

LUGARNO TERRA SUBDIVISION

FACILITY RULES & REGULATIONS

In accordance with the Master Declaration of Covenants, Conditions, Restrictions and Easements for Lugarno Terra Subdivision, recorded in the real property records of Ada County, Idaho as Instrument No. 2019-111874, as amended and supplemented according to its terms from time to time (the “**Declaration**”), these rules and regulations (collectively, “**Rules & Regulations**”) govern the use of the Association-owned clubhouse (“**Clubhouse**”), Pool (the “**Pool**”), and children’s playground area (the “**Playground**”). The Playground, Pool, and Clubhouse may each be referred to herein individually as a “**Facility**” and collectively as the “**Facilities**,” as appropriate under the circumstances. These Rules & Regulations form a part of the Association Rules. All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Declaration.

GENERAL RULES & REGULATIONS

1. **Generally.** The Facilities must at all times be used in a responsible, safe, and courteous manner by the Owners and their respective family members, guests, tenants, and invitees.
2. **Hours of Operation.** The hours of operation for each Facility will be determined by majority vote of the Board and either posted in a conspicuous location at each Facility or otherwise delivered to the Owners from time to time. Hours of operation will be determined by the season of the year, availability of the particular Facility, and other factors that may impact the operation of each respective Facility. Hours of operation are subject to change from time to time as circumstances dictate.
3. **Access.** Access to the Clubhouse and Pool requires an access card or key fob (as applicable, the “**Access Instrument**”). Each owner (or the Owner’s tenant) is entitled to two Access Instruments per Lot. If any Owner (or the Owner’s tenant) loses or damages his or her Access Instrument, replacement Access Instruments are available only upon payment of a \$50.00 per Access Instrument replacement fee to the Association.
4. **Guests/Tenants.** All Owners and tenants, as applicable, must accompany their guests when utilizing the Facilities. A tenant will not be allowed to utilize the Facilities unless the Owner registers the name of the tenant with the Association and the tenant supplies the Association with photo identification.
5. **No Smoking.** There is no smoking allowed at any of the Facilities.
6. **Noise/Nuisance.** No loud music, noise or offensive actions that inhibit the enjoyment of the Facilities by others or that endanger the safety of anyone at the Facilities will be tolerated at any time. Further, no rollerblading, skateboarding, bicycles, scooters or wheeled riding toys of any kind are permitted at the Clubhouse or Pool.
7. **No Pets.** No pets of any kind (except service animals) are allowed at the Clubhouse or Pool at any time. All pets at the Playground must be leashed and remain under its owner’s control at all times.
8. **Children.** Owners are responsible for the conduct of all dependents and guests under the age of twenty-one (21). Children under the age of fourteen (14) must be under the direct supervision of a responsible adult over the age of twenty-one (21) at all times while using the Facilities.
9. **Private Parties.** The Association reserves the right to close the Clubhouse or Pool for private events upon such terms and conditions as the Association deems appropriate. The Association will endeavor to provide prior notice of any such closure to the Owners. Owners may request utilization of the Facilities for an event by contacting the Association, executing any applicable rental or other agreements as may be required by the Association, and paying the applicable fees.

10. Association Property. All furnishings, equipment, fixtures, and other contents of or at the Facilities are the property of the Association and cannot be removed from the applicable premises.

11. Signs. Owners shall not post signs, notices, flyers or other similar materials at the Facilities without the prior written consent of the Association.

12. No littering. All trash must be placed in a trash container.

13. Injuries. Any person who is injured in any way while using the Facilities must promptly notify the Association of the nature of their injury and the circumstances surrounding the injury as soon as possible after the injury occurs.

14. Surveillance. To ensure the safety of all persons utilizing the Facilities, surveillance equipment may be installed around and within the Facilities. All persons utilizing the Facilities acknowledge and consent to the use of such surveillance equipment.

15. Temporary Rules. All persons utilizing the Facilities must adhere to (i) all posted notices or temporary changes to normal operating hours and procedures that are deemed necessary by the Association; and (ii) all verbal directions or requests conveyed to them by the Association or its designees or agents.

CLUBHOUSE RULES & REGULATIONS

16. Attire. No wearing of wet swimsuits or wet clothing, keeping of wet towels or use of Pool toys is permitted in the Clubhouse.

17. Kitchen Use. The kitchen facilities in the Clubhouse are intended only as a food distribution area and are not to be used for extensive food preparation. All persons utilizing the kitchen facilities must clean up after they are finished and place all trash in a trash container.

18. Food Disposal. No overnight food storage is permitted in the kitchen facilities. Any food left overnight will be removed and disposed of.

19. Liability. The Association shall not have any liability to any Owner, tenant, or guest for damage or injury to person or property resulting from use of the Clubhouse.

POOL RULES & REGULATIONS

20. No Lifeguard. There will be NO LIFEGUARD ON DUTY AT ANY TIME. All persons using the Pool swim, bathe, and otherwise use the Pool at their own risk. Use of the Pool may result in certain unforeseeable risks. The Association shall not have any liability to any Owner, tenant, or guest for damage or injury to person or property resulting from use of the Pool.

21. Hours. Use of the Pool Facility before or after the posted opening/closing hours is prohibited.

22. Bathing Suits. All persons utilizing the Pool Facility must wear a bathing suit at all times.

23. Swim Diapers. Infants or toddlers wearing diapers must also wear a swim diaper to use the Pool.

24. Hygiene. Any person known to be or reasonably suspected of being afflicted with an infectious disease, suffering from a cough, cold or sores, or wearing bandages shall be excluded from using the Pool unless such person submits a written statement to the Association signed by a licensed physician confirming that the person does not present a health hazard to other Pool users.

25. **Pool Toys.** Tubes, floats and other similar Pool toys are permitted in the Pool, provided they do not interfere with other persons using the Pool.

26. **Food/Drink.** No food or beverages are permitted in or within ten (10) feet of the Pool. All beverages at the Pool and surrounding areas must not be in glass and otherwise be in non-breakable containers.

27. **Adult Supervision.** Children under the age of fourteen (14) must be accompanied and under the direct supervision of a responsible adult over the age of twenty-one (21) at all times while at the Pool.

28. **Unsafe Activities.** Running, jumping, horseplay, diving, flipping, and any other noisy, boisterous or dangerous activity or conduct is forbidden at the Pool at all times.

29. **Gates.** The gates to the Pool area must be kept closed and locked except when entering or leaving the Pool area.

30. **Pool Controls.** No persons utilizing the Pool are permitted to tamper with, adjust or change the Pool control valves or other controls.

31. **Pool Equipment.** Playing with or otherwise using the life safety equipment (life ring, backer board, Pool hook, etc.) for anything other than emergency purposes is strictly prohibited.

32. **Emergencies.** Dial 911 for emergencies.

PLAYGROUND RULES & REGULATIONS

33. **Children.** Children under the age of fourteen (14) must be under the direct supervision of a responsible adult over the age of twenty-one (21) at all times while at the Playground.

34. **Check Equipment.** The adult accompanying children must check to ensure that all equipment is not too hot, too cold, or otherwise unsafe.

35. **Unsafe Activities.** Running, jumping, horseplay, pushing, and shoving are forbidden at the Playground at all times.

36. **Use.** All Playground equipment shall be used as intended.

ENFORCEMENT

37. **Suspension of Use.** Pursuant to Article 5 of the Declaration, violation of these Rules & Regulations may result in an appropriate and immediate enforcement action by the Association, which may include, without limitation, suspension of the Owner's (or the Owner's tenant's) right to use the Facilities. Any Owner having its right to use the Facilities suspended for violation of these Rules & Regulations will be required to pay a re-instatement fee of \$250.00.

38. **Damages.** Each Owner is responsible for all damage or loss to the Association caused by such Owner or its guests or tenants and shall pay for all such damage. The cost of remedying all such damage or loss may be levied as a Limited Assessment against the Owner.

39. **Rule Revisions.** The Board reserves the right to amend these Rules & Regulations at any time.