of an infraction of rules and having appropriate deliberation on the matter, may impose penalties against the responsible member or delegate according to the following schedule:

A. For a first offense, a fine of as much as twenty-five dollars (\$25.00) or suspension from the Recreation Area for as long as thirty (30) days or some combination of both.

B. For a second or subsequent offense, a fine of as much as fifty (\$50.00) or suspension from the Recreation Area for as long as sixty (60) days or some combination of both.