

# **NEWPORT SHORES COMMUNITY ASSOCIATION**

## **FACILITY RULES AND REGULATIONS**

**JULY 2008**

**(Revised July 2010)**

**(Revised June 2011)**

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## **INTRODUCTION**

The following rules and regulations were prepared and adopted by the NSCA Board of Directors (July 2008 and Revised July 2010).

These Rules and Regulations shall apply to all members of the Newport Shores Community Association (hereinafter referred to as the NSCA), whether they are owners, the family of owners, friends, guests or tenants. It is the responsibility of the members to inform their family, friends, guests, and tenants of these Rules and Regulations.

These Rules and Regulations have been established for the purpose of safety, the preservation of the Association's property and the enjoyment and benefit of the Association's members and their guests. These Rules and Regulations are adopted pursuant to the authority granted the NSCA's Board of Directors by the NSCA governing documents and applicable law.

The Facility is reserved for the exclusive use of NSCA members and their accompanied guest(s). An assigned key is required for admittance to the Facility. Only Members in good standing will be allowed admittance to the facility. Any homeowner may delegate their right of enjoyment of the Facilities to their tenants who reside on their property. Such homeowner shall notify the Management Company (AMMCOR Management) in writing of the name of any such tenant. The rights and privileges of such tenant are subject to suspension to the same extent as those of the homeowner.

## **FACILITY RULES AND REGULATIONS**

### **Facility Hours**

Facility hours are 6 a.m. - 10 p.m. Sunday through Thursday and 6 a.m. – 11 p.m. Friday and Saturday. Anyone inside the fenced area outside of these hours is trespassing and subject to arrest.

### **General Facility Use Regulations**

1. ALL PERSONS USING THE FACILITY WILL DO SO AT THEIR OWN RISK.
2. NSCA assumes no responsibility for accidents or injury in connection with such use or for the loss or damage to personal property.
3. During any period in which a homeowner is in default in the payment of annual dues or special assessment levied by the association, the right to use the Facility may be suspended by the board of directors until the dues and/or assessment are paid.
4. Individual NSCA Members are financially responsible for any damages, breakage, or labor charges caused by misuse of NSCA property by the member, tenants, their children, or their guest(s).
5. For the safety of our children and our facilities, you must close and lock all gates behind you when entering or exiting. Any member allowing or giving access to the Facility to any individual accepts responsibility and liability for that individual.
6. Members must have their Facility Key with them at all times and may be asked to present it at anytime to verify membership. In the event of a lost key, all requests for a replacement key must be in writing to AMMCORAMMCOR Management. The cost of a replacement key is \$50.
7. The NSCA property is designated as a NO SMOKING facility. NO SMOKING is permitted anywhere within the NSCA facilities at anytime.
8. Bounce houses are allowed during the off season months (Labor Day weekend through Memorial Day weekend) on the Beach area between the Volleyball Court and the Barbeques. Bounce houses are NOT allowed in the Summer months without special permission of the Board and only on a limited basis. Members are required to apply for Bounce House use through AMMCOR Management.
9. No pets or animals are allowed in the facility at any time, except for service animals
10. No climbing on gates, fences or furniture is permitted.
11. The Clubhouse and adjoining courtyard or Barbecue patio and adjacent Sand Beach Area can be rented and reserved through AMMCOR Management. NO OTHER AREAS OF THE FACILITY CAN BE RESERVED. Use of all areas including but not limited to the, Pool Deck, Basketball, Tennis Courts, Playground and Beach MUST BE SHARED. Please be considerate of other members
12. No one under the age of 18 years permitted without parent/guardian or lifeguard on duty
13. Consumption of alcoholic beverages is permitted for NSCA members and guest(s) 21 years of age or older.
14. No riding of bicycles, skateboards or other vehicles allowed in the facility areas.
15. No advertising or notices of any kind may be placed on facilities.
16. No vending of any kind permitted inside the Facilities without prior written approval from the NSCA Board of Directors.

17. In order to prevent the use of the Facility by non-members, especially during the peak summer season, a security person may be posted at the gate to verify NSCA membership in good standing. Always be prepared to show your pool key and identification to any security, lifeguard or fellow member when requested.
18. NSCA Members may not use the pool area for storage of personal property. All items left in the lost and found for more than seven days will be discarded.

### **Guest Privileges**

1. At all times guest(s) must be accompanied by a NSCA member that is at least 18 years of age or older.
2. At no time may a facility key be given or “loaned out” to any non-resident. This will result in the loss of facility privileges.
3. NSCA Member households are permitted to host up to a maximum of twelve (12) People at anytime without a reservation.
4. For groups larger than twelve (12) people, or if exclusive use of any portion of the facility is desired, please refer to the Events/Parties section below.
5. Members assume full responsibility for the conduct of their guest(s).

### **Events/Parties**

1. NSCA members may use the facilities for entertaining. This does not preclude other association members from using the facilities at the same time. Only the Clubhouse and open adjoining courtyard or BARBECUE and adjacent beach area may be reserved for up to 40 people. All other areas must be shared and accessible to all members.
2. The clubhouse and open adjoining courtyard or Barbecue Patio and adjacent beach area may be reserved for parties or other activities by filling out and signing the application form. Reservations and the application are available through AMMCOR Management by calling (949) 661-7767 or online at [Newportsca.com](http://Newportsca.com).
3. The NSCA host is responsible for the behavior of guests and adherence to all Facility rules.
4. NSCA Member is responsible for all trash, order of deck furniture, and monitoring alcohol consumption.
5. Filled trashcans must be emptied in the large Dumpster located through the door at the end of the hallway between the restrooms.
6. If the pool will be used as part of the function Lifeguards must be hired according to the number of guests attending. A lifeguard can be arranged through Aquatics Director Don Watson at 949-548-5498.
7. The following scale will be used to determine the number of lifeguards required at a child’s event in which the pool will be used, subject to the Aquatics Director’s discretion:

Number of Children	Number of Lifeguards
1 – 10	1
10 – 20	2
20 – 30	3
30 – 40	4

## **Group or Reoccurring Functions**

1. Any group or reoccurring function must have prior written approval of the Board of Directors.
2. The group must have separate liability insurance with levels acceptable to the NSCA Board and with the NSCA named as an additional insured.
3. All parties involved must sign a Release of Liability and Indemnity Agreement prior to participation.
4. Reoccurring group sessions will be limited to 15 participants. Majority of participants must be members of the NSCA.
5. The group or function must have a group leader who is a NSCA member that agrees in writing to be responsible for ensuring the rules of the facility are enforced and will be financially responsible for any damages caused by the group during their use of the facilities.
6. Permission to use the association facilities may be revoked by the NSCA Board at any time.

## **POOL AREA REGULATIONS**

THERE IS NO LIFEGUARD ON DUTY. ALL MEMBERS/TENANTS OR GUESTS USE THE POOL FACILITIES AT THEIR OWN RISK. ALL POSTED SIGNS, POOL RULES, COUNTY AND CITY REGULATIONS MUST BE OBEYED. PARENTS ARE RESPONSIBLE FOR THE CONDUCT OF THEIR CHILDREN.

NSCA pool is for the exclusive use of members, their family and their authorized guests. Each household is permitted to have up to twelve (12) people at any one time. Children (under 18) are not permitted to bring non-resident guests unless accompanied by a resident adult. Members must accompany their guests at all times.

### **Pool use rules**

1. ALL PERSONS USING THE POOL WILL DO SO AT THEIR OWN RISK.
2. NSCA assumes no responsibility for accidents or injury in connection with such use or for the loss or damage to personal property.
3. All Gates must be closed and locked at all times. Any member allowing or giving access to the pool area to any individual accepts responsibility and liability for that individual.
4. Children eight (8) or older who demonstrate their ability to swim (swim test) to the satisfaction of the lifeguard are permitted in the pool area without adult supervision when a LIFEGUARD IS ON DUTY.
5. Glass containers and other breakable objects are prohibited in the pool area
6. No Food and Drinks allowed in the pool.
7. Proper swimwear is required. No cut-offs or clothing other than swimsuits are permitted in the pool.
8. Swim Pants ARE REQUIRED for all children not toilet trained; disposable swim diapers ARE NOT PERMITTED. Swim pants are available for purchase from the Lifeguard.
9. Floatation devices are allowed at the discretion of the lifeguard or when such use does not hinder the use of the pool by any other person. No hardboards allowed at any time
10. No running is allowed in the pool area. No pushing or throwing anyone in the pool. Dangerous games are prohibited.
11. NO DIVING ALLOWED.

12. Only Lap swimming allowed in designated lap swimming lanes.
13. No climbing, sitting or standing on laps lane lines is permitted
14. Air tanks, weight belts and other related diving equipment are prohibited.
15. When using radios, please be considerate of other members.
16. **LIFEGUARDS ON DUTY HAVE THE AUTHORITY TO ENFORCE THESE RULES AND MAY EXPEL ANYONE AT ANY TIME FOR MISBEHAVIOR, USE OF ABUSIVE OR FOUL LANGUAGE, OR APPARENT INTOXICATION. THOSE INDIVIDUALS SO EXPELLED MAY NOT RETURN TO THE POOL AREA UNTIL THE FOLLOWING DAY. LONGER EXPULSION MAY BE ENFORCED FOR REPEATED OR DANGEROUS OFFENSES. ALL MEMBERS AND GUESTS ARE EXPECTED TO RESPECT THE LIFEGUARD'S AUTHORITY AND DIRECTION.**
17. These rules may be amended without notice, if necessary, to promote safety, to comply with the board of health, or to protect our community property.

## **PLAYGROUND AREA RULES**

1. Use of Play Area is at your own risk.
2. Adult supervision of all children under 4 is required within the fenced playground area.

## **SPORTS COURT RULES**

### **Tennis Court Rules**

1. Use of tennis courts is at your own risk.
2. Proper attire and shoes are required. Only rubber-soled tennis shoes are allowed on the playing surface. No black or other hard-soled shoes are permitted.
3. Tennis courts are for playing tennis only.
4. Doubles play is restricted to 1-1/2 hours and singles play is restricted to 1 hour.
5. Please close the gate when leaving the tennis court and dispose of any trash in the containers located outside the gates.
6. Large tennis classes are not permitted on the court areas.
7. Individualized tennis instruction is permitted only when the instruction is at the request of an owner and the owner is present at the time of instruction.
  - (a) Tennis instruction is limited to 4 persons total, inclusive of the member, the instructor, and up to 2 other persons.
  - (b) The instructor and all non-members in the class shall be a guests of the member, and the member shall be the sponsor of the instruction and responsible for the conduct of the instructor and the others in the class while in the community.
  - (c) The instructor must maintain liability insurance acceptable to the NSCA covering the instructor's activities while at the NSCA's facilities.
  - (d) Proof of liability insurance must be submitted to the NSCA Board of Directors prior to commencement of instruction. Liability coverage must name the NSCA as an additional insured under the policy.
  - (e) In order to ensure the use and enjoyment of the community facilities by members, NSCA may restrict the times and locations of instruction. NSCA may also revoke the use of the court areas for instruction at any time.
  - (f) No keys for the facility shall be given to instructors or guests.

### **Basketball Court Rules**

1. Use of basketball court is at your own risk.
2. Proper attire and shoes are required. Only rubber-soled tennis shoes are allowed on the playing surface. No black or other hard-soled shoes are permitted.
3. Basketball Court is for basketball playing only.
4. Challenge play.

### **Volleyball Court Rules**

1. Use of Volleyball court is at your own risk.
2. Challenge play.

## **BARBECUE RULES AND REGULATIONS**

1. Use of the Barbecue's are at your own risk
2. If the Barbeque area is reserved, one Barbecue grill must remain open for the use of all members and their guests. Please be courteous.
3. You must clean up and full trash cans are to be emptied into the dumpster between restrooms. Extra trash liners are at the bottom of each can.
4. Glass or breakable containers should not be used. Please utilize plastic or paper cups when in the Barbecue area.

## **ENFORCEMENT**

These Rules and Regulations have been established for the purpose of safety, the preservation of the Association's value and property and the enjoyment and benefit of the Association's members and their guests. When there is no lifeguard or security personal on duty it is your responsibility as a NSCA member to help enforce these Rules and Regulations.

### **CALL THE NEWPORT BEACH POLICE DEPARTMENT AT 644-3731 IF:**

1. People are using the facilities after hours.
2. You suspect illegal use of the facilities.
3. There is intentional abuse of facilities