

SWIM CLUB RULES & REGULATIONS

Old Trail Swim Club (the “Club”) is a privately held entity and not affiliated with any community association or other such non-profit enterprise. These Rules and Regulations (the “Rules”) are established by the Club to protect the Club facilities and to promote the health, safety, welfare, and enjoyment of the members, their families and guests, and all other persons using the Club facilities. The Club is committed to providing all members and their guests with an enjoyable club experience. To uphold these standards, members and guests are expected to act in a manner consistent with good taste. The Club may amend these Rules from time to time.

GENERAL CLUB RULES

Members are afforded a non-exclusive revocable license to use the Club facilities with benefits in accordance with their classification of membership. Members are not entitled to any equity or assets of the Club, ownership rights, voting rights, or any other form of ownership or control of the Club or its owners.

Members, their families, and their guests shall abide by all Rules of the Club as they may be amended from time to time.

The Club facilities shall be open during the days and hours as may be established by the Club. Areas of the Club facilities may also be closed for scheduled maintenance and repairs. Use of the Club facilities may be restricted or reserved from time to time by the Club. Swimming is permitted only during posted hours of operation and use of the pool facilities at any time is at the swimmer’s own risk.

The personnel of the Club will have full authority to enforce these Rules and any infractions will be reported to Club Management.

In no event shall the Club discriminate against any individual because of the individual’s race, color, religion, sex, national origin, age, handicap, or marital status.

Self-parking is permitted in areas identified as such. No parking will be allowed on grassed or landscaped areas unless permitted by Club Management during designated events. “No Parking” signs must be observed. Vehicles parked in violation of “No Parking” signs may be towed at the owner’s expense.

Smoking/Vaping is not permitted in/on the pool deck area, in the restrooms, or within 50 feet of the fenced pool area.

Pets are not permitted within the fenced area of the Club.

No fireworks are permitted anywhere on Club property or adjacent areas unless part of a fireworks exhibit organized and conducted by the Club.

Showers are required before entering the pool.

People with infectious diseases, communicable diseases, or open sores are prohibited from using the Club.

Running and noisy or hazardous activity will not be permitted in any of the pool areas. Pushing, dunking, extended underwater breath holding and dangerous games are strictly prohibited.

All persons using the pool furniture are required to cover the furniture with a towel when using suntan lotions, which can stain and damage the furniture. You are asked to return all furniture to its original locations before leaving the facility.

Snorkeling equipment, other than a mask, is not to be used except as part of an organized course of instruction or prior approval from management.

In consideration for others, radios and other audio devices may only be used with earphones. The use of speakers is not allowed.

All persons using the pool facilities are asked to cooperate in keeping the area clean.

Proper swim attire is always required (bathing suits, shorts, coverups, tank tops, flip flops, etc.). Children not yet potty trained must wear a swim diaper.

There will be always 2 lap lanes in the pool for the use of lap swimming, swim instruction, and exercise. When not in use they can be utilized for recreational swimming, however as soon as a person goes to use them for one of the three fitness reasons the lanes are to vacate until the person is done with their fitness use of it.

FLOATATION DEVICES: Floatation devices are only permitted for use in accordance with the following guidelines:

Floatation devices are under no circumstances allowed to replace the use of Coast Guard Approved life vests for children or individuals who cannot swim. Items such as blow-up swim wings, baby water floats with or without sunshades for example are still not permitted at the Club and should be left at home.

All items brought in to be used such as pool noodles, boogie boards, and inflatables must be always in the direct control of the user in the water, or they must be secured back at their chair when not in use.

Floatation Devices that can be stood on in the water are strictly prohibited unless part of a Club organized event.

The use of any devices must not under any circumstances impede the personal space, experience, or safety of any other member using the facility.

Floatation Devices must not be so large that they cause situations that can put the user at risk of being injured or impede the lifeguards' ability to properly watch the water.

DIVING/DEEP END: The deep end/diving area of the pool is open for use according to the following guidelines:

Diving is only allowed in the designated deep end area, and off the diving board.

Only one (1) diver/jumper on the board at a time.

No running on the diving board.

Divers/Jumpers must go straight off the board. No diving/jumping towards the sides of the pool.

Divers/Jumpers must be able to swim to the side on their own without the assistance of any floatation devices or other person.

Only one (1) bounce before a dive. Multiple bounces not allowed.

Divers/Jumpers must swim to the ladders on the side of the pool to exit.

Divers/Jumpers may not dive until the person before them has reached the side of the pool or has exited by way of the ladder.

While the diving board is being used there is no free swimming in the roped area.

SWIM SEASON & HOURS OF OPERATION

Club Management reserves the right, at their sole discretion, to close at any time during the Swim Season, based on inclement weather, facility maintenance, safety, private parties, or other issues that may arise.

The Snack Bar will be open during the Swim Season, with a general schedule of Monday-Sunday, 11:00 am to 7:45 pm. Snack Bar's hours of operation are subject to change at the sole discretion of Club Management.

Emergency Closure: Club Management may close the Club facilities in an emergency, whether the emergency is caused by breakdown of equipment, or by other causes outside of the control of Club Management. There will be no refund of prepaid dues or fees paid to Members in the instance of an emergency closure that lasts less than thirty (30) days. On the 31st day after an emergency closure where the Club facilities are unable to reopen, a prorated Membership Fee will be refunded in the amount of 75% of the daily rate for the duration of the closure.

INCLEMENT WEATHER POLICIES

The Club anticipates operating under the posted hours of operation during the Swim Season, except in cases of an emergency closure or inclement weather, as determined at the sole discretion of Club Management. Club Management uses the app WeatherBug from the Club's physical location to assist them in making weather-related decisions, however, the Club reserve the right to utilize other apps as necessary. As a general guideline, Club operations will be affected by the following inclement weather scenarios:

Thunder/Lightning: The Club policy regarding pool closure due to thunder and lightning is based on the recommendation of the National Lightning Safety Institute. At the first sound of thunder, the pool will be cleared of swimmers for at least thirty (30) minutes. At the first sight of lightning, the pool and pool deck will be cleared of all members and guests for at least thirty (30) minutes. The pool and pool deck will reopen when thirty minutes have passed without any sighting of lightning or sound of thunder.

Rain: In the absence of thunder or lightning the pool may also be cleared if rainfall becomes so intense that the bottom of the pool is not clearly visible. The pool will reopen upon rain subsiding and the bottom of the pool becoming clearly visible.

Temperature: In the case that the weather forecast for the high temperature does not reach or exceed 65° consistently without precipitation, Club Management reserves the right to close or remain closed for the rest of the day and re-open, weather permitting, the following day.

In the event of inclement weather, we will now only close for the evening if we are unable to reopen by 7:15pm. Any fees paid for gate entry will remain in place and not be reimbursed.

It is recommended to follow the Club Facebook Page to stay up to date on any inclement weather, or other changes to hours of operation: www.facebook.com/oldtrailswimclub/. Members may also call the Club at (434) 823-1670 prior to visiting to confirm our operating status.

Club Management reserves the right to make changes to the hours of operations, inclement weather policies, and access to the Club facilities in inclement weather situations at their sole discretion.

In the case of high winds or inclement weather, members may be asked to lower or close their umbrellas until the storm has passed.

LIFEGUARDING & PARENTAL/GUARDIAN RESPONSIBILITY

Two (2) certified lifeguards will be on duty from open to close during all Swim Season hours of operation. Lifeguards shall have the authority to discipline swimmers and any and all other persons within the Club facilities within their best judgment and sole discretion consistent with the published pool rules and minimum safety standards.

Members are responsible for the conduct and safety of their children when utilizing the Club facilities. Unless with express permission by Club Management, or when participating in a supervised Club sponsored event,

children under thirteen (13) years of age are not allowed at the Club facilities unless accompanied and supervised by an adult age eighteen (18) or older.

Wading/Baby Pool: The supervision and safeguarding of users of the wading pool area shall be the sole responsibility of the parents or guardians of the children using the wading pool. The lifeguards and Club Management shall not be responsible for any injury or loss related to the supervision of the wading pool area. The wading pool is intended for children under five (5) years of age or individuals who truly need it.

CHILDCARE PROVIDERS

A Member may purchase and register a childcare provider with a payment of \$75 per person charge that will remove the maximum number of visits restriction for the registered caregiver if they are with the sponsoring member's family.

Childcare Providers will be charged the same associated gate fees (if any) as those on the membership they are registered under and may not access the facility under the membership when they are not caring for the member's children.

FOOD & BEVERAGE POLICIES

The Club will offer a selection of food and beverage for purchase from the Snack Bar during the posted hours of operation. Outside food and non-alcoholic beverages are permitted to be brought and consumed at the Club facilities. Per Virginia ABC laws, ALL alcoholic beverages must be purchased through the Swim Club. No outside Alcoholic beverages may be brought into the facility.

Glass objects (of any type), drinking glasses, and sharp objects are not permitted anywhere on the Club's property.

LOSS/DESTRUCTION OF PERSONAL/CLUB PROPERTY, OR INSTANCES OF PERSONAL INJURY

The Club shall not be responsible for any loss of or damage to any personal property brought to the Club facilities. Any such personal property which may have been left in or on the Club facilities for six months or more without payment or notice may be offered for public or private sale, or may be otherwise disposed of, and the proceeds, if any, may be retained by the Club.

Any property or furniture belonging to the Club shall not be removed from the area in which it is placed, or from the Club's premises, without proper written authorization. Each Member of the Club shall be liable for any property damage and/or personal injury at the Club caused by the Member, any guest, or any family member.

CODE OF CONDUCT/DISCIPLINE

Members are responsible for their own conduct and for the conduct of their family members and guests. Any Member whose conduct or whose family's or guest's conduct shall be deemed by the Club to be likely to endanger the welfare, safety, harmony, or good reputation of the Club or is otherwise improper, may be reprimanded, suspended, or expelled from the Club and have all privileges associated with the membership suspended or terminated by the Club. The Club shall be the sole judge of what constitutes improper conduct, but improper conduct will include, but is not limited to: