

ENCORE AT BRIAR CHAPEL  
POOL AND PATIO GUIDING PRINCIPLES AND RULES

Our guiding principles are based on the premise of mutual respect and Community spirit, which will serve everyone using these amenities. We ask residents to show care and respect for our community and our neighbors.

**DEFINITIONS**

MANAGEMENT – Kuester Management Group (KMG)

ASSOCIATION - Encore at Briar Chapel Homeowners Association (HOA)

RESIDENT – Members of the Encore at Briar Chapel Homeowners Association

GUEST - Anyone over the age of 30, who is not a full-time permanent resident

SAYOR – Swim At Your Own Risk

CLUBHOUSE AND ITS SURROUNDING AREAS - The Clubhouse and its Surrounding Areas includes bathrooms, showers, a grilling station, 2 firepits, Bocce Ball court, cornhole, cabanas, tables, chairs, and fireplace with television.

**GENERAL POLICIES**

- Residents who use the pool, do so at their own risk, and will be held responsible for all actions of themselves and their Guests.
- KMG, the Community Manager, and the HOA assumes no responsibility whatsoever for any accident or injury in connection with the use of the pool facility and will not be responsible for loss or damage to personal property.
- Persons using the pool facility agree to waive any and all claims and causes of action against the HOA and further agree to not hold the HOA liable for any acts, injuries or damages that may relate to the use of the pool and its facilities.
- As used herein the term “Association” or “HOA” includes the Association, its officers, directors, members, partners, employees, coordinators, volunteers and agents, and all persons, corporations, partnerships, and other entities with which it is or may in the future become affiliated, including without limitation, the property management company, developer of the Encore at Briar Chapel Community and its affiliated entities, and the successors and assigns for any of them.
- The Association does not assume any responsibility for the personal supervision of any persons in and around the pool facility or anywhere else in the master planned community.
- The information and rules contained within may be changed periodically and without notice as deemed necessary by Encore at Briar Chapel Homeowners’ Association or its Management.

**POOL RULES**

- The pool is available for the pleasure of the Residents of the Encore Community and their guest over the age of 30.
- The Encore at Briar Chapel pool is “Swim At Your Own Risk” SAYOR
- Absolutely no glass items are allowed in the fenced-in pool area. No glass beverage containers, food containers, bowls, or face masks.  
**Broken glass on the pool deck could lead to a pool closure.**

- Food and drink (including adult beverages) are permitted; however, waste must be deposited in the containers provided. Eating, gum chewing and drinking are NOT allowed in the pool. Coolers are allowed in the pool area.
- Diving is not allowed.
- Moderate-sized flotation devices are allowed.
- No smoking or e-cigarettes allowed in the pool area.
- No profanity, improper behavior or vulgar language is permitted.
- Personal music devices must be kept at a volume level to not disturb others.
- No pets or animals are permitted in the pool facility. Exceptions will be made for service animals with proper documentation.
- No furniture or equipment may be removed from the pool area or inappropriately used, including placement in the pools.
- Management has the right to ask any person whom they consider unruly or intoxicated to leave the pool facility.
- The HOA is not responsible for lost or stolen articles.
- The pump-room area is restricted to staff members only.
- Residents are responsible for informing and ensuring their Guest(s) follow these pool rules.

#### **POOL PERSONAL HYGIENE AND ATTIRE**

- It is recommended that Residents and Guests shower before using the pool.
- Admission to the pool may be denied to any person who has an open wound: for example, a skin infection, rash, nasal, eye or ear discharge, sore or inflamed eyes, excessive sunburn, or open sores.
- Admission will be denied if a patron has a communicable disease.

#### **FECAL / VOMIT CONTAMINATION**

**In the case of fecal/vomit matter in the swimming pool, the pool will close, following policies outlined by the State of North Carolina Health Department. Maximum closure will be 24 hours.**

HOA will assess a fee of \$200 to such Resident(s) for the cost of chemicals to shock the pool.