

# **The Fairways HOA Rules and Regulations for Common Amenities**

## **Introduction**

If everyone will carefully observe these rules and always be considerate of others, it will add to the enjoyment of our Common Amenities by all Fairways homeowners and their invited guests. It is the responsibility of each homeowner to read and follow the rules set forth here.

## **General Community Rules**

### **Amendments**

These rules may be changed, amended, or repealed at any time and without prior notice. As necessary, the Board of Directors may make exceptions to these rules at their sole discretion.

### **Animals**

Domesticated animals, except seeing-eye dogs accompanying homeowners and guests are not allowed in inside the Pool gate, Tennis courts, nor in the Clubhouse. Cherokee County leash laws must be followed at all times on Common property.

### **Attire**

It is expected that Homeowners will choose to dress in a fashion befitting the surroundings and atmosphere provided in the setting of our community. It is also expected that homeowners will advise their guests of our dress requirements.

### **Controlled Substances**

Controlled substances, as defined by Georgia and federal laws, other than those prescribed by a physician for medical reasons, are not permitted on the Common property.

### **Discipline**

A homeowner's amenity use may be terminated or suspended by the HOA if the homeowner:

- Exhibits unsatisfactory behavior, conduct or appearance, and fails to remedy the behavior after notice by the HOA
- Fails to pay Assessments or fees in a proper and timely manner (see Covenants and Bylaws);
- Fails to abide by the rules and regulations as set forth for use of the Common amenities

### **Gambling**

No gambling held illegal by the State of Georgia is permitted on HOA property.

### **Liability**

Neither the HOA, its officers nor its agents shall be liable for any injuries to persons or damage to or loss of property involving homeowners, guests, or other persons on the HOA premises. Each homeowner or guest agrees to indemnify and hold the HOA and its agents harmless from and against any and all claims made by them and their guests or invitees, occurring on the HOA premises for personal injury, damage to, or loss of property not proximately caused by the gross negligence or willful or wanton conduct of the HOA.

### **Mailing Address**

Each Homeowner shall be responsible for filing with the HOA in writing his or her mailing address and any changes thereto, to which the Owner wishes all notices and invoices of the HOA be sent. A homeowner shall be deemed to have received mailings from the HOA ten days after they have been mailed to the address on file with the HOA.

### **Mailing List**

The HOA's mailing list shall not be used for any commercial purpose. Charitable and other solicitation of the membership may only be made with specific approval by the HOA Board.

### **Notices**

No notice should be placed on any bulletin board(s) or other place on the HOA premises without prior approval. Posted notices shall be limited to HOA matters.

### **Petitions**

No subscription paper, petition, political poster, or similar document shall be circulated, nor any article exposed for sale or barter in the Clubhouse or on the HOA premises by homeowners or guests.

### **Property, Personal Injury**

Each Homeowner and guest assumes sole responsibility for his or her property. The HOA shall not be responsible for any damage to any private property used or stored on the premises of the HOA.

The removal from the room in which it is placed, or from the HOA's premises, of any property or furniture belonging to the HOA without proper authorization is not permitted. Every Homeowner and guest of the Club shall be liable for any property damage and/or personal injury on the HOA premises.

Any Homeowner, guest or other person who, in any manner, makes use of or accepts the use of any apparatus, appliance, facility, privilege or service whatsoever owned, operated by the HOA, or who engages in any contest, game function, exercise, competition or other activity operated, organized, arranged, or sponsored by the HOA either on or off the HOA's premises, shall do so at his or her own risk. The homeowner shall hold the HOA and its owners, owners' officers, employees, representatives and agents harmless from any and all loss, cost, claim, injury, damage or liability sustained or incurred by him or her, resulting from and/or from any act or omission of any owners, owners' officers, employee representative or agent of the Club. Any Homeowner shall have, owe and perform the same obligation to the HOA any its owners, owners' officers, employees, representatives and agents hereunder in respect to any such loss, cost, claim, injury, damage or liability sustained or incurred by any guest of the Homeowner.

### **Records, Access To**

As a general rule, HOA records, accounts, and files of whatever nature are maintained by the HOA property manager in connection with HOA business, operations, and functions. It shall constitute misconduct for a homeowner to inspect, read, or copy such records, accounts, or files without Approval from the Board of Directors. Any Owner who knowingly permits any unauthorized inspection, reading, or copying of records, accounts or files shall be disciplined for misconduct.

Nothing in these rules shall be construed as denying a homeowner the right, during office hours, and in the presence of an authorized representative, to inspect and review, or have copies made when appropriate, of any record or data pertaining to his or her individual account with the HOA.

### **Smoking**

Homeowners and guests are asked to be considerate of others. The entirety of the clubhouse, pool, tennis, and Common areas are non-smoking. Homeowners and guests should dispose of any smoking materials properly.

**Solicitations**

No demonstration nor solicitation on behalf of any political, sectarian, or other group shall be made in the clubhouse nor on the HOA property, nor shall printed matter on behalf of any person, party, or legislation be distributed in the clubhouse or on HOA common property.

**Special Functions**

Plans or dates for activities in the Clubhouse or at the Pool must be approved in advance by the HOA Board or the Property Manager.

**Suspension**

See Discipline

**Termination**

See Discipline

## **Swimming Pool Rules**

**Pool Hours – 7:00 AM – 10:00 PM, 7 days a week during pool season**

Swimming or sunbathing is permitted only during operating hours.

### **Attire**

Homeowners and guests should dress in attire befitting the family nature of our Community. Extremely revealing attire, such as a thong, is not suitable for the family atmosphere of the pool.

### **Authority**

These rules and regulations are designed to ensure the enjoyment and safety of swimmers. Parents are ultimately responsible for their child's safety. The HOA shall have the authority to remove anyone from pool property not abiding by the rules.

### **Children**

- Children under 12 years of age must be accompanied at all times by an adult (21 years of age or older) or person at least 15 years of age who is authorized in writing by the parent/guardian.
- Non-potty trained children must wear plastic, water-tight pants. All children must be taken to the restroom to "potty." Changing diapers in the pool area is a violation of the Health Code.
- Children are not allowed to stop the flow of water in the fountain jets with objects or any part of their bodies.

### **Contamination**

Any Homeowner found contaminating the pool is subject to a fine and/or suspension of amenity privileges.

### **Glass**

There are to be no glass containers in the pool area.

### **Guest Policy**

Each Homeowner may bring up to five (5) accompanied guests at any one time. Unaccompanied guests are not permitted.

### **Gum**

No gum is allowed in the pool area.

### **Pets**

No pets are allowed in the recreational facilities.

### **Profanity**

Absolutely no profanity of any kind will be permitted.

### **Radios**

Radio volume shall be kept at a level that does not disturb others.

**Reservations**

Usage of all areas of the pool are on a "first come, first served" basis. Reservations for parties are made through the HOA Board.

**Running**

Running in the pool area is prohibited.

**Smoking**

No smoking is permitted in the pool area.

**Swimming Lessons**

All private and group swim lessons are to be given by HOA approved vendors only.

**Trash**

It is the homeowner's responsibility to dispose of or remove any trash from the pool area that they created.

## **Tennis Court Usage Rules**

**Tennis Hours – 7:00 AM – 11:00 PM, 7-days a week**

### **Children**

Children who are not playing tennis are not allowed to play on the tennis courts.

### **Clothing**

Proper tennis attire (no cut-offs, jeans, etc.) must be worn during play. Tennis shoes and shirts are mandatory.

### **Court Lights**

Court lights will not be used after 11:00PM.

### **Court Time**

Players will be allotted one and one-half hours for singles or doubles.

### **Court Use**

Courts are for tennis use only; no bicycles, skates, skateboards or roller blades are allowed. Any of these items taken through the tennis area must be carried.

### **Damage**

Cost of repairs due to malicious damage is the responsibility of the player.

### **Food and Beverage**

No food or beverages are allowed on the courts, except water in a non-breakable container. Prohibited items include gum, smoking materials, and chewing tobacco.

### **Guest Policy**

Unaccompanied guests are not allowed.

### **Lessons**

Tennis lessons are to be given by HOA approved vendors only.

### **Pets**

No pets are allowed in the tennis area.

### **Trash**

Please be courteous and pick up your trash when leaving the courts.

## **Clubhouse and Pool Party Rental Guidelines**

Members and guests for special events are subject to all rules as indicated in these rules.

### **Cleaning**

The Homeowner is responsible for cleaning up after their event. If deemed necessary by the Club, a clean-up fee may be assessed.

### **Fee**

A refundable fee is required for use of the Pool or Clubhouse for a special occasion party. Contact the HOA Board for specific amounts.

### **Limits**

Each pool party is limited to no more than 40 non-members guests, and there is a three-hour maximum time limit for all parties.

Each homeowner is limited to no more than three parties per season.

The pool is unavailable for special events on holidays.

Reservations for weekend special event parties may be limited due to homeowner usage, and the number of parties on any given day may be limited by the HOA.

Exceptions may be made at the HOA's discretion.

### **Reservations**

Reservations for all Pool and Clubhouse parties must be made through the HOA Board and must be made at least seven days prior to the special event.