

**WAIVER OF LIABILITY AND HOLD HARMLESS AGREEMENT**

In consideration to participate in activities in connection with Pheasant Run Swim Club (hereinafter the "Activity or Activities"), I, on behalf of myself, and any minor child/children for whom I have the capacity to contract, hereby acknowledge and agree to the following:

1. I understand the hazards of the novel coronavirus ("COVID-19") and am familiar with the Centers for Disease Control and Prevention ("CDC") guidelines regarding COVID-19. I acknowledge and understand that that the circumstances regarding COVID-19 are changing from day to day and that, accordingly, the CDC guidelines are regularly modified and updated and I accept full responsibility for familiarizing myself with the most recent updates.
2. Notwithstanding the risks associated with COVID-19, which I readily acknowledge, I hereby willingly choose to participate in Activities.
3. I understand the rules and regulations put forth by Pheasant Run Swim Club, attached hereto as Exhibit A, and further understand that if I or my minor children for whom I have the capacity to contract violate such rules and regulations, we are at risk of our membership being revoked for the 2020 season, with no refund.
4. I acknowledge and fully assume the risk of illness or death related to COVID-19 arising from my being on the premises and participating in the Activities and hereby RELEASE, WAIVE, DISCHARGE, AND COVENANT NOT TO SUE (on behalf of myself and any minor children from whom I have the capacity contract) **Pheasant Run Swim Club, Pheasant Run Board of Governors, Pheasant Run Parent Association, Cinnaminson Township**, their owners, officers, directors, agents, employees and assigns (the "RELEASEES") from any liability related to COVID-19 which might occur as a result my being on the premises and participating in the Activities.
5. I shall indemnify, defend and hold harmless the RELEASEES from and against any and all claims, demands, suits, judgments, losses or expenses of any nature whatsoever (including, without limitation, attorneys' fees, costs and disbursements, whether of in-house or outside counsel and whether or not an action is brought, on appeal or otherwise), arising from or out of, or relating to, directly or indirectly, the infection of COVID-19 or any other illness or injury.
6. It is my express intent that this Waiver and Hold Harmless Agreement shall bind any assigns and representatives, and shall be deemed as a RELEASE, WAIVER, DISCHARGE, AND COVENANT NOT TO SUE the above-named RELEASEES. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of New Jersey. I HEREBY KNOWINGLY AND VOLUNTARILY WAIVE ANY RIGHT TO A JURY TRIAL OF ANY DISPUTE ARISING IN CONNECTION WITH THIS AGREEMENT. I ACKNOWLEDGE THAT THIS WAIVER WAS EXPRESSLY NEGOTIATED AND IS A MATERIAL INDUCEMENT THE PERMISSION GRANTED BY RELEASEES TO BE ON PREMISES AND PARTICIPATE IN THE ACTIVITIES.

IN SIGNING THIS AGREEMENT, I ACKNOWLEDGE AND REPRESENT THAT I have read the foregoing

Wavier of Liability and Hold Harmless Agreement, understand it and sign it voluntarily as my own free act and deed; no oral representations, statements, or inducements, apart from the foregoing written agreement, have been made; I am at least eighteen (18) years of age and fully competent; and I execute this Agreement for full, adequate and complete consideration fully intending to be bound by same.

SIGNATURE: \_\_\_\_\_

NAME: \_\_\_\_\_

SIGNATURE:

NAME: \_\_\_\_\_

NAMES OF MINOR CHILD(REN):

\_\_\_\_\_

## Exhibit A

### PHEASANT RUN SWIM CLUB RULES AND REGULATIONS

- Face coverings are encouraged throughout club when social distancing is not possible.
- Face coverings are **required**:
  - for entrance to the club
  - for guards checking in members
  - when exiting the club
  - in restrooms
  - when using snack shack
- Snack Shack customers should wait outside until person in front of you is finished ordering.
- Wait outside for order near 1<sup>st</sup> social hall entrance – 1 person at a time in social hall to pick up order from side window when called
- Face coverings/gloves are required when serving food.
- Gloves should be worn while completing high touch sanitation and general cleaning
- Face coverings should not be used in the pool
- Lifeguards will not have face coverings while on the stand
- Children under 2 should not have face coverings
- There will be a table in front of the window to ensure distancing in addition to the check in guard wearing a mask.
- Respect others space and their desire to maintain social distancing.
- Remain 6 feet apart from others in check-in line and when exiting. Lines demarcating proper distancing have been made at the entry point.
- Adhere to signage and proper entrance/exit paths.
- Lap swim should be limited to one swimmer at a time unless within the same household. 2 swimmers will be allowed in lap lanes if it is mutually agreed upon and they do not share the same wall
- Playset, slide, & diving board will be closed until given the okay by the state (once opened they will be added to the high touch areas)
- As always, diapers and swim diapers are not allowed in main pool
- Band testing will continue for swimmer safety and insurance requirements. The guards and managers will maintain clipboards to indicate swimmers name and level of band obtained. There will be no forms this year to fill out prior to band testing. These will continue to be conducted at the top of every hour for all swimmers in the main pool under 12
- Men's room will have urinal count reduced from 3 to 2
- Center showers in men's room will be closed leaving only the 2 outer shower heads
- Building ventilation system will remain on during any open club hours
- If bathroom facilities are full – Please wait outside the building at a distance of 6 feet from the person in front of you (do not wait in the bathroom for an available stall or urinal)
- Restrooms will close periodically for sanitizing of high touch areas – please allow the lifeguard the time to do this in the interest of public health and guidelines set forth by the governor.
- There will be chairs stacked on grass – please take what you need and feel free to spread out to all areas of the club.
- We will not be giving out any equipment from the office – please bring your own sports equipment, goggles, games, etc.
- Rafts, floats, pool toys are not allowed

*Please feel free to reference the Pheasant Run Swim Club COVID-19 Pool Operation Prevention Plan (CPOPP) available on our website.*