

# FOX POINT HOMEOWNERS ASSOCIATION

## AMENITIES' RULES and REGULATIONS

*The following Rules and Regulations govern the use and operation of the  
Fox Point Homeowners Association's ("Fox Point")  
Amenities and Common Area*

*Amended and Adopted by Fox Point Board of Directors 7/5/2017; Revised: 10/6/2020*

### SECTION I: GENERAL GUIDELINES

- A.** Fox Point's Amenities are all Recreational Facilities including but not limited to the Pool (including the Deck and Pool House), the Clubhouse, Playground, Tennis and Pickleball Courts, Volleyball and Basketball Courts, and the Baseball/Softball and Soccer Fields at the end of Danford Court.
1. All other areas owned by Fox Point, such as parking lots, planting areas at both entrances, grassy areas and retention ponds/dams, are considered collectively as Common Area.
  2. No one is permitted to be in any of the retention ponds nor on the dams. Fishing, boating or swimming in the ponds is prohibited.
  3. There shall be no dumping of yard trash, e.g., Christmas trees, brush, leaves, limbs, grass clippings, etc., in the wood lines or anywhere else in the Common Area.
  4. No person shall put any household trash in the trash containers located at the Amenities and/or Common Area. Each occurrence is considered a violation of Fox Point's governing documents and pursuant to the governing documents, a charge may be imposed against the Owner if the Owner or person to whom he/she delegated his or her access to the Amenities and/or Common Area is identified.
- B.** Conduct at all Amenities is governed by the following Rules and Regulations:
1. An Owner in good standing, an Owner's tenants and their guests are entitled to exclusive use of all Amenities. The term 'Owner in good standing' means, in accordance with Article 12, Section 12.1 (h) of the AMENDED AND RESTATED DECLARATION FOR FOX POINT, an Owner whose rights to use the Recreational Facilities and/or other Common Areas have not been suspended by the Board of Directors "for any violation of the Association Documents or Rules and Regulations ... or for any period during which any Assessment against an Owner's Lot remains unpaid."
  2. Any Owner or an Owner's tenant using the Amenities shall have a valid Amenities pass with them at all times and shall show this pass to any Authorized Enforcement Agent who asks to see the pass. Their guests 12 years of age or older will have a valid photo ID, e.g., student ID or driver's license.
  3. An Owner, or his or her tenant, shall accompany their guest(s) at all times, this includes when an Owner or Owner's tenant leaves an amenity area. Guest pass "hopping" to another Owner or Owner's tenant is not allowed. Furthermore, Fox Point residents shall not use their guest pass to give Amenity access to another Fox Point resident.
  4. All Owners, Owners' tenants and their guests using the amenities do so at their own risk; the Association or its Managing Agent assumes no responsibility for any accidents or injuries or lost, stolen, or damaged personal property to any Owner, or his or her tenant or guest in connection with such use.

5. In accordance with the Code of Virginia's Alcoholic Beverage Control Act, consumption of alcoholic beverages at all Amenities and/or Common Areas) is prohibited except for:
    - a. Community events sponsored by the Fox Point HOA Board of Directors or has been sanctioned by the Board with a specific request for alcohol (BYOB) to be present or to serve, not sell or reimburse at cost alcoholic beverages.
    - b. Private events held at the Fox Point Clubhouse subject to the Clubhouse Use Agreement & Clubhouse Use Policies, which may include an Owner's need to acquire a license from the Virginia Department of Alcoholic Beverage Control to serve alcoholic beverages.
  6. Access to Amenities will be denied to anyone who appears to be intoxicated.
  7. **SMOKING AT ALL AMENITIES AND/OR COMMON AREA IN ALL FORMS AND BY ANY MEANS IS PROHIBITED**, including but not limited to the use of electronic cigarettes (E-CIGS), personal vaporizers (PV), Electronic Nicotine Delivery System (ENDS) or any device which simulates smoking. **THE USE OF ALL OTHER TOBACCO PRODUCTS IS ALSO PROHIBITED.**
  8. Abusive, offensive or profane language is prohibited in all Amenities or Common Areas.
  9. The age limit for an Owner or his or her tenant to have a guest or guests at the Amenities will be as stated in the specific Guidelines below.
- C. Authorized Enforcement Agents of these Rules and Regulations include, but are not limited to, professional security guard under contract with Fox Point, pool management personnel, the Managing Agent for Fox Point, members of the Fox Point Board of Directors, and members of the Fox Point Security and Pool Committees.
1. Authorized Enforcement Agents have the authority to enforce all posted and written Rules and Regulations and may eject violators from any and all Amenities for temporary periods not to exceed 24 hours.
    - a. At the first infraction of the posted or written Rules or Regulation, a verbal warning will be given and noted in the records.
    - b. At the second infraction, a written notice will be mailed to the Owner(s).
    - c. Further infractions may result in suspension of use of all Amenities for an extended length of time not to exceed 60 days per infraction.
    - d. In addition, infractions by individuals without a valid Amenities pass or a suspended Amenities pass may result in a hearing for the Owner before the Board of Directors which could lead to charges being assessed against the Owner for his or her behavior, and/or the behavior of his or his tenants and guests.
    - e. Any incidents involving illegal matters or trespassing will be turned over to the Spotsylvania Sheriff's Office.
  2. The Pool manager on duty or any other Authorized Enforcement Agent has the authority and is empowered by the Board of Directors to resolve situations affecting the safe operation of any Amenity including but not limited to the Pool.
  3. Disrespectful conduct towards or failure to follow the directions of Authorized Enforcement Agents may result in immediate expulsion from the Amenities, and a possible suspension of use of all Amenities.
- D. The Board of Directors, upon recognizing a situation requiring immediate amendment or modification of these Rules and Regulations will, by immediate special meeting, develop an amendment or modification. Owners will be notified of any changes in a manner to be determined by the Board of Directors.

## SECTION II: POOL, DECK and POOL HOUSE

### A. Days and Hours of Pool Operation

1. Pool season begins on the Saturday of Memorial Day weekend and extends to Labor Day.
2. Pool hours are listed below. Unauthorized entry is trespassing.
  - a. Public School Days: 1:00 p.m. to 9:00 p.m. Weekdays  
11:00 a.m. to 9:00 p.m. Weekends & Holidays
  - b. Non-School Days: 11:00 a.m. to 9:00 p.m. Monday - Sunday
3. The Board of Directors reserves the right to designate special hours at the pool for Fox Point community activities.
4. Pool management has the authority to close the pool when weather conditions dictate, or when a mechanical breakdown or other operational difficulty occurs.

### B. Pool Admission

1. All individuals must provide an Amenities pass or a guest pass assigned by the Managing Agent for Fox Point for entry into the Pool and sign an entry log located at the gate. Pool management will hold the Amenities Pass until the individual departs.
2. Guests are permitted provided they are accompanied by an Owner or his or her tenant and are limited to:
  - a. a 12 to 17-year-old may have two (2) guests per day per Lot
  - b. an 18-year-old or older may have five (5) guests per day per Lot
3. A free guest pass will be issued at the beginning of the season. Additional guest passes are available through the Managing Agent for Fox Point as follows:
  - a. \$20.00 for a guest pass that allows ten (10) guest visits (\$2.00 per guest per day).
  - b. No charge for children under three (3) years of age.
  - c. Guests admitted by guest pass only. LIFEGUARDS DO NOT TAKE CASH.
4. Guest privileges may be limited for the protection of all and to insure enjoyment of the pool by everyone, in which event a notice will be posted at the front desk.
5. Owners are responsible for any property damage they, their tenant(s) or their guest(s) may cause and for the behavior of their tenant(s) or their guest(s)
6. Children age 10 years and older, with parent permission may enter the pool without a parent or guardian present. However, if the Lifeguards find that that child does not have sufficient swimming abilities, the Lifeguards may give that child a Swim Test provided for in Paragraph 7 below.
7. Persons unable to pass the swim test or are unable to handle themselves well in the water over their head are not permitted in water above their shoulders or an area where they require assistance. A Lifeguard may administer a Swim Test in the event that a Lifeguard believes that a person does not have sufficient swimming abilities. A Swim Test shall consist of the following:
  - Swim the length of the pool (25 yards) without stopping
  - Tread water for 60 seconds in the deep end, without touching a wall
  - Pick up an object from the bottom of the 3 to 5-foot-deep section of the pool
  - Another standard selected by the Lifeguard

8. The only personal flotation devices permitted in the main pool are water wings and Coast Guard-certified Lifejackets. They are not permitted in the deep end of the pool. Any person using them must be accompanied and supervised in the water at all times by an adult or approved caregiver.

### **C. Pool Use**

1. Use of the wading pool is restricted to children 5 years of age and under and those who accompany them for play (siblings, guests and parents). There is no lifeguard service in the wading pool.
2. Children in the wading pool enclosure must be accompanied and supervised at all times by an adult or approved child caregiver. Children must be within arm's reach at all times.
3. Use of rubber and plastic toys is permitted in the wading pool only.
4. Large flotation devices (e.g., single person inflatable rafts) are allowed in the main pool if it is occupied by less than five (5) persons. The pool management reserves the right to limit such use for safety reasons.
5. The use of aerosol sprays of suntan oil with quick tan coloring is prohibited.

### **D. Safety**

1. Swimming is prohibited unless a Lifeguard is on duty and in the guard chair.
2. Talking to a Lifeguard on duty in the guard chair is prohibited, except in the case of an emergency.
3. Use of glass containers of any kind is strictly prohibited. The use of cans, plastic and other unbreakable containers is recommended.
4. Running, pushing, wrestling, acrobatics, general horseplay, towel snapping and causing disturbances are prohibited.
5. Use of goggles and facemasks in the Pool is permitted.
6. Use of water balls and noodles are permitted on a limited basis at the discretion of the Pool management. No ball playing is allowed on the pool decks.
7. No water guns are permitted.
8. Running dives from the side of the Pool are prohibited.
9. No diving is allowed in shallow water.
10. Safe diving is permitted in the deep end of the Pool.
11. Every hour there will be a fifteen-minute break, also known as "adult swim."
  - a. During that time, swimmers who are 16 years of age and older, or a parent or approved child caregiver directly instructing their child(ren) younger under 16 years, may remain in the pool to swim. (A one-on-one parent/approved child caregiver to child-under-close supervision ratio will be enforced during break time.)
  - b. All other swimmers are required to leave the pool for fifteen-minutes.
  - c. In the event of an unscheduled rest break (weather, safety incident, or accident) the pool manager on duty will use her or his best judgment as to reinstatement of the break schedule and will attempt to provide compensation for lost swimming time.
12. The pool is to be cleared immediately of all people by the nearest ladder or edge in the event of an emergency (e.g., thunder, lightning, high winds, storms).

## **E. Health**

1. Any individual having a communicable disease, cold sores, pink eye, open sores and other infections, excessive sunburn, nasal or ear discharge, or wearing bandages is prohibited from entering the Pool facility.
2. Persons who are not toilet-trained or who are incontinent must wear swim diapers or snug plastic pants under swim clothing. Diapers, both cloth and disposable, are prohibited. Swim diapers or rubber pants must be tight around the legs to prevent leakage.
3. All individuals are encouraged to shower before entering the Pool.
4. Spitting or blowing of nose in the Pool is prohibited.
5. Animals and pets, with the exception of credentialed service dogs, are prohibited from entering the pool facility at all times.
6. Chewing gum at the pool facility is prohibited.
7. Glass bottles or containers are prohibited within the Pool facility. Drinks in non-glass containers are permitted on the Pool deck
8. The consumption of food is limited to the upper deck area and under the pavilion. Individuals are required to clean up after use of the eating area.
9. No smoking is allowed in the Pool facility.
10. First Aid supplies may be obtained from the Pool management.

## **F. Private Parties**

1. Owners shall schedule private pool parties through the Managing Agent for Fox Point and must be in good standing to be approved for a private pool party.
2. A minimum of two weeks advance notice is required. Private pool parties shall be scheduled to occur after the regular pool hours at a rate that will be determined by the pool company and the Managing Agent for Fox Point for use of the pool and for lifeguards to remain on duty.

## **G. Enforcement Policy at Pool Complex**

1. If ejected from the Pool for improper behavior, passes will be taken by the guards and relinquished to the Managing Agent for Fox Point. *Parents will need to claim children's passes during the Clubhouse office hours from the on-site manager.*
2. No passes will be returned through the mail or claimed at the business office for the Managing Agent for Fox Point.

## **SECTION III: CLUBHOUSE**

### **A. Clubhouse Use**

1. The clubhouse is available for Owners to schedule for use by a not-for-profit activity, to include common organized youth activities such as sports team meetings, Boy and Girl Scout activities, etc. These activities are identifiable by the benefactors of the activities.
2. The clubhouse is available for Owners to rent for personal family functions. Arrangements are to be made with the Managing Agent for Fox Point.

### **B. Clubhouse Unavailability**

1. The clubhouse shall not be used for moneymaking on a for-profit basis, such as soliciting leads, references or referrals that may result in sales or other activities which generate income on a for-profit basis.
2. The clubhouse shall not be used to promote an employer or contractor engaged in a for-profit enterprise, sometimes through the use of informational seminars or presentations.
3. The clubhouse is unavailable when the fee assessed on participants includes the cost of alcohol.

## **SECTION IV: PLAYGROUND**

### **A. Playground Use**

1. The Playground is for use by any Owner or Owner's tenant with a valid Amenities pass, or guest supervised by an Owner or Owner's tenant with a valid Amenities pass.
2. Proper footwear is required, no bare feet; and no pushing or shoving.
3. No one should use equipment improperly or use it when wet.

### **B. Playground Prohibitions**

1. Glass containers, skateboards, rollerblades or skates, bicycles, animals or alcohol consumption are prohibited on the Playground.

## **SECTION V: BALL COURTS (Tennis, Pickleball, Basketball and Volleyball)**

### **A. Court Use**

1. These courts shall be used on a first-come, first-served basis strictly for playing the sport on which they are intended, with the exception of the basketball court which may be used for additional sports and other reasonable activities.
2. Play is limited to one hour when other players are waiting to play, unless prior arrangement has been made with the Managing Agent for Fox Point for tournament play.
3. Owners' or Owners' tenant youth ages 12 through 17 may have up to three (3) guests at a time on any one of the Ball Courts (Pickleball, Tennis, Basketball & Volleyball); those over 18 years old may have five (5) guests.
4. Owners or Owners' tenant must have their valid amenities pass with them and invited guests shall be accompanied by the Owner or Owner tenant at all times.

## **B. Court Prohibitions**

1. Glass containers, skateboards, animals or alcohol consumption are prohibited on all courts.
2. Bicycles, rollerblades and skates are permitted on the basketball court, they are **prohibited** on the other courts.
3. Use of any of these amenities is prohibited after 10 p.m., except for activities scheduled with the Managing Agent for Fox Point.

## **SECTION VI:**

### **RULES FOR USE OF BASEBALL/SOFTBALL and SOCCER FIELDS**

#### **A. Field Reservations**

1. Any Owner serving as a head coach or assistant coach of any baseball, softball or soccer team may reserve a field for their team to practice, in accordance with these Guidelines. Any Owner, who is not a coach, may also reserve a field, in accordance with these Guidelines. Any Owner who reserves the field must be present during the reserved field time.
2. The coach making the reservation must be a volunteer, and the Owner who makes the reservation must be in good standing.
3. No coach will be able to make a reservation for his/her team to practice until he/she signs the **Fox Point Homeowners Association Fields Use Agreement**. (See below.) This agreement acknowledges that the coach and/or Owner has read these Rules and Regulations regarding the use of the athletic fields and agreed to abide by the field use policy.
4. Any team with a field reservation shall have priority for use of the field over anyone else.
5. The number of practices that each team can schedule will be in accordance with the following:
  - a. Any team with 1 to 4 players residing in Fox Point and the coach is a Fox Point Owner will be allowed to reserve a field one time per week;
  - b. Any team with 4 or more players residing in Fox Point and the coach is a Fox Point Owner can reserve the field for two practices each week.
  - c. Any team with 4 to 8 players residing in Fox Point and the coach is not a Fox Point Owner will be allowed to reserve a field one time per week;
  - d. Any team with 9 or more players residing in Fox Point and the coach is not a Fox Point Owner or can reserve the field for two practices each week.
6. The first reservation time for Saturday will be 9:00 A.M. and there will be a minimum of 15 minutes between practices.
7. Coaches shall cancel practice if the fields are too wet to use without damaging the surface and/or affecting safety. If there is any doubt about the field condition, then the coach will move to another non-Fox Point field or cancel practice.
8. The Owner making the reservation must ensure there is no damage to the fields and surrounding areas and that if anything is moved it will be moved back to its original position after the practice. This person will also, with the help of other parents, walk the area around the field and pick up any debris, including cleaning up along Smith Station Road nearest the baseball field.

## **B. Baseball Field Use**

1. Both baseball fields can be reserved for baseball/softball practice; however, the field coordinators must work out a schedule so that the baseball field nearest Courtland Elementary is not used when soccer teams are practicing on the large soccer field.
2. Boy's baseball teams whose players are twelve years of age or younger may practice on the baseball fields.
3. Girl's teams of any age may reserve practice time.
4. The maximum length of the practice will be no more than 2 hours.

## **C. Soccer Field Use**

1. Only two soccer teams at a time can reserve a practice on the soccer fields.
2. If two teams are using the soccer fields within their allotted time, then any other arriving team must move their practice to another location.
3. The maximum length of a practice will be no more than 1.5 hours.

## **D. Additional Guidelines**

1. Coaches may park in the ballfield parking lot off Danford Court.
2. Any team members, family or guests who are dropped off at the end of Danford Court should be instructed to walk up the path to the fields and not through any private property.
2. Only emergency service vehicles or vehicles servicing the fields are allowed on the fields.
3. Any coach who fails to adhere to the above-stated policies may risk the suspension of his team from using the Baseball/Softball and Soccer fields for an extended length of time not to exceed 60 days per infraction. If the coach's offense occurs during the playoff period then the suspension may apply to that coach and/or his or her staff for the next season.
4. The Athletic Fields Committee Chairman will keep the signed agreement. The coach / Owner scheduling the fields shall keep a copy of the signed agreement.
5. The Baseball/Softball and Soccer fields are closed from dusk to 9 a.m.

**PLEASE NOTE:  
FOX POINT CANNOT AFFORD TO HAVE ITS FIELDS TORN UP  
FOR PRACTICES HELD IN WET CONDITIONS**



# FOX POINT HOMEOWNERS ASSOCIATION FIELDS USE AGREEMENT

In order to fully utilize the Fox Point Athletic Fields and respect the rights of all residents of Fox Point, this Field Use Agreement must be signed by the Owner making a field use reservation for each team using Fox Point Athletic Fields.

Only those authorized by the Rules for Use of the Fox Point Soccer and Baseball Fields will be able to make a reservation for the Fox Point soccer or baseball fields, and then only after signing and agreeing to adhere to the Rules and Regulations listed in this agreement. Fox Point recognizes that a coach is unable to account for the actions of every team member and their parents. However, the coaches shall make every reasonable effort to see that their team members and parents comply with the regulations as set out in the rules delineated in the previous pages.

I, (Please Print) \_\_\_\_\_ hereby acknowledge having read, received a copy of, and agree to abide by the **Rules for Use of the Fox Point Baseball/Softball & Soccer Fields and the COVID Field Use Rules and Disclaimer**. I realize that non-adherence to these rules may result in the suspension of my team from using the Baseball/Softball and Soccer fields for an extended length of time not to exceed 60 days per infraction of these rules. If this offense should occur during a playoff period, then the sanction may apply to any member of the coaching staff listed below for the next season.

-----  
Team Sport: \_\_\_\_\_ Team Name: \_\_\_\_\_

Age Group: \_\_\_\_\_ Girls or Boys (circle one)

Number of players: \_\_\_\_\_; Number who reside in Fox Point: \_\_\_\_\_

Coaches Names (Please print)

(Head) _____	Cell #: _____
(Asst.) _____	Cell #: _____
(Asst.) _____	Cell #: _____
(Asst.) _____	Cell #: _____

Owner's Name: \_\_\_\_\_ Lot No. \_\_\_\_\_ Telephone: \_\_\_\_\_

Acknowledgment and Receipt by:

Head / Assistant (circle one) Coach \_\_\_\_\_ Date \_\_\_\_\_

Telephone number: \_\_\_\_\_ Lot Number: \_\_\_\_\_

Acknowledgment and Receipt by:

Owner \_\_\_\_\_ Date \_\_\_\_\_

Telephone: \_\_\_\_\_ Lot Number \_\_\_\_\_

Accepted by: Athletic Committee Rep: \_\_\_\_\_ Date \_\_\_\_\_

*Amended and Adopted by Fox Point Board of Directors 7/5/2017; Revised: 10/6/2020*