

INTERIM POOL RULES AND NOTICE

RECITALS

Whereas, The Gardens at South Mountain Community Association, a non-profit Corporation (“Association”) had closed certain facilities pursuant to Executive Orders of the State of Arizona.

Whereas, on May 12, 2020, Governor Ducey signed Executive Order 2020-36.

Whereas, on May 12, 2020, Governor Ducey, pursuant to Executive Order 2020-36, issued “Guidance for Pools” (GP) stating that “to the extent possible, community pool operators should take measures to ensure that customers may follow certain guidelines.

Whereas, the GP also issues guidance “for businesses” and “recommends additional steps be taken by those operating community pools.”

Whereas, Executive Order 2020-36 provides that “any business, whether for-profit or non-profit... shall develop, establish and implement policies based on guidance from CDC, Department of Labor, Occupational Safety and Health Administration (OSHA) and ADHS.”

Whereas, GP does not appear to be drafted with community associations in mind, particularly this Association. Notwithstanding, the guidance therein may be relevant in part to the operation of the Association’s community pool.

Whereas, the Association wishes to clarify the responsibilities of the Association vs. the responsibilities of its Owners, Tenants and Guests, with respect to the operation of the pool.

Whereas, the Association pool company maintains the pool three (3) days per week and will clean all surfaces as part of their contracted service agreement with the Association.

Whereas, it is both unrealistic and financially infeasible for the Association to conduct continuous cleanings between pool maintenance visits and use by different pool users.

Now, therefore, the Board of Directors hereby adopts the following Interim Pool Rules in furtherance of Executive Order 2020-36.

1. The above Recitals are incorporated herein by this reference.

2. All owners, residents and invitees (collectively referred to herein as "Pool Users") must comply with GP, incorporated herein by this reference and attached hereto.

3. All pool users must stay home if sick.

4. All pool users who are at a higher risk for severe illness should avoid the pool. People at higher risk for severe illness include adults 65 or older and people of any age who have serious underlying medical conditions.

5. Pool users should not touch their eyes, nose or mouth.

6. After leaving the pool, use hand sanitizer. When pool users get home, wash hands with soap and water for at least 20 seconds.

7. This Interim Pool Rule does not replace any existing pool rules but serves to supplement the same.

8. Bring sanitizer to disinfect any and all items you touch in the pool area.

9. All pool users must continue to maintain proper social distancing between themselves and others.

10. All pool users should be sure to clean any surface he or she touches.

11. Residents who use the pool areas do so at their own risk.

12. Neither the Association nor its managing agent warrants a virus-free environment. Any pool user who develops an illness and believes it to be a result of using the pool areas should immediately contact the Association.

13. The Board of Directors may, in its discretion, and without notice, close the pool based on future changing circumstances.

14. This Rule may be amended upon receiving further guidance from government health officials and other professionals.

DATED this 14th day of May, 2020.



By: _____
Its: President - 5/14/20