



## **RULES & REGULATIONS**

*Updated 3/1/2023*

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All operation of the Red Hawk Golf and Resort Swim & Fitness Center is subject to any and all rules, regulations, guidelines, directives, and any other governmental agency statements about the operation of swim and/or fitness or exercise or group exercise classes implemented or published by the State of Nevada, the Governor of the State of Nevada, Washoe County Health District, or any other agency or governmental body with jurisdiction over Red Hawk Swim & Fitness.

### **INTRODUCTION**

It is the intention of The Swim & Fitness Center at Red Hawk (“**Center**”) to provide rules and regulations (“**Rules**”) necessary for the mutual enjoyment of the Center and its pool, gym, workout studio, weights, classes, locker rooms and all outdoor space managed by Center (the “**Facilities**”), by all its Members and their guests. The Center desires to provide its services in a safe and healthy manner for all of its guests and employees. **However, some operations may be restricted or modified from time to time to accommodate COVID-19 guidelines, rules, regulations, and directives, or other similar matters.**

The Center’s goal is to ensure that as a Member, you will be provided with all the courtesies, comforts, privileges, and services to which you are entitled. However, it is also your responsibility, as a Member, to know these Rules and to cooperate with our staff in their enforcement. These Rules are incorporated into, and made a part of, the Membership Agreement and any capitalized terms not defined herein shall have the meanings set forth in the Membership Agreement.

The Center may, from time to time, make changes to these Rules, Center operation hours, facilities, and amenities available, to accommodate the safety and health of its members, guests and employees, those changes will be posted at the Center and as practicable, sent out by email notification as well.

## **GENERAL CENTER RULES**

1. Members, their families, and their guests shall abide by the Rules, which may be amended from time-to-time in the Center's sole discretion. Any threat(s) of violence against any other member or Center employee, or any of the Center's property are grounds for immediate termination of membership.

2. Except for alcohol sold by Center during specified hours and on specified days, alcoholic beverages are not permitted to be consumed at the Facilities. All food and beverages consumed at the Facilities must be furnished by the Center unless otherwise permitted by the Center in its sole discretion.

3. The Center may charge for Cabana rentals and may provide for other non-paid shade structures such as umbrellas or other structures, from time to time, as determined by the General Manager.

4. Commercial advertisements shall not be posted or circulated in the Center nor shall solicitations of any kind be made at the Facilities without the prior approval of the Center. Other than as permitted in writing by the Center, no petition shall be originated, solicited, circulated, or posted on the Center's property.

5. Members should not request special personal services from employees of the Center who are on duty or personal use of the Center's furnishings or equipment which are not ordinarily available for use by Members.

6. Dogs or other pets (with the exception of service or seeing-eye dogs) are not permitted at the Facilities. Where dogs are permitted on the grounds, they must be on a leash. Members are responsible for any damage caused by an animal owned by the Member or guest or under the Member's or guest's control.

7. Self-parking is permitted in areas identified as such. No parking will be allowed on grassed areas or in loading zones. "No Parking" signs must be observed. Violators may be towed at the vehicle owner's expense.

8. Violation of any of these Rules, or conduct in a manner prejudicial to the best interests of the Center, will subject the person in violation to disciplinary action by the Center in accordance with these Rules and the Membership Agreement.

9. The personnel of the Center will have full authority to enforce these Rules and any infractions will be reported to the management of the Center.

10. The Center shall not discriminate against any individual because of the individual's race, color, religion, sex, sexual preference, national origin, age, disability, or marital status.

## **REGISTRATION**

Members shall scan membership card to sign-in at the front door each time they use the Center.

If a Member is only using the pool, the Member must use the side gate and scan at the side window rather than go through the fitness center itself so as not to disrupt fitness patrons. Please be advised photo ID may be required for entry into the pool area.

## **GUESTS**

All guests of Members must register at the front counter, sign the liability waiver, and pay the applicable guest fee, which may be changed from time-to-time by management. Members are responsible for the appropriateness of attire and conduct of their guests while using the Center. Guests are permitted to use the Center only when accompanied by a Member and after signing the liability waiver and paying the appropriate day use fee. "**Member Guest**" shall mean any person that is registered and accompanied by a Member who does not fall under the definition of Dependent. Unless otherwise stated, all references herein to "**guests**" shall mean and refer to all Member Guests. In all instances, no Member may have more than four (4) Guests per visit.

## **CHILDREN**

Children are welcome in the Center as provided herein. They are expected follow all of the Rules. An adult Member or Manager Approved Caretaker must accompany all children aged thirteen (13) and under while using the pool facility. Children in diapers must wear appropriate diaper covers. Children age sixteen (16) and above may use the fitness equipment without adult supervision. Children of ages twelve (12) through fifteen (15) may use the fitness equipment with adult supervision only. Children under the age of twelve (12) may **NOT** use the fitness equipment nor may they be in the fitness equipment area. If these Rules are abused in any way, the Owner reserves the right to terminate the Member's membership and/or permanently bar the guest without notice or hearing.

## **ATTIRE**

Proper attire is required for anyone using the Center. Shirts and shoes are required in all common areas at all times. Torn t-shirts and cut-offs are not considered appropriate attire. Black soled shoes are not permitted in the group exercise/stretching room. All swimmers must wear appropriate swimwear. Cut-offs, denim, and thongs are not considered appropriate swimwear.

## **CENTER HOURS**

The Center will be open daily during the hours of operation which the Owner determines appropriate. The Owner reserves the right to increase or decrease these hours of operation at any time at its sole discretion. The Center may be closed for common holidays based upon the Owner's policy. In addition, the Owner reserves the right to close the outdoor pool, spa, and any portion of the facility or facility grounds for its own private, non-Member events. To the extent practicable, the Owner will post in advance any increase or decrease of hours of operation, or any full or partial closure of the outdoor pool, spa, facility, or facility grounds. The Owner also reserves the right to close the pool facilities for repair and maintenance and when necessary for the protection of Members and guests. Dues will not be reduced or suspended during the time when one or more of the Facilities are not available.

### **CLASSES**

Instructor-led classes and activities are for the use and benefit of Members and Dependents of Family Membership Members, punch card holders, and members of the public. At this time, the Center uses an application called “MINDBODY” to make class reservations, and persons with MINDBODY reservations are given priority into all classes, and persons without class reservations are allowed into class on a first-come, first-served, basis.

### **FACILITY RENTAL**

The Facilities are available to rent to Members and Non-Members for events. All special events of fifteen (15) or more people at the Center must be coordinated through the Red Hawk Special Events Office, and are subject to approval by the Owner. Special events of fewer than fifteen (15) people must be coordinated with the management of the Center and will be allowed on a case-by-case basis at the discretion of the Owner. All events are subject to the applicable use fees and deposits as determined appropriate by the Owner. It is the Center’s policy that no food or beverage may be provided to its Members or their guests by any outside sources. All food and beverages consumed by the Member or its guests while using or renting the Center’s Facilities, must be provided by Red Hawk Golf and Resort.

### **SMOKING**

Smoking is not permitted in or around the Center at any time. This includes cigarettes, cigars, electronic cigarettes, or vaporizers.

### **LOST AND FOUND**

The Center is not responsible for lost or stolen items. Contact the front counter for lost or found items. Articles collected are stored until claimed, or for a period of thirty (30) days. Articles not claimed after thirty (30) days will be donated to a local charity or otherwise disposed of in the Owner’s discretion.

### **RESPONSIBILITY REGARDING USE OF THE CENTER**

Members and guests should consult with their physicians before using the Center’s services and Facilities. Members and guests agree that they will not use the Facilities with any medical condition if such a condition poses a direct threat to the health or safety of themselves or others.

It is the individual’s responsibility to consult with a physician to determine if any medical condition exists and, if so, whether such condition poses a direct threat to the health or safety of themselves or others. Notwithstanding the foregoing, the Center reserves the right to require Members or guests to provide a medical clearance if deemed necessary in the Center’s sole discretion. Any health information collected by the Center will be treated as confidential and will be kept private to the extent the law allows.

ANYONE THAT IS SICK, FEELING SICK, OR RUNNING A FEVER SHOULD NOT COME TO THE CENTER. ALL CENTER-FOR-DISEASE CONTROL MEASURES FOR ILLNESS, VIRUS, INCLUDING, WITHOUT LIMITATION, COVID-19 SHOULD BE FOLLOWED BY MEMBERS AND THEIR GUESTS REGARDING STAYING HOME, QUANARTNINING, SEEKING MEDICAL ATTENTION, ETC.

### **ASSUMPTION OF RISK**

Members and guests who participate in any activities at the Center do so at their own risk. The Owner is not responsible for any injury, illness, sickness, virus, or other similar condition, that may occur to individuals on or about the Center, including, without limitation, becoming sick in any manner, swimming, and/or participating in any exercise activity. Participation in exercise activity is on a voluntary basis.

### **PICTURES AND VIDEO**

Members are not to take videos or photos of other Members or guests in the gym or outside at the pool. At times, the Center make take photos and videos to use for marketing purposes.

### **USE OF EQUIPMENT**

Instruction in the proper use and care of equipment is the responsibility of Members and guests. The Center disclaims any liability for unauthorized or inappropriate use of the equipment and Facilities which results in property damage, physical injury, or other bodily harm to any Members or guests. Please keep equipment wiped down after each use and report any broken or damaged equipment to the Center's staff.

### **TOWEL SERVICE**

Members and guests are asked to respect the Center's willingness to provide Members and guests with shower and gym towels by returning all towels in the correct dirty linen bin. Pool towels are not provided. The Center reserves the right to limit or revoke towel service at any time, with or without notice, in its sole discretion.

### **LOCKER ROOM ETIQUETTE**

1. A Member may exchange their member key for a day use locker key, if available.
2. Do not leave lockers unlocked or leave items in an open locker.
3. No glass containers are allowed in the locker rooms.
4. Children age five (5) and older may not accompany parent of opposite sex into locker rooms. Please use the outside family restroom.
5. Locker rooms are not to be left in a disorderly state. Please put away all personal items and place all used towels in the proper hampers.
6. Return key to locker with the front counter clerk upon departure to receive your membership key. Do not leave personal belongings in lockers overnight.
7. Children shall not be allowed to play and/or loiter in the locker rooms.
8. No photos or video is permitted to be taken in the locker rooms.

### **POOL, SPA AND OUTDOOR AREA RULES**

1. When using the pool, spa, and outdoor areas only, Members should enter through the side pool entrance.
2. Scan in at side window and present valid guest passes or pay for all Extended Family Members and guests at this time. Guest passes and fees shall be set forth on the Membership Rates Form and may be revised at any time at Owner's sole and absolute discretion. Be advised photo ID may be required for entry.
3. Children 13 years of age and younger must be accompanied/supervised by an adult.
4. **Children under the age of thirteen (13) may not use the spa.**

5. No diving allowed; swimmers must always enter the water feet first.
6. Coast Guard approved flotation devices are permitted for non-swimming parties. An adult must accompany all non-swimming children in the water. Only small toys such as balls, water guns, rings, et cetera are permitted. No diving sticks are permitted. Kick boards, larger rafts and flotation devices are permitted depending on the number of swimmers and at the life guard and management's discretion.
7. Children wearing diapers must wear appropriate diaper covers or swimming diapers.
8. All swimmers must wear bona fide swimming attire.
9. Glass objects, drinking glasses, aluminum containers, and sharp objects are not permitted in the pool area.
10. No outside food is permitted on property. The Fitness Center offers a Snack Bar menu for the Members' convenience. No coolers or other food/beverages may be brought in to the Center or pool area.
11. No alcoholic beverages may be brought into the pool area at any time or for any reason. \*UNDER NO CIRCUMSTANCES may any member or any guest of any Member bring any alcoholic beverages into the Facilities for any reason\*. Alcoholic (and non-alcoholic) beverage are available for sale during certain hours. **No outside food or beverage is allowed.**
12. Smoking is not allowed. This includes cigarettes, cigars, electronic cigarettes, or vaporizers.
13. Lap lanes are for swimming laps only. Please be aware of lap swimmers and remove play objects from the lane area. Swimmers may not hang on the lane lines and will be asked to leave if they do so continually. **The cost of replacing broken lane lines due to damage from hanging on them may be assessed to the Member.**
14. It is each Member's responsibility to be aware of the pool and lifeguard hours. Be aware that these hours may change due to inclement weather or at management's sole discretion.
15. No radios or musical devices may be used in or around the pool area.
16. Running, pushing, rough housing, and playing tag in the pool area is prohibited.
17. The wading pool is for the enjoyment of the younger non-swimmers. Children over the age of six (6) are not permitted in the wading pool. Children must be supervised by an adult while in the wading pool. There is no wading permitted at the swimming pool entrance steps.
18. Lifeguards are on duty for the safety of the Members and their guests. The lifeguard's primary duty is to prevent and care for accidents. They are also on duty to maintain an orderly and safe environment in the pool area. Lifeguards will eject anyone from the pool whose behavior puts themselves or others at risk. Disrespectful, abusive, or foul language will also result in being ejected from the pool.
19. Admission to the pool will be refused to persons having any contagious disease or infectious condition.
20. While there are numerous other pool rules and regulations that must be followed (e.g., do not hang on the lane lines, do not swim with gum in your mouth, etc.), management considers them sensible everyday rules which need not necessarily be listed.

*The center reserves the right to refuse service to any member or guest who violates any rule or regulation or engages in any verbal and/or physical abuse of the center's employees or staff, any other members, guests, or any of center's property. The center's staff on duty is ultimately responsible for enforcing all rules, regulations, and procedures. If at any time a member or guest does not comply with the rules and/or the staff on duty, the member or guest will be asked to leave, and/or his/her fitness center privileges will be revoked. The center staff on duty has the right to enlist the help of Wingfield Springs patrol whenever these situations arise.*