

Rules and Regulations

for

**Nomahegan Swim & Tennis Club
Westfield, New Jersey 07091**



Aug 11, 2023

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Introduction

The following Rules and Regulations have been established by the Board of Governors (the “Board”) for the protection and benefit of all members and guests, to ensure a congenial atmosphere, and to provide safe and sanitary operation of the pools and facilities of Nomahegan Swim & Tennis Club (the “Club”).

The Club’s Pool Manager and Assistant Managers (the “Managers”) and staff have been directed by the Board to enforce the Rules and Regulations.

It is each member’s responsibility to obey the Rules and Regulations and to adhere to their intent and spirit. Members shall instruct and ensure their children and guests to observe all Rules and Regulations and to obey instructions of the Managers and staff.

Failure to comply with the Rules and Regulations while on Club property can result in the immediate removal from the Club, including all member(s) and their guest(s) associated with that membership. Continued noncompliance can result in suspension from the Club of up to seven (7) days. Further noncompliance will warrant a hearing by the Board and possible expulsion from membership of the Club.

The cost of any property damaged by a member or guest of a member will be charged to the responsible member.

Article I

Waiver of Liability

1. All persons, including but not limited to members, their families, children, guests and persons with limited guest privileges using any of the Club’s facilities do so at their own risk, and waive all rights to assert any claim or commence any action or proceedings against the Club, its Board members, officers, employees or agents for liability or otherwise, arising out of, or relating to, such use.
2. The Club is not responsible for loss of or damages to the personal property of any member or other person.

Article II Health and Safety Rules

Safety Rules. The following activities are considered **DANGEROUS:**

1. **NO GLASS.** Bringing glass in any form, such as glassware, bottles, glass mirrors for cabanas, glass containers (including glass bottles containing condiments, or alcoholic or non-alcoholic beverages) onto Club property (Club property includes the cabanas, lockers, pool area, tennis courts, and rear recreation area), as well as using or storing such items on Club property, is STRICTLY PROHIBITED. A first violation of this rule will be cause for a one-week suspension from the Club and all activities thereat for any member found violating this rule, as well as all members associated with that member's bond (e.g. spouse and children). A second violation of this rule will be cause for expulsion from the Club of the member violating the rule as well as all members associated with that member's bond (e.g. spouse and children).
2. **No Running/Ball Playing in Pool Area.** Running or playing ball is only allowed in the designated recreation area. Limited ball playing is permitted only in accordance with Article VII.
3. **No Rough Housing.** Pushing, shoving, or engaging in any type of "rough housing" or "horseplay" anywhere on the Club's premises is prohibited.
4. **Use Pools Only When Open.** Using any of the Club's pools is prohibited at any time when a pool(s) or part of a pool(s) is (i) closed by the Manager or (ii) when a lifeguard is not on duty.

Health Rules. The following activities affect **HEALTH** standards:

1. **Shower Before Entering Pool.** All persons must shower thoroughly with soap and water before entering any of the Club's pools.
2. **Lavatory Use.** All members, guests, and children must use the appropriate lavatory facilities provided by the Club. Relieving oneself anywhere else on the Club's premises is prohibited. Parents/Guardians must ensure that young children have availed themselves of lavatory facilities prior to entering any pool, including the Wading Pool.
3. **No Pets.** Pets are not permitted anywhere within the Club's premises.
4. **Food in Pool.** No food or drink is allowed in any pool or within 5 feet of any pool at any time.

5. Spitting/Expectorating. Expectorating or blowing one's nose in a pool is prohibited.
6. Illness/Injury. Entering a pool with a fever, cold, cough, eye, ear or throat infection, or while wearing bandages is prohibited.
7. Smoking. Smoking of any kind, including all electronic cigarettes, is not permitted anywhere on Club property which includes, any areas surrounding the tennis courts, gate house and cabana areas, any grass areas near the entrance to the Club and surrounding the back of the cabanas, parking lot, or entrance and exit to the Club.
8. Marijuana. Marijuana use in any form is prohibited.
9. Food in Cabanas. Storing perishable, unsealed food in cabanas overnight or for more than a few hours is prohibited.
10. Diapered Children Allowed Only in Wading Pool. Children in diapers, or who normally wear diapers, may only use the Wading Pool. They are prohibited from using the Olympic Pool and the Horseshoe Pool.

Article III **Period of Use**

1. Dates/Hours of Operation. The dates and hours of the Club including use of pools, tennis courts, facilities and programs will be determined annually by the Board and posted at the Club as well as available on the Club website. The dates and hours are subject to change due to weather and/or unforeseen circumstances.
2. Club Gates Closing. Gates to the Club normally will close 15 minutes after the Club's facilities are closed.
3. Special Use Areas. Areas of the pools may be reserved by the Manager for special events such as swim meets and group or individual instruction and shall be appropriately marked for such purpose.
4. Extended/Shortened Hours. The Board, in conjunction with the Pool Manager, may designate special nights or times when the Club will either be opened early, kept open late, or close early for swimming, instruction, or social functions.
5. Closure of Pools. The pools or any portion thereof may be closed for maintenance operations, health conditions, safety, weather, or any other cause deemed sufficient by the Manager.

6. Closure of Club and Facilities. The Manager, consistent with guidelines established by the Board, may close the Club and its facilities during periods of inclement weather.

Article IV

General Rules of Conduct

1. Club Admittance. Members must give names of all present members and guests to attendants at the Gatehouse Office when entering the Club's facilities each day.
2. Motor Vehicles/Parking.
 - a. Motor vehicles shall be operated at a safe speed, especially in the parking areas. In no case shall the motor vehicle speed exceed fifteen (15) miles per hour on the Club's private road, or on the entrance and exit roads.
 - b. Vehicles (i) may be parked only in designated parking spaces, (ii) shall not occupy more than one parking space, and (iii) shall not be parked in such a manner as to impede or endanger the normal flow of traffic.
3. Courteous Behavior. No discourteous, profane, obscene, insulting, abusive, disorderly, or noisy conduct/language will be permitted.
4. Alcohol/Drug Use.
 - a. No intoxicated person shall be allowed to enter or remain within the Club.
 - b. No alcohol beverages shall be sold on the Club's grounds, nor be provided to, or consumed by any person not of lawful age.
 - c. Marijuana and any marijuana products are not allowed on the entire grounds of Nomahegan at any time.
5. Respect Club Property. No person shall mutilate, deface, or otherwise damage or remove any Club property.
6. Proper Bathing Attire. Persons using the swimming pools may do so only in appropriate bathing suits. Hairclips, bobby pins, or the like may not be worn in the swimming pools, unless they are fully covered.
7. Changing Clothes. Changing of clothes is permitted only in the cabanas and locker rooms.
8. Parking Lot Use. The parking lot may not be used for recreational purposes at any time, including off-season when the Club and facilities may be closed.

9. No Solicitation. No peddling or solicitation of any nature is permitted within the Club unless approved by the Board.
10. Solicitation of services are only permitted by staff members at the discretion and approval of management and the board. No other solicitation is permitted by members or guests unless otherwise approved by the board.
11. Keep Walkways Clear. Do not obstruct walkways and keep them clear of all obstructions including items such as blankets, tables, tents, or chairs.
12. Storing Personal Property. During the season, all personal property must be stored prior to leaving the Club. Personal property includes items such as chairs, chaise lounges, grills, towels, blankets, etc.
13. Eating/Drinking in Pool Area.
 - a. Eating and drinking in the pool area are permitted only (i) at the tables in the snack bar, (ii) at the tables on the deck around the pools, and (iii) in the grass area immediately in front of the cabanas.
 - b. Eating or drinking is not permitted in any pool, at the poolside, or within five (5) feet of the concrete pool perimeter.
14. Tables and Chairs in Pool Area.
 - a. On Saturdays, Sundays, and holidays adult members of the Club shall have priority use of the tables and chairs at poolside.
 - b. Club owned chairs and tables at poolside and elsewhere must not be moved into the cabana areas or to any other location.
 - c. Poolside tables may not be reserved by any person. **Saved table** - a saved table containing a member's possessions that is unoccupied for an extended period of time per management discretion.
 1. A member automatically forfeits the table if he/she leaves the facility.
 2. Pool management reserves the right to allow another member to use a saved table.
 3. Pool management reserves the right to remove items from a saved table.
 4. Any items removed from a saved table will be stored in a safe location for the current season.
 5. A member or guest is not permitted to occupy more than one table at a time.
 6. A manager must be notified if a member wants to use a saved table.
15. Keep Your Area Clean. Members are responsible to clean-up after themselves, particularly in the snack bar area and at the tables around the Horseshoe Pool.

16. Electronic Devices. The volume of portable electronic devices must be kept at a low level so as not to disturb other members. The volume must be lowered at the request of another member.

Article V Guests

1. Number of Guests Per Member. Guests may be introduced by a member to the privileges of the Club whenever the Club is open only when accompanied by a member ages 13 and older. The member must remain at the Club for the duration of their guests' visit.
 - a. Adult members, ages 18 and older, may bring in up to 10 guests per day, with a maximum of 10 guests per day per Certificate of Indebtedness. Refer to Article V, Section 11 for bringing more than 10 guests per day.
 - b. Members, ages 13 - 17, may bring up to three guests per day and the guest(s) must be age 13 and older.
 - c. Members ages 12 and under may not bring any guests.
 - d. Seasonal and temporary caregivers are not permitted to bring in guests of their own but ARE permitted up to three (3) guests in total for the minors under their care (aged 12 and under).
2. Guest Admission. A guest privilege shall consist of one day's admission to the Club's facilities for a single individual. Upon introducing a guest, the member shall register the guest's name, as well as the member's own name, and the date of introduction, at the Club's Gatehouse Office.
3. Maximum Visits Per Guest. Guest privileges shall not be issued to the same individual, regardless of member sponsor, more frequently than
 - a. (10) times in any one month for a guest ages 17 and under, and
 - b. (4) times in any one month for a guest ages 18 and older.
4. House Guests. The Board may, upon written request of a voting member, extend to a house guest of such member who resides more than fifty (50) miles from the Club's facilities, the privileges of the Club, for such a period, and upon such terms and conditions as the Board may from time to time determine. The House Guest
 - a. may only attend the Club when the voting member is present and
 - b. may not act in the capacity of employment when at the Club.
5. Caregivers.
 - a. Seasonal: Upon written application from a voting member, the Board may grant seasonal caregiver status to a person aged eighteen (18) years and older who is employed or engaged by a voting member to

- act as a seasonal caregiver for a voting member's child or children or for a family member with a disability.
- i. The application for a seasonal caregiver is available on our Club website. Said application must be submitted with the appropriate fee in a timely manner for approval by the Board.
 - ii. Seasonal caregiver status will be permitted to one (1) voting Club member for the entire season that the Club is open.
- b. Temporary: A temporary caregiver is aged eighteen (18) years and older and acts in the capacity as a temporary caregiver for a voting member's minor child(ren).
- i. A pre-authorization form is required for temporary caregiver status. The pre-authorization form is available at the gatehouse. Said form must be signed in the presence of a gatehouse employee with an original signature. This form will be kept on file for use during the season that the form is signed.
 - ii. Each voting member family may register (by completing the pre-authorization form) up to two (2) temporary caregivers during the season.
 - iii. A daily temporary caregiver fee will be collected at the time of their visit and is limited to a combined total of ten (10) days per season.
- c. Seasonal and temporary caregivers will be admitted into the Club only when accompanied by the minor(s), or person with disability under their care.
- d. Seasonal and temporary caregivers must supervise the person(s) under their care at all times and abide by the rules and regulations of the Club.
- e. Seasonal and temporary caregivers are not permitted to bring in guests of their own but ARE permitted up to three (3) guests in total for the minors under their care (aged 12 and under).
6. Member Responsibility. Members shall be held responsible for the conduct of their guests, and for any damages or indebtedness incurred by them.
7. Club Discretion. The Board reserves the right to pass upon the suitability of any guest sought to be admitted to the privileges of the Club, and may deny guest privileges to any guest for any reason within its discretion.
8. Manager Discretion. The Manager on duty may at his/her discretion remove a member or any member's guest(s) if that member or member's guests are engaging in any behavior that is disruptive to the Club or any of its members.
9. No Guests for Employment Purposes. Except as provided in the Care-Giver section of this Article, guest privileges will not be extended to any person brought into the Club for the purpose of performing employment in any capacity for a member, provided, however, that the Board, upon written application from a voting member, and subject to such terms and conditions

as the Board may impose, may from time to time make such limited exceptions to this rule as it may deem appropriate.

10. Guest Fees. Guest fees (plus applicable Federal and State taxes) shall be set by the Board from time to time.
11. Parties. Members may host an organized event (“Party”) at the Club, providing that if the Party is expected to have 11 or more guests in attendance, then advance approval and guest fee deposit are required. Other requirements include:
 - a. The guest rules of other sections of this Article V shall apply.
 - b. The members hosting the Party with less than 50 guests must submit a “party request application” at least 5 days in advance of the date of the event for manager approval.
 - c. The members hosting the Party with 50 or more guests must submit a “party request application” at least 14 days in advance of the date of the event for manager and Board of Governors approvals.
 - d. In attendance at the Party there must be one adult chaperone per 6 children ages 17 and younger.

ARTICLE VI

Children – Admission and Supervision

1. Children Ages 13 and Older. All children ages 13 and older, whether member or guest, are permitted to attend the Club without adult supervision.
2. Children Ages 10, 11, and 12.
 - a. All children ages 10, 11, and 12, whether member or guest, will be admitted only when accompanied by an adult.
 - b. Member children ages 10, 11, and 12 years may be admitted to the Club without an adult providing all the following provisions have been met:
 - i) the child has passed the prescribed deep water swimming test,
 - ii) the child will be in the attendance at Nomahegan’s organized team practice under the guidance of coaches or organized lesson under the guidance of instructors,
 - iii) the parent/guardian of the child has given prior specific approval in writing to the Manager, and
 - iv) the parent/guardian has waived any liability for the Club with respect thereto.
3. Children Ages 9 and Under. All children ages 9 and under, whether member or guest, will be admitted only when accompanied by an adult.
4. Adult Supervision Required.

- a. **All children ages 7 and under, whether member or guest, must be under the direct supervision of an adult at all times while anywhere in the Club.**
- b. **All children ages 2 through 8 inclusive, whether member or guest, must be under the direct supervision of an adult when using the playground equipment in the recreation area.**

Article VII

Pool Use

1. Deep Water Test. All children ages 12 and under, whether a member or a guest, shall not be allowed in the Olympic Pool until they have passed the Deep Water Swimming Test. The requirements of the Deep Water Swimming Test will be posted on the bulletin board located outside the Club's Gatehouse Office. The Test will be administered by the Manager or staff at regular intervals.
2. Ball Playing. The use of soft cushy balls and the basketballs provided for the on-deck basketball hoops are only permitted in the Horseshoe Pool. Tennis balls and other types balls and other playthings are prohibited from use in the Horseshoe Pool. Ball playing of any kind is prohibited in the Olympic Pool except when approved by the manager.
3. Use of Kick Boards & Snorkel/Fins. Using kick boards, snorkel equipment, or swim fins is permitted only in the Olympic Pool. Using any SCUBA or skin diving equipment is prohibited without prior permission of the Manager.
4. Slides in Olympic Pool.
 - a. You must slide down feet first and on your back.
 - b. Only one person at a time is permitted at the top of the slides.
5. Air Mattresses/Inflatable Toys. Using air mattresses or any other inflatable toys in the Horseshoe Pool is only permitted on days and times designated as "raft days." Any raft may be banned at the manager's discretion if it is deemed to represent a safety hazard.
6. Wading Pool Age Limit & Supervision. Use of the children's Wading Pool is restricted to children (5) years of age and under, who at all times must be under the direct supervision of an adult.
7. Wading Pool Toys. Only soft plastic, pliable and inflated toys are permitted in the children's Wading Pool. Use of these toys may, however, be restricted and/or denied by the Manager in his or her sole discretion.
8. General Pool Rules. The following practices are prohibited:
 - a. Placing baby carriages, playpens or car beds within 5 feet of any pool.

- b. No floatation devices of any kind (life jackets, harnesses, arm floaties, rings, etc.) are permitted in the Horseshoe Pool at any time.
 - c. Allowing toys to be scattered on the apron or walkways.
 - d. No hard torpedo-style, weighted dive toys are to be used in any pool.
9. Diving. No diving in the Horseshoe and Wading pools.
- a. Diving is allowed in the Olympic pool.
 - b. Diving is allowed in the Dive pool ONLY from the diving boards.

ARTICLE VIII

Recreation Area

1. Recreation Area Hours. The recreation area will be available to members and their guests only during regular hours that the Club is open and shall close ½ hour prior to Club closing.
2. Playground Equipment.
 - a. All children ages 2 through 8 inclusive, whether a member or guest, must be supervised by an adult at all times when using the playground equipment.
 - b. Children ages 1 and under are not permitted to use the playground equipment.
 - c. Children shall only use the age-appropriate playground equipment set as indicated on the respective signs posted in proximity to each playground set.
 - d. The playground equipment shall be used in accordance with its intended design.
3. Use of Grills. Fires may be lit only by adults, only in the recreation area, and only either in portable barbecue grills or in the Club's installed barbecue grills. Fires must be turned over to the use and supervision of another adult or extinguished before leaving the area.
4. Member Clean-Up. Members must clean up all refuse in the vicinity of the recreation area they used before leaving.

ARTICLE IX Tennis Courts

1. Proper Attire. Proper tennis attire such as shirts, shorts/skirts, and sneakers must be worn on the tennis courts at all times. Bathing suits, sandals, and flip flops are not considered proper tennis attire.
2. Water Only. Other than water, no food and drink is permitted on the tennis courts.
3. Spectators. No spectators are allowed on a court during a match.
4. Off-Season. During the spring and fall seasons when the rest of the Club is closed, access to the tennis courts will be provided through the parking lot.
 - a. Members will be given the combination to the lock on the tennis court gate and shall not share the combination with any guest.
 - b. Members and guests are only permitted on the tennis courts and parking lot area. They are not permitted in the recreation area or pool area.
 - c. A portable toilet facility will be provided by the Club for use by members and guests.

ARTICLE X Cabanas

1. Cabana Improvement. Members are responsible for any cleaning, painting or maintenance of the “interior” of their assigned cabana. The “exterior” of the cabanas (i.e. the roof, doors, and lock assembly) are maintained by the Club. The doors must be painted white only on the insides. No material of any kind is allowed to be put over the slats of the doors. Members cannot put their own locks on cabana doors. The wall thickness of cabanas is $\frac{3}{4}$ ". Screws used to mount things to the inside of your cabana walls cannot protrude beyond what you are mounting by $\frac{3}{4}$ ".
 - a. Painting of the inside of the cabana will be permitted by the member or the member’s family assigned to that cabana during scheduled hours that the Club is open for the season.
 - b. The board will hire an outside painting contractor to paint the cabanas during a limited time frame. Members can choose to use this option for a fee.
 - c. Any other painting by an outside contractor is not permitted.
2. Cabana Clean-up Disposal. All supplies/materials for cleaning or improving cabanas (i.e. cleaning supplies, paint brushes, rollers, paint cans, etc.) must be removed from the Club by the member and are explicitly not to be disposed of in our garbage.

3. Cabana Season End Clean-out. There should be no items left within the cabanas at the end of the season to facilitate storage of Club property, such as tables, chairs, umbrellas, hoses, etc. Any items left in cabanas at the end of the season, with the exception of fabricated flooring, will be subject to removal at management's discretion.

ARTICLE XI

General

1. Complaints. All complaints which are to be brought to the attention of the Board must be submitted in writing and signed by a member.
2. No Use of PA System. Except in the case of emergency, paging of persons over the Club's public address system will not be permitted.
3. Leave of Absence. Terms, conditions and fees for the granting of a one year leave of absence, and renewals thereof, shall be set by the Board from time to time.
4. Revisions. These rules may be revised or additional rules established at any time by the Board.
5. Restricted Areas. It will be strictly enforced that members are not permitted in areas of the club (gates, doors, fences, etc.) marked for Personnel Only.
6. Lost & Found. Any and all items left at the Club at the end of the day are brought to our Lost & Found area located back by Arts & Crafts. Any items left at the end of the season will be disposed of or donated.

ARTICLE XII

Definitions

1. Member. All members of the Club, including voting and non-voting members. Non-voting members include children of or parents or other senior relatives of Voting Members who permanently reside in the household of the Voting Member.
2. Voting Member. Voting members shall consist only of adult members over the age of eighteen years who are holders of a Certificate of Indebtedness*.
3. Pool Area. The area inside the boundary formed by the cabanas and the gatehouse.

4. Recreation Area. The fenced in area behind the cabanas that includes the playground, volleyball court, basketball court, and picnic area. It excludes the tennis courts.

5. When a Child is Deemed to be Age 13 **For purposes of Article V and Article VI only**, a child shall be deemed to be age 13 if the child attains the age of 13 on or before October 1 of the current year (e.g., a member who attains age 13 on September 15, 2021 shall be deemed to be age 13 for the 2021 summer season).