

**Bel Pre Recreational Association (BPRA) Board of Trustees
Minutes of Meeting of November 10, 2020**

1) Call to Order and review of teleconference guidelines

President Purdy called the meeting to order at 7:34 pm. The meeting was held by teleconference, with the teleconference participation guidelines in place.

2) Roll Call

Secretary Swan called the roll. Board members present were President Karen Purdy, Vice President Mark Foraker, Treasurer Dave Pullen, Secretary Chris Swan, Ted Bechtol, Steve Jennison, and Billy Ruppert. Board members Greg Miller and Larry Vaught were not present. BPRA members Elliot Chabot (Governing Documents Committee Chair) and Maria (Cookie) Stagnitto (Board candidate) were present. There was a quorum. Secretary Swan took the minutes.

3) Approval of Agenda

Jennison moved that the agenda for the meeting be approved. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Pullen, Purdy, Ruppert, and Swan in favor, and none opposed.

4) Statements by Association Members

BPRA members were invited to speak on any items. No statements from association members were made.

5) Approval of Minutes

Swan presented the minutes of the October Board meetings. Pullen moved that the Board approve the minutes of October 6. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Pullen, Purdy, Ruppert, and Swan in favor, and none opposed. Swan moved that the Board approve the minutes of October 10. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Pullen, Purdy, Ruppert, and Swan in favor, and none opposed.

6) Appointment of Tennis Court Key Distributor

Purdy reported that Jim Eaton – a member of the Tennis Courts Committee – has volunteered to be the new Tennis Court Keys Distributor. In accordance with § 8(c)(2) of the BPRA Plan of Organization, President Purdy announced that she was appointing Eaton to the position and moved that the Board approve the appointment. The motion was seconded. Pullen, who had been serving as Distributor, since Louisa Hoar stepped down earlier this year, recommended approval and indicated that he would forward any requests to Eaton. There being no further discussion, the motion was approved, with Bechtol, Foraker, Jennison, Pullen, Purdy, Ruppert, and Swan in favor, and none opposed.

7) Annual Meeting

Purdy reported that the rehearsal for the annual meeting (the first BPRA annual meeting to be held on Zoom) will take place on November 11 at 7:30 pm. An “Explore Zoom” session will be held for BPRA members on November 12, at 7:30 pm. The annual meeting will include the election of trustees, annual report, presentation of the budget, and plans to develop covenant enforcement policy. The Civic Association is reaching out to Boy Scout Troop/Pack 763 about conducting the flag ceremony. Pullen reported that 86 mail-in proxies have already been received (in accordance with Article VIII, § 6 (as amended December 4, 2018) of the BPRA By-Laws. Only 72 are needed to establish a quorum (713 households x 10% = 71.3 → 72 for a quorum). The Montgomery County Commission on Common Ownership Communities has authorized homeowner associations to use teleconferencing instead of in-person meetings for 2020, because of the COVID-19 pandemic.

8) Pool Entry/Gateway/Software System

Purdy reported that Foraker is looking at software platforms for pool entry, assessment payments, member information, etc. Spirited discussion ensued. Purdy reported that Foraker will develop a spreadsheet comparing the platforms and then the data will go to a committee that will make recommendations to the Board. The software platform will be available for use by all BPRA members. Members who do not wish to use the software platform will be able to use paper/telephone-based options. Swan discussed the importance of maximizing community input on the decision. Pullen indicated that he would like to have the software operational for the annual assessments that are due March 1, 2021, and offered to have the Finance Committee review the information that Foraker compiles concerning the software platforms. The Committee also will see demonstrations of the platforms. Purdy offered to inform the community at the annual meeting and invite community participation in the software platform selection process.

Swan recommended that recognition be given to Louisa Hoar, the out-going Pavilion Scheduler and Pool Pass Coordinator, for her many years of service. Details were discussed and it was the consensus that a memorial tree (with plaque) be planted at the pool in her honor. Bechtol volunteered to take care of implementing the decision and asked for assistance with the planting. Purdy will thank Louisa and announce her tree at the annual meeting.

9) Proposed BPRA Recreational Facilities Policy

Purdy presented the proposed Recreational Facilities Policy drafted by the Governing Documents Committee. The proposed policy was drafted over several years with over 20 people involved. Draft copies were announced in *The Bugle* and posted on the listserv and at the pool.

Governing Documents Committee Chair Chabot reported that the Committee:

- Considered current practice – particularly where current practice does not meet with the 1994 rules;
- Gathered feedback about the pool rules and other rules and practices, including making use of the 2019 BPRA/SBPCA community survey, and by widely circulating previous drafts of the Committee’s proposal;

- Made the language consistent throughout;
- Complied with Montgomery County health regulations that require certain provisions be included in all pool rules;
- Made the policy consistent with the Montgomery County Board of Appeals rulings concerning alcohol on the BPRA property; and
- Incorporated various stand-alone polices that the Board has adopted, including the Memorial Tree Policy (2019), the food Truck Policy (2015), and the Guest Fees policy (2007).

The Recreational Facilities Policy is intended to replace:

- Club Regulations and Rules (adopted 1994)
- Policy on Guest Fees (adopted May 21, 2007, and clarified May 19, 2008)
- Pavilion Rules (adopted May 19, 2008, and amended January 23, 2014)
- Summer Entertainment Series Policy (adopted February 25, 2015, reaffirmed February 2, 2016, and February 7, 2017, amended May 13, 2017, and reaffirmed as amended May 6, 2018)
- Policy on Food Trucks and Other Solicitations (adopted July 15, 2015)
- 4th of July Parade Policy (adopted April 5, 2016)
- Young Children Guest Fee Policy (adopted May 1, 2018)
- Memorial Tree Policy (adopted February 5, 2019)

Pullen moved that the Committee’s recommendation be adopted with the following five amendments:

1. In § 105(d) – in the first sentence, replace “the Pool Manager” with “the Pool Manager or the Board”.
2. In § 213, replace “Teams” with “The Swim Team (and their families) as well as teams”.
3. In § 302(f), replace “9 p.m.” with “9 p.m., on Saturday and Sunday; Noon to 8 p.m. on Labor Day”.
4. In § 329, at the end of the heading (Illness), add the following footnote:
The Montgomery County Code of Regulations § 51.00.02.04(B)(2)(d), requires that our pool rules prohibit patrons from “Entering the pool water if patrons exhibit signs of infection or are otherwise shown to be a contamination risk”.
5. In § 333, at the end of the heading (Pets), add the following footnote:
The Montgomery County Code of Regulations § 51.00.02.04(B)(2)(h), requires that our pool rules prohibit patrons from “Bringing any animal, other than a registered service animal, onto the immediate premises or allowing any animal to enter the pool water.
For purposes of the County Swimming regulations, § 51.00.01.01(12) defines “immediate premises” as “the area within the enclosed borders of the pool site”.

The motion was seconded and approved, with Bechtol, Foraker, Jennison, Pullen, Purdy, Ruppert, and Swan in favor, and none opposed. (See Exhibit 1 of these minutes for the complete text as approved by the Board).

Purdy will mention the new policy at the annual meeting.

10) Budget & Finance

a. Monthly financial statements

Treasurer Pullen reported that conversion of the financial data from the ACM format to QuickBooks is almost fully complete. Monthly financial statements should be ready by December 1. The Association has approximately \$215,000 in the bank and the Association has enough funds to run without risk. A \$17,400 check to Georgetown Aquatics has not yet been cashed.

b. Delinquent accounts

Pullen reported on the 4 properties referred to Thomas Schild Law Group for collection of unpaid assessments: 2 have paid in full, 1 is on a payment plan, and 1 has a court judgment. Thirty-eight properties have made partial payments. Twenty-two properties have not made at least partial payment for the 2020 assessment, nor requested for a payment plan.

Pullen asked the Board to authorize one more letter to each of the property owners and if they fail to pay by December 1, Pullen would be authorized to forward to Schild the names of any owners who have not responded, so Schild can initiate legal action. Foraker moved to instruct the Treasurer to send one more letter to each homeowner who has not responded, to authorize the Treasurer to forward to the Thomas Schild Law Group the names of any homeowner who does not respond to the letter, and to authorize the Thomas Schild Law Group to proceed with formal collections on behalf of the Association. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Pullen, Purdy, Ruppert, and Swan in favor, and none opposed.

c. Other items

Pullen moved that the Treasurer be authorized to move money between existing accounts, in consultation and with the approval of the President. The Association currently has a checking account and a money market account. The motion was seconded and then discussed by the Board. At the end of the discussion, the motion was approved, with Bechtol, Foraker, Jennison, Pullen, Purdy, Ruppert, and Swan in favor, and none opposed.

Pullen reported that the mailing for the annual meeting cost \$782 and arrived at members' homes in a timely fashion.

11) Committee Reports and Administrative Assistant's Report

a. Questions about Reports

No Board members had any questions about the reports distributed before the Board meeting.

b. Entertainment and Recreation – Parking Lot Use 11/21, 9-11am, Durkey Dash shirt pick up

Entertainment and Recreation Committee Chair Swan reported that the Swim Team would like to use the pool parking lot from 9 to 11 a.m. on November 21 to distribute shirts for the Durkey

Dash 5K. Swan moved that the Swim Team be authorized to use the pool parking lot for Durkey Dash 5K shirt distribution on November 21 (or on another day if there is inclement weather on the 21st) from 9 to 11 a.m. plus set-up and take-down time. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Pullen, Purdy, Ruppert, and Swan in favor, and none opposed.

12) Other Business

None.

13) Adjournment

There being no further business, the meeting was adjourned at 8:47 pm. The annual general membership meeting is scheduled for Thursday, November 19, at 7:30 pm. The next regular monthly Board meeting is scheduled for Tuesday, December 1, at 7:30 pm, by teleconference.

Respectfully submitted

-- Chris Swan, Secretary

Exhibit 1

Adopted BPRA Recreational Facilities Policy

BEL PRE RECREATIONAL ASSOCIATION, INC. RECREATIONAL FACILITIES POLICY

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Part 1 – General

Subpart 1 – About the Rules

101. Purpose.

This policy is intended to provide a uniform set of rules and regulations governing the use of the BPRA property at 13920 Bethpage Lane (and any facilities on the property) and the personal conduct of any person thereon.

102. Definitions.

For purposes of these Rules:

“**Adult**” means a person who is 18-years-old or older.

“**Board of Trustees**” or “**Board**” means the Board of Trustees of the BPRA.

“**BPRA**” means the Bel Pre Recreational Association, Inc.

“**Food**” includes non-alcoholic beverages, but does not include alcoholic beverages.

“**Large Group**” means a group of more than 25 people.

“**Lifeguard**” means a person hired by the pool management company as a lifeguard or a person otherwise designated by the Board of Trustees to serve as a lifeguard.

“**Lot Owner**” means the person or legal entity recorded in the land records of Montgomery County as the owner of each property that is within the BPRA. Lot Owner does not refer to any mortgagee or subsequent holder of a mortgage, unless such mortgagee or holder has acquired title pursuant to foreclosure or any similar legal procedure.

“**Member**” means – for purposes of access to and use of the Property – (1) Lot Owners who have not transferred their right of use and enjoyment of The Property to one or more of their tenants; and (2) tenants who have received the right of use and enjoyment of The Property from the Lot Owner of the home where they are a tenant. This definition does not alter the responsibility of the Lot Owner to pay annual and special assessments nor does it transfer the Lot Owner’s right to vote in General membership meetings of the BPRA.

“**Minor**” means a person who is younger than 18-years-old.

“**Opt-in Homes**” means those single-family homes platted within the Strathmore at Bel Pre Subdivision, which are not currently within the BPRA.

“**Pool Grounds**” means the fenced-in area that contains the pool.

“**The pool management company**” means the pool management company approved by the Board of Trustees.

“**Pool Manager**” means the manager designated by the pool management company.

“**President**” means the President of the BPRA.

“**The Property**” means the property at 13920 Bethpage Lane.

“**These Rules**” means the BPRA Recreational Facilities Policy.

“**Secretary**” means the Secretary of the BPRA.

“**Strathmore Bel Pre Community**” means the homes within the BPRA and the opt-in homes.

“**Swim Season**” means (unless the Board designates otherwise) the period of time starting the Saturday of Memorial Day weekend and ending on the following Labor Day.

“**The Swim Team**” means the Strathmore Bel Pre Dolphins Swim Team.

103. Coverage.

All members (including children and guests) use the pool and Club facilities at their own risk. All BPRA members and their guests using the Pool and other facilities must adhere to this Policy. This Policy will be posted at the pool. Please be aware of this policy for the safety of all our members and guests.

104. Authority.

This policy is adopted by the Board of Trustees of the BPRA pursuant to the authority granted by Article XII, § 1(d) of the By-Laws.

105. Suspension of privileges.

(a) If a Lot Owner is not current in their assessment (i.e., has an outstanding balance of any kind), the right of the Lot Owner (or their tenants) to use the Pool, Tennis Courts, and the rest of the Property is automatically suspended until that Lot Owner has paid all of the funds owed to the BPRA, or has entered into an agreement approved by the Board of Trustees (either directly or through its authorized agents), that results in such payment.

(b) If a Member violates these rules, the Pool Manager may suspend the Member’s privileges, effective immediately and lasting for up to one full day.

(c) If a Member violates these rules, the Board of Trustees may suspend the Member’s privileges for up to thirty (30) calendar days.

(d) If a guest violates these rules, the Pool Manager or the Board may revoke the guest’s privileges for up to one year. Such decisions by the Pool Manager may be appealed to the Board by the Member who sponsored the guest.

106. Enforcement.

The enforcement of these rules will be supervised by the Board of Trustees. Implementation will be effected by the pool management company and its employees.

107. Transfer of Membership.

Transfer of membership is automatic with the sale of a Member’s home. The seller (or alternatively, the buyer) should notify the Secretary promptly upon transfer of membership. Even

though you may rent your home, the annual dues are still the responsibility of the owner. If a home is sold after its previous Lot Owner has transferred use and enjoyment rights to a tenant, the transfer of use and enjoyment is automatically terminated with respect to the tenant.

108. Responsibility for dues, charges, and damages.

Lot Owners are responsible for all actions of their tenants, guests, household, and family unit. All dues, charges, and damages to property of the Club incurred or caused by a member, member of the family unit, household, tenant, or member's guest, shall constitute a debt by the member to the BPRA.

109. Manager's authority.

All situations not covered in the rules will be handled at the discretion of the Pool Manager.

110. Amendments.

These rules may be revised or new rules established at any time by the Board of Trustees.

111. Health Emergencies.

If the Maryland or Montgomery County government declares a health emergency and issues regulations that are more stringent than these rules, these regulations shall govern the operation of the pool and rest of the property. Such regulations may include, but are not limited to specifying:

- The number of people permitted to use the pool at one time;
- Permitted use of the pool (e.g., permitting only lane swimming with one person per lane);
- Minimum distance each person on the property may be from any other person.

Subpart 2 – Rules Governing the Entire Property

120. Alcoholic Beverages and Illicit Drugs.¹

(a) Prohibited. No alcoholic beverages or illicit drugs are allowed on the property. Persons under the influence of either will not be admitted or permitted to remain on the property.

(b) Fourth of July exception. The Board of Trustees may authorize beer and/or wine to be allowed on the property for the annual Fourth of July celebration provided that:

- (i)** a one-day Montgomery County liquor license has been obtained; and
- (ii)** all of the requirements contained in the May 26, 1977 special exception issued by the Montgomery County Board of Appeals (Case 2364) are met, specifically:

- (A)** The party is open only to the Strathmore Bel Pre Community and their guests, all over age 18; and
- (B)** The party will be concluded not later than 1:00 a.m.

¹ The May 7, 1968, and May 26, 1977 Special Exception rulings by the Montgomery County Board of Appeals (Case 2364) concerning the Strathmore Bel Pre property provide that "Transportation to and consumption upon the site of alcoholic beverages of any kind shall be prohibited". A permanent exception was granted for beer and wine at the annual 4th of July party at the pool, provided that the party is "open only to Strathmore Bel Pre homeowners and their guests, all over age 18; and that the party shall be concluded not later than 1:00 a.m."

(c) Other exceptions. Any exceptions to the alcoholic beverages provision in subsection (a) must be approved by both the Board of Trustees and Montgomery County Board of Appeals.

121. Bikes.

Bikes taken to the pool or tennis courts should be parked in the bike rack or, if it is filled, be left in the bike rack area. Bikes and/or skateboards are not to be ridden inside the Pool Grounds or in the tennis courts enclosure. Bikes should be locked. (See the Parking Lot Rules for bike use when there are no cars in the parking lot.)

121A. Firearms.

No firearms are allowed on the property.

122. First Aid Equipment.

All first aid equipment is to be used for its intended purposes only.

122A. Food trucks and other solicitations.

All food trucks and ice cream trucks or other solicitations are banned from the Property without specific Board of Trustees approval.

123. Grills and Outside Food.

No use of outdoor grills is permitted on the grounds, except as authorized by the Board of Trustees. Outside food is allowed, except as otherwise prohibited or restricted by these rules.

123A. Memorial Tree Program.

(a) Purpose. The Memorial Tree program is intended to provide an opportunity for Strathmore Bel Pre Community members to have a memorial tree dedicated to a special person and planted on the grounds. The cost of the tree and its planting shall be the responsibility of the sponsor with its addition to the landscape benefitting the green spaces surrounding the pool and recreational facilities.

(b) Options. A wide selection of shade and ornamental tree species and site locations across the grounds will be available for consideration. A small tag or plaque, no larger than 3” by 5”, can be mounted on the ground or on the tree to identify the memorial which would be at the sponsors discretion and expense.

(c) Procedure. The BPRA Grounds and Landscaping Coordinator will work with any interested sponsor to determine tree types available, possible locations, and any other considerations and to determine an agreeable selection and options. The Coordinator shall present the name of the sponsor and memorializing purpose along with a location map for Board of Trustees consideration, modification if necessary, and final approval. Approval shall be at the sole discretion of the Board of Trustees.

(d) Care and Maintenance. The memorial tree will be incorporated into the routine landscape maintenance of the Pool Grounds. Any supplemental care, such as watering, provided by the sponsor, is welcomed. The memorial will continue for the life of the tree.

124. Radios.

All radios in the Property shall be played at a volume sufficient only for adjacent listening and shall not be disturbing to others.

125. Smoking, tobacco products, and vaping.

No smoking, vaping, or use of tobacco products is permitted within the Property.

126. Valuables.

The BPRA is not responsible for loss, theft, or damage to personal property of members or their guests.

Part 2 – Access to the Property

200. Access.

Access to and use or enjoyment of the property is limited to members and their guests.

201. Admission Procedures.

All persons must adhere to the current admission procedures set by the Board. The rules concerning admission to the tennis courts are set out in Part 4 of this policy.

202. Member Admissions to the Pool Grounds.

(a) Options. Members in good standing may choose either the season pass option or the household option, but not both.

(b) Season pass option. The season pass option consists of two (2) passes per household which can be used by the household members or their guests. The two passes are for unlimited use during the Swim Season in which they are issued. The passes must be shown at the gate for entry into the pool, and all other admission procedures must be followed. Each pass allows one individual to enter the Pool Grounds.

(c) Household option. The household option entitles every person who is a member of the household to enter the Pool Grounds. Members who use this option need to supply a photograph of each member of the household (plus children and grandchildren who are to be exempt from guest fees by virtue of § 210) and fill out the census form. The photographs and census form are to be updated as circumstance change or once every five years, whichever comes first.

203. Front Desk.

Every person entering the Pool Grounds must stop at the front desk and check in and have their membership verified by the front desk staff.

204. Children.

(a) Accompanied. Children seven (7) years of age and under must be accompanied at the pool by either a sibling 14 years of age or older, or by an adult.

(b) Supervision. Children seven (7) years of age and under at the pool must, at all times, be under the supervision of either: a sibling 14 years of age or older, or by an adult.

(c) Swim Team practice. During Swim Team practice (and only during Swim Team practice) the Swim Team coaches will qualify as accompanying and supervising the Swim Team members age seven (7) and younger.

205. Caregivers.

Adults who are caregivers for the minor child of a member may be on the Pool Grounds without paying a guest fee if

- (a)** the member has signed the Caregiver Form issued by the Board for that purpose and has submitted the signed form to the Pool Pass Coordinator; and
- (b)** the caregiver is supervising the minor child for the entire time that the caregiver is on the Pool Grounds.

206. Guest Policy.

(a) Households in good standing may bring up to ten (10) guests to the Pool Grounds on any given day.

(b) Households in good standing may bring from eleven to twenty-five guests to the Pool Grounds on any given day only with the prior approval of the Pavilion Coordinator.

(c) Households in good standing may bring twenty-six or more guests to the Pool Grounds on any given day only with the prior approval of the Board of Trustees.

(d) A member who brings eleven or more guests must accompany the guests to the pool and remain at the pool while any of them are present.

207. Guest Fees.

Daily guest fees will be posted at the front desk. This fee covers all-day entrance to the Pool Grounds, including leaving and re-entering the pool grounds, so long as the guests are properly checked in at the front desk. Guest fees must be paid by cash, a Member's check, or other authorized method. Only Association members may pay the guest fees. Guest fees are \$2 per person on weekdays and \$3 per person on weekends.

207A. Guest Fees – Scout Lifesaving Badge Tests.

Scout group(s) sponsored by the Strathmore Bel Pre Civic Association are exempt from guest fees when using the pool as part of Scout lifesaving badge tests.

208. Guest Lists.

If a member is having eleven or more guests (or is reserving the pavilion), the member must bring a written copy of the expected guest list to the front desk on the day of the event before any such guest may be admitted.

209. Guests - Young Children.

Children 4 years-old or younger are exempt from guest fees.

210. Guests - Children and Grandchildren. Children and grandchildren of Members are exempt from guest fees.

211. Multiple Large Groups.

Except by approval of the Board, no more than one large group may be approved for use of the Pool Grounds for the same day and time period.

212. Extended use by Large Groups.

Approval by the Board is needed for any large group that intends to use the pool for more than four hours per day.

213. Swim Meets.

The Swim Team (and their families) as well as teams (and their families) competing against the Swim Team may attend or participate at swim meets at the pool without cost or prior Board of Trustees approval.

214. Free Days.

Memorial Day, Fourth of July, and Labor Day are free guest days at the pool. No guest fees will be charged, but guests must be accompanied by a member (except as otherwise provided in this policy).

215. Fourth of July Parade.

Participants in the Fourth of July Community Parade who have registered as parade participants with the Strathmore Bel Pre Civic Association will be treated as guests of the Board of Trustees on the Fourth of July, after the conclusion of the parade. Parents of participants will also be treated as guests of the Board of Trustees. These participants and their parents do not need to be accompanied by a member at the front desk.

216. Summer Entertainment Series and Summer Community Affairs Forum Series.

Members of the Strathmore Bel Pre Community attending programs that are part of the Summer Entertainment Series or the Summer Community Affairs Forum Series will be treated as guests of the Board of Trustees for those programs and do not need to be accompanied by a member at the front desk. This guest status only applies to the program and does not include pool privileges.

[218 to 289 are reserved for future use.]

290. Trespassing.

Members or others who attempt to use the Property at any time other than when officially open may be prosecuted.

Part 3 – Swimming Pool

[**Cross reference:** For rules governing alcoholic beverages, bikes, firearms, first aid equipment, food trucks and other solicitations, grills, outside food, radios, smoking, tobacco products, vaping, and valuables, see also the rules 120 to 126.]

301. Management.

The Pool will be managed by a qualified manager (appointed by the pool management company) who will be under the guidance of the Board of Trustees. The management has been instructed to bar from the property any person who violates the rules and regulations, or who, by his/her actions constitutes a hazard to others, the management, or the facility. Further, the management is authorized to temporarily deprive any Member or Guest of the use of the Property. If either action occurs, a written statement is to be filed by the Pool Manager with the Secretary (or such other person as may be designated by the President), within 3 calendar days.

302. Dates and Times of Usage.

Except for organized activities approved in advance by the Board of Trustees, no person shall use the pool unless it is officially open. The pools' hours of operations (i.e., the hours that the general membership of the Association may use the pools) are:

- (a) Saturday and Sunday of Memorial Day weekend: Noon to 9 p.m.
- (b) Memorial Day: Noon to 8 p.m.
- (c) From the day after Memorial Day through the last full day of Montgomery County Public Schools regular school days in June:
 - (i) Mondays to Thursdays: 3 p.m. to 8 p.m.
 - (ii) Fridays: 3 p.m. to 9 p.m.
 - (iii) Saturdays: Noon to 9 p.m.
 - (iv) Sundays: Noon to 8 p.m.
- (d) From the day after the last full day of Montgomery County Public Schools regular school days (in June) through the day before the first day of the next school year:
 - (i) 4th of July: Noon to 6 p.m.
 - (ii) All other days: Noon to 9 p.m.
- (e) From the first day of the next school year to the Friday before Labor Day weekend:
 - (i) Mondays to Thursdays: 3 p.m. to 8 p.m.
 - (ii) Fridays: 3 p.m. to 9 p.m.
 - (iii) Saturdays: Noon to 9 p.m.
 - (iv) Sundays: Noon to 8 p.m.

(f) Labor Day 3-day weekend: Noon to 9 p.m. on Saturday and Sunday; Noon to 8 p.m. on Labor Day.

303. Showers – before entering the pool.²

Immediately before entering the pool, all users of the pool must use the bathhouse showers to prevent introducing dirt, excreta, foaming agents, soaps and other extraneous matter into the water.

304. Entering and remaining in water.³

No person may enter or remain in the water who is not able to swim and capable of exercising proper judgment in taking action for self-preservation under emergency conditions; unless that person is continuously with a person (other than one of the on-duty lifeguards) who does meet those qualifications and who is no more than arm’s length from and continually observing the entering or remaining in the pool. The lifeguards are to enforce this rigorously.

305. Lifeguard required.⁴

No one may be in the water unless there is a Lifeguard on the deck who is attired in clothing appropriate to conduct the job duties; positioned so there is an unobstructed view of the pool floor; actively observing people in the water; and who has appropriate lifesaving equipment at hand.

306. Unsafe acts.⁵

No unsafe acts are permitted – in or out of the water.

² The Code of Montgomery County Regulations, § 51.00.02.04(B)(2)(a), requires that our pool rules prohibit patrons from “Introducing dirt, excreta, foaming agents, soaps and other extraneous matter into the water”.

³ The Code of Montgomery County Regulations §51.00.02.04(B)(2)(e), requires that our pool rules prohibit patrons from “Entering the pool water if patrons are not demonstrably Water-Safe or under the Immediate Supervision of a Water-Safe person”.

Section 51.00.02.01(30) of the Code specifies that “Water-Safe means being able to swim and capable of exercising proper judgment in taking action for self-preservation under emergency conditions.”

Section 51.00.02.01(12) of the Code specifies that “Immediate Supervision means when a Water-Safe person is no more than arm’s length from and continually observing a non Water-Safe person. The Water-Safe person is in addition to the Lifeguard.”

⁴ The Code of Montgomery County Regulations §51.00.02.04(B)(2)(g), requires that our pool rules prohibit patrons from “Swimming without a Ready-To-Rescue Lifeguard present on the deck of a Public Swimming Pool”.

Section 51.00.02.01(23) of the Code specifies that “Ready-To-Rescue means when a Lifeguard is attired in clothing appropriate to conduct the job duties; positioned so there is an unobstructed view of the pool floor; actively observing patrons in the water; and who has appropriate lifesaving equipment at hand.”

For purposes of the County Swimming Pool Regulations, COMCR § 51.00.01.01(16) defines “patron” as “any person using a Public Swimming Pool, the adjoining deck area, or the immediate premises for the purposes of water sports, recreation therapy, or related activities.”

⁵ The Code of Montgomery County Regulations §51.00.02.04(B)(2)(c), requires that our pool rules prohibit patrons from “Unsafe acts, both in and out of the water”.

307. Dangerous objects. ⁶

No dangerous objects or materials may be brought into the Pool Grounds.

308. Rowdy Behavior.

No pushing, profanity, abusive language, or horseplay (such as running, splashing, shoving, dunking, and/or “chicken fights”), that interferes with the enjoyment of the pool, is permitted in the pool and on the pool deck.

309. Pool Closing.

The pool may be closed at the discretion of the Pool Manager on duty, due to operational difficulties or unsafe weather conditions.

310. Swimming (and Other) Instruction.

(a) Only the pool management company approved by the Board of Trustees may conduct swimming and diving lessons, taught by qualified instructors, for a fee. Any other lessons (where fees are charged) conducted in the pool may only be done if approved by the Board of Trustees. Any provider of such instruction must demonstrate to the Board of Trustees that the provider’s liability insurance covers the BPRA when the instruction is taking place at the pool.

(b) No lessons may be taught at the pool that interfere with regular pool operation.

(c) Notwithstanding any other rule governing attire permitted in the pool, persons participating in a lifesaving class may wear any attire deemed appropriate by the instructor.

311. Attire.

Attire designed primarily for bathing or swimming is required while using the pool. Water shoes are permitted while using the pool.

312. Chairs and Lounges.

BPRA chairs and lounges are available on a first-come-first-served basis.

313. Children’s Pool.

The children’s pool is intended for the use of children six years of age and younger while being supervised by a responsible adult at all times who is within the fenced area around the children’s pool. Other persons over six years old may use the children’s pool if they do so without interfering with the enjoyment of the intended users.

314. Children’s Toys.

Life preservers, inner tubes, floats and play equipment for children are allowed in the children’s pool only. Arm bands--floaties--are permitted in the main pool only if a responsible adult (who is 18 or older) is in the pool with the child at all times. Children unable to swim without floaties

⁶ The Code of Montgomery County Regulations §51.00.02.04(B)(2)(b), requires that our pool rules prohibit patrons from “Bringing dangerous objects and materials in the immediate premises”. For purposes of the County Swimming Pool Regulations, COMCR § 51.00.01.01(12) defines “immediate premises” as “the area within the enclosed boundaries of the pool site”.

must be supervised by the responsible adult who must be in the pool. The Board of Trustees may designate events when life preservers, inner tubes, etc. are permitted (e.g., raft nights).

314A. Equipment for adults.

Noodles, dumbbells, and other adult exercise equipment may be used in the pool by adults.

315. Disabilities.

Prior to entering the pool, persons having a special disability such as a heart condition, blindness, epilepsy, etc. are strongly encouraged to inform the Pool Manager of their physical condition.

316. Diving Area.

General swimming in the diving well is prohibited when the diving board is open. Anyone who is wearing arm bands (“floaties”), or another flotation device is prohibited from using the diving board.

317. Diving – where permitted.

Diving is permitted only in authorized areas. No diving is permitted in the children’s pool or other shallow areas.

318. Diving – number of people at a time.

Only one person is allowed on the diving board at one time.

319. Diving – when permitted.

A diver must wait until every preceding diver has surfaced and cleared the area.

320. Diving – direction.

Divers must dive straight from the front end of the diving board.

321. Dives – number of springs.

Dives may spring only once on the diving board.

322. Dives – after diving.

When a diver has surfaced, the diver must immediately swim to the ladder and get out of the pool. The diver must not swim under the diving board at any time.

[323 is reserved for future use]

324. Food and Glassware. ⁷

(a) **Food.** No food or soft drinks are permitted in the pool or deck areas surrounding the pool, or within 6 feet of the pool. However, plastic bottled water brought by a member or guest for personal consumption is permitted on the pool deck.

(b) **Glassware.** No glass containers or breakable objects are allowed in the pool or on the pool deck.

325. Games.

No in-water games that interfere with the rights of non-participating members are allowed unless otherwise authorized.

[326 is reserved for future use]

327. Gum.

Gum chewing is not permitted within the pool or pool deck.

328. Hygiene.

Spitting, blowing the nose, urinating, or defecating in the pool are prohibited.

329. Illness. ⁸

No person with a skin disease, sore or inflamed eyes, a cold, a nasal or ear discharge, a communicable disease, or who is wearing any kind of bandage or band aid, will be permitted in the pool.

330. Incontinence. ⁹

No individuals may enter the pool if they are incontinent unless such individuals are clothed in snugly fitting water-proof pants which are designed to prevent the introduction of fecal matter into the pool and are worn over any type of diaper, including swim diapers.

⁷ The Code of Montgomery County Regulations §51.00.02.04(B)(2)(i), requires that our pool rules prohibit patrons from “Possessing food and beverage on the pool deck in an area other than that established in Section VII(D). This requirement does not include plastic bottled water brought by a patron for personal consumption”.

Section VII(D)[COMCR § 51.00.02.07(D)] provides that:

When food or drink is allowed on the immediate premises, all such food and drink (with the exception of plastic containers of beverages) must be consumed in an area that is at least 6 feet from the Swimming Pool’s edge. If the Owner plans to sell or serve food or drink (including at swim meets), a food service facility permit is required by the Director.

For purposes of the County Swimming Pool Regulations, COMCR § 51.00.01.01(12) defines “immediate premises” as “the area within the enclosed boundaries of the pool site”.

⁸ The Montgomery County Code of Regulations § 51.00.02.04(B)(2)(d), requires that our pool rules prohibit patrons from " Entering the pool water if patrons exhibit signs of infection or are otherwise shown to be a contamination risk".

⁹ The Code of Montgomery County Regulations, § 51.00.02.04(B)(2)(f) requires that our pool rules prohibit patrons from “Entering the pool water if patrons are incontinent unless such individuals are clothed in snugly fitting water-proof pants which are designed to prevent the introduction of fecal matter into the pool and are worn over any type of diaper, including swim diapers”.

331. Ladders, Ropes, and Guard Chairs.

No more than one person is allowed on a ladder at a time. No one may hang on the lane ropes. No one may play on the guard chairs.

332. Lanes.

During regular pool hours, one lane will always be available for lap swimming, even during Swim Team practice. This rule will not apply during swim meets that have been authorized by the Board of Trustees.

333. Pets.¹⁰

Except for service animals, no pets of any kind are allowed inside the Pool Grounds.

334. Rest Periods.

The main pool will be reserved for those 16 years of age and over during the last 15 minutes of each hour between 12:00-7:00 p.m.

335. Running.

Running on the pool deck, walkways, and diving boards is prohibited.

Part 4 – Tennis Courts

[**Cross reference:** For rules governing alcoholic beverages, bikes, firearms, first aid equipment, food trucks and other solicitations, grills, outside food, radios, smoking, tobacco products, vaping, and valuables, see also the rules 120 to 126.]

401. Use of the courts.

The courts are for tennis or similar racquet sports only. Any other activities (bicycle riding, roller skating/blading, etc.) are prohibited within the tennis court enclosure.

402. Admission to tennis enclosure.

Only those who are playing (or instructing) tennis are permitted inside the tennis court enclosure. All spectators and individuals waiting for court time will remain outside.

403. Tennis Court Keys.

¹⁰ The Montgomery County Code of Regulations § 51.00.02.04(B)(2)(h), requires that our pool rules prohibit patrons from "Bringing any animal, other than a registered service animal, onto the immediate premises or allowing any animal to enter the pool water".

For purposes of the County Swimming Pool Regulations, § 51.00.01.01(12) defines "immediate premises" as "the area within the enclosed borders of the pool site".

(a) Each Lot Owner is entitled to one key (at no cost) to the tennis court enclosure by making a request to the BPRA Tennis Court Keys Coordinator. Replacement or additional keys will be issued for a charge of \$10 each.

(b) Last users of the tennis courts are expected to lock up the courts when they are finished using the courts.

404. Hours of Operation.

(a) The tennis courts are available for use from 8 a.m. to 9 p.m.

(b) During prime time, at least one-half of those occupying any court must be members of the BPRA. At all other times, at least one participant on each court must be a member of Bel Pre Recreational Association. Prime time is considered to be the following: 8:00 a.m.-1:00 p.m. on Saturday, Sunday, or Holidays; 8:00-11:00 a.m. and 6:00-8:00 p.m. on Weekdays.

405. Use by Children.

During prime time, children under age 16 (not playing with an adult member) or persons engaged in individual practice must yield to adult BPRA members wishing to use the court.

406. Time limits.

Total playing time may not exceed one-and-a-half hours for singles or two hours for doubles (1-1/2 hours for doubles during Prime Time) if others are waiting to play.

407. Shoes.

All players must wear shoes that are appropriate for the surface (i.e., non-marking rubber soled shoes).

408. Gum.

No gum chewing is permitted within the tennis court enclosure.

409. Trash.

Players are responsible for the removal and proper disposal of all litter accumulated by them incidental to their playing.

[410 is reserved for future use]

411. Tennis Instruction.

The BPRA recognizes the desirability of tennis instruction. It also recognizes the right of any member to arrange for private instruction consistent with these Rules.

[412 to 417 are reserved for future use]

418. Abuse of the facility.

Individuals found to be abusing the tennis facility will be subject to suspension from the recreation facilities and may be held financially liable.

Part 5 – Parking Lot

501. General.

The parking lot is intended for parking vehicles.

502. Parking places.

Vehicles shall be parked in designated areas only.

503. Speed limit.

Vehicles should conform to a maximum speed limit of 10 m.p.h. and must adhere to traffic directional arrows and fire lanes.

504. Play.

The parking lot can be used for bike riding and as a play area only when the gates to the parking lot are locked and there is no automobile traffic in the parking lot. No part of the parking lot should be used for bike riding or for play when the gates of the parking lot are unlocked or if there is automobile traffic in the parking lot. Bikes can be ridden from the street to the bike rack as part of routine arriving at or departing the pool by bike.

505. Overnight parking.

The parking lot is locked each night and there is no overnight parking without Board of Trustees approval.

[506 to 589 are reserved for future use.]

590. Other uses.

Use of the parking lot beyond what is permitted by these rules requires approval by the Board of Trustees.

Part 6 – Pavilion Rules

601. Pavilion Coordinator.

The President will appoint the Pavilion Coordinator, with the approval of the Board of Trustees

602. Availability.

The BPRA Pavilion is available for use only during normally scheduled operating hours, as established by the Board of Trustees.

603. Reservations – who may make.

Only members in good standing of the BPRA are permitted to reserve the Pavilion for private functions. A member is considered to be in good standing by having paid the annual assessment and having family information (Census form and pictures or passes), on file at the front desk, as currently requested by the BPRA. The Member making the reservation is required to be present for the entire event.

604. Reservations – general.

Members are always welcome to use the Pavilion for their own purposes, subject to approved special events. There may be more than one reservation for a portion of the Pavilion at the same time, but only for small groups. Reservations for the pavilion are to be made through the Pavilion Coordinator. Please be courteous of other members and guests using another section of the Pavilion. A reservation is limited to a maximum of four hours. Reservations for the Pavilion will not be made for times where there is a large group scheduled for pool use at the same time.

605. Reservations – communications.

Members desiring to make a reservation must make a written or verbal request to the Pavilion Coordinator in advance of the proposed event, indicating the total number of people who are expected to attend and how many of them are not BPRA Members. Plan early to avoid scheduling conflicts. The Pavilion Coordinator will write a confirmation letter to the member, confirming date, time, duration of the event, number of guests expected, and the guest fees for that day. No reservation is final until the Pavilion Coordinator issues a written confirmation letter.

606. Attendance limits.

Each event is limited to 50 (fifty) people and the limits set in Rule 206 of these rules. This number includes members and guests. Please note that these limits do not apply to BPRA sanctioned events such as, but not limited to, the July 4th functions, Swim Team and Fifty Plus Club meetings.

607. Guest list.

The member who requested the reservation must bring a written copy of the expected guest list to the front desk on the day of the event. Please list BPRA members and guests separately. The member pays a guest fee only for those guests who actually come to the event. Guest fees are posted at the front desk, and will be stated in the confirmation letter from the Pavilion Coordinator. At all times, the member must pay all guest fees associated with their event. Members must pay the guest fees when entering the Pool Grounds.

608. Chaperones.

One chaperone must be present for every 10 (ten) individuals under 18 years of age during a Pavilion event. Each chaperone must be at least 18 years old. If using the pool, see also Rule 204 of these rules.

609. Fees.

No rental fee for the use of the Pavilion is assessed. However, there is a refundable cleaning and security deposit of \$50.00 (fifty dollars). Members using the Pavilion are responsible for the cleaning of the facility following their event. The Pool Manager on duty will decide if the area is clean. The Pavilion and adjacent area are considered clean when all trash is deposited in the proper trash container; food debris is removed from the tables, chairs and the floor; tables, chairs and lounges are returned to their proper place; any decorations are removed; and any borrowed sporting equipment is returned in good condition. Board of Trustees sanctioned events such as July 4th functions, Swim Team events and Fifty Plus Club meetings need not make an advance deposit, but remain liable for the cleaning fee if the Pool Manager on duty determines that the area is not clean.

610. Fees – payment.

The cleaning and security deposit shall be paid at least two days in advance of the event. Checks should be made payable to “BPRA” and sent or given to the Pavilion Coordinator.

611. Amplified sound.

(a) Live music or a disc jockey is allowed, but the volume must be maintained at a reasonable level in consideration for other members using the facility and our neighbors who live near the pool. The Pool Manager will have the authority to determine what volume is reasonable and is authorized to shut down the music if a reasonable volume is not maintained.

(b) All amplified music must also comply with the County noise ordinance.

[612 to 689 are reserved for future use.]

690. Exceptions.

Special exceptions to these rules are permitted with the following provisions:

(a) a written request to the Pavilion Coordinator for use of the Pavilion outside of regular pool hours, describing the use,

(b) an approval by the President (or the President’s designee), after consultation with the Board with one week’s notice,

(c) consultation with the pool management company by the Pavilion Coordinator to insure that:

(1) there will be a pool operator and a separate lifeguard on site during the use; and

(2) additional fees for the Pool Manager and lifeguards will be assessed to the party reserving the Pavilion and must be paid prior to the event.

(d) Large groups may be asked to pay a \$100.00 refundable cleaning fee.