

2017 Indian Creek Cove Home Owners Association Pool Rules & Regulations

This policy defines the rules and regulations for using the Indian Creek Cove Homeowners Association, Incorporated (“ICC HOA”) pool and related facilities. The “pool and related facilities” includes the pool itself, the surrounding deck, the pool cabana and its appurtenances, pool gates and fences, various ICC HOA-owned furnishings within the pool fence line, the pool parking area, and the ICC HOA Common Areas immediately adjacent to the pool. The pool and related facilities are hereafter referred to simply as the “pool area”.

The 2017 pool season is from May 20 – September 10, 2017. The pool is for the exclusive use of Indian Creek Cove **Residents** (as defined below) who are ICC HOA **Members** in good standing, ICC tenants, and their guests. **Residents** are responsible for the conduct of their children and guests at all times. **Residents** must accompany their children and guests at all times while in the pool and surrounding pool area. **Resident** children may be accompanied to the pool by adult relatives or paid caregivers. **Adult Residents** may have a maximum of five (5) guests in pool area at any one time (unless additional guests have been pre-approved by the Pool Committee in accordance with the “Restrictions for Social Functions and Entertaining”). **Children** are defined as anyone under the age of **eighteen (18)** years of age. **Pool users** are identified as, and limited to, residents, tenants, their children, and guests. **Tenant(s)** are defined as the person or persons identified on a signed lease with a property owner in the Indian Creek Cove subdivision. **Owner(s)** are defined as the person or persons listed on a deed for property in the Indian Creek Cove subdivision. **Residents** are defined as owner(s) and/or tenant(s), their children, and other adults of the household who reside in Indian Creek Cove. In accordance with the ICC HOA Bylaws, a **Member** is an owner considered to be in good standing when there are no outstanding balances owed to the ICC HOA (dues, late fees, fines, etc.). ICC HOA will only activate proximity cards for ICC HOA members in good standing. ICC HOA does not issue proximity cards to tenants. Tenants must obtain proximity cards from the property owner. **Guests** are defined as anyone who does **NOT** reside within Indian Creek Cove. A Resident who does not have a proximity card or whose proximity card privileges have been suspended is **NOT** a guest.

Each **owner** has been provided one proximity card (“card”) at no cost. **Proximity cards must be activated annually by ICC Members. Please see signature page for instructions.** An additional card may be purchased, however **each household will be limited to two active proximity cards.** Members are solely responsible for all proximity cards they have received. The ICC HOA shall not be responsible for lost or stolen cards. Members shall report lost or stolen cards within 24 hours by calling Hughes Properties at 256-256-430-3088. Any stolen or lost cards will be deactivated. Your card will also be deactivated for non-payment of dues, late charges, outstanding liens, and/or non-compliance with pool rules and regulations. Additional/replacement cards cost \$50 each and can be purchased through Hughes Property.

POOL GATE(S) MUST REMAIN LATCHED AND LOCKED AT ALL TIMES, IN ACCORDANCE WITH COUNTY CODES AND INSURANCE REQUIREMENTS. DO NOT PROP GATES OPEN. All residents are responsible for compliance. Gate malfunctions, fallen or damaged signs, or other malfunctioning equipment or facilities should be immediately reported to Hughes Properties at 256-430-3088 and icchoapool@yahoo.com. **A computer record will be kept of residents who enter/exit the pool area. An alarm will sound if the gate is left open or not properly closed.**

1. The ICC HOA **DOES NOT** employ a lifeguard and assumes **NO** responsibility for the safety of any persons using the pool.
2. All children under the age of 16 must be accompanied by an adult. Children between the ages of 16 and 18 are allowed no more than 2 guests unless accompanied by adult resident.
3. Pets are not allowed in the fenced pool/cabana area.
4. Children may not chew gum in the fenced pool/cabana area.
5. No glass in the fenced pool/cabana area.
6. Tobacco use of any kind is prohibited in the fenced pool/cabana area.
7. No inappropriate behavior, profane language, or loud music allowed.
8. Trash must be placed in trash receptacles and lids properly secured.
9. Proper swim attire must be worn in the pool. Street clothing is not permitted in the pool (may cause damage to the filters).
10. Infants and toddlers must wear Swim Diapers or rubber pants. Traditional cloth/disposable diapers are not allowed in the pool.
11. Persons with infectious diseases are prohibited from entering the pool.
12. No running, pushing, diving, rollerblading, skateboarding, biking, or water balloons allowed in the fenced pool/cabana area.
13. **Pool hours are from 9 AM to 9 PM local time during pool season. Users are to be off the property by 9:00 PM. STRICTLY ENFORCED!**
14. **Hours are Dawn to Dusk year-round for Common Areas immediately adjacent to the pool including Playground area and the Parking Lot. During pool season the playground and surrounding common areas will remain open until 9:00pm.**
15. Management reserves the right to remove user privileges for non-compliance with regulations.
16. The owner takes financial responsibility for any damage(s) or vandalism caused by him or herself, their family, their tenants and/or their guests.
17. Everyone entering the pool area is required to enter through the gate using the proximity card. If you lose your card, you must notify Hughes Properties at 256-430-3088 immediately, as you will be held responsible for any misbehavior or damages caused by person(s) accessing the pool with your proximity card until proper notification has been made.
18. The amenities are for the use of Indian Creek Cove residents in good standing only. **Warning: Non-residents and residents not in good standing who try to access/use the pool facilities will be considered trespassing.**
19. All residents should be aware that the pool area is monitored by video surveillance devices which will be used to aid in the enforcement of the rules and in the prosecution of any crime.
20. All residents requesting pool proximity card activation are required to sign the Pool User Agreement and provide current contact information. This completed form must be mailed to Hughes Property along with yearly assessment payment.
21. **The cost for an additional or replacement card is \$50.**

2017 Indian Creek Cove Home Owners Association Pool Rules & Regulations User Agreement

******* Proximity cards must be activated annually *******

To activate your proximity card please do the following:

- 1. Submit annual dues in full to Hughes Properties.**
- 2. Read, fill out, and sign this form. Submit to Hughes Properties. Agreements may be mailed, faxed, or scanned & emailed to:**

**Hughes Properties, Inc.
ATTN: Elise Brooks (ICC HOA)
4910 Corporate Drive, Suite C
Huntsville, AL 35805
Fax: 256-430-3409
Email: elise@hughes-properties.com**

Once Hughes Properties has received this signed form and full payment, your card will be activated. Please do this before pool season begins if possible. If you are uncertain if your card has been activated, feel free to contact Hughes Properties or a pool committee member or test your card at the gate before you take you family to the pool.

Hughes Properties manages many other HOA pools and is a huge asset to our HOA. Mistakes can happen in the activation process. Please be patient and respectful with ICC Board Members and Hughes Properties employees if there is an issue with your card. Cards can usually be activated fairly quickly but people are less likely to be helpful if they are treated with disrespect.

Cards will only work from **9:00AM – 9:00PM during pool season**. Cards automatically turn off at 9:00pm nightly. Please do not piggyback on your neighbor's card. Please do not climb over the fence or break the gate lock to gain access.

I hereby request my pool proximity card be activated for use by my family, tenants, and/or guests. I understand that the pool area is **monitored by 24-hour video surveillance cameras**, and that surveillance video will be used to assist in the prosecution of any and all crimes and/or rules violations taking place on the property of the Indian Creek Cove Homeowners Association, Incorporated. I am aware that Indian Creek Cove is a deed restricted community, and that access to the amenities may be suspended for non-payment of dues, and for rules violations as outlined above. As an Indian Creek Cove resident, I understand that this pool is provided for the use and pleasure of all residents in good standing, and my consideration and assistance will help keep it a pleasurable experience. I understand and agree to the Pool Rules and Regulations and I understand that failure to obey the rules may result in the disabling of my pool proximity card, monetary damages, or both. I understand that the rules outlined above may be amended at any time and additional rules may be added. I understand that I will have an opportunity to review any additions or changes to the above rules and, if at any time I no longer wish to be bound by the Pool Rules and Regulations, I agree to surrender my proximity card to Hughes Properties and to cease and desist all use of the pool. I further understand that my continued use of my proximity card and/or the pool area after any such additions or amendments have been added to the Pool Rules and Regulations will serve as my acceptance of and agreement to be bound by such additions and amendments.

I am (please circle one): an owner a tenant

Printed Name: _____ Street Address in Indian Creek Cove: _____

Signature: _____ Telephone: _____

E-mail: _____

Proximity Card #1 Serial Number: _____

Proximity Card #2 Serial Number: _____

I would like to purchase: an additional card* or a replacement card*

*Cards cannot be mailed. Additional key cards (limit 2 total per household) may be purchased at Hughes Properties for \$50 during normal business hours.