

Radiance Property Owners' Association (RPOA)

108 Royal Way, Austin, TX 78737
Debra Morris, Board Liaison for 2022 Pool Season
damorrisuebel@sbcglobal.net
512-964-0868

Radiance Property Owner/Renter 2022 Pool Membership Agreement

LEASE: Always check <https://radiancetx.org/pool> for all rules, requirements, late-breaking news, etc.

SHOCK NOTICE, OPT-OUT ONLY: *Unless you specify otherwise, you will receive email notification in advance (when possible) of pool closures.* All emails come from Pool@RadianceTx.org. Please ensure emails from this address come to your inbox. The pool is only closed during maintenance. A "closed for maintenance" sign hung on the pool gate indicates closure. Absence of sign on gate = open pool.

Note: Emergency contact (emergencies only!): **512-638-9741** (pool manager).

APPLY TO BECOME A MEMBER: Print, read, and sign this document. Bring it to Debra Morris with your check made payable to "RPOA" in the amount of \$40 (the fee for Radiance property owners and renters). Please note: Members are eligible for one key only; no exceptions. Anyone receiving a key must sign this contract.

Prospective members will be notified by email as to dates/times in late April and early May when Debra will be at the pool to collect contracts and hand out keys.

🌀 Please prevent our low-chlorine pool from becoming a high-chlorine pool. 🌀

Initial to agree:

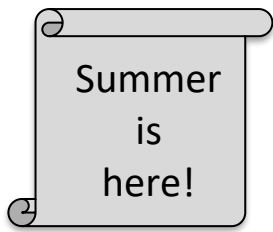
_____ I/my family/my guests will **put on sunscreen prior to coming to the pool** (if we use sunscreen).

_____ I/my family/my guests will **always shower (using the soap provided or our own) for at least 30 seconds immediately prior to getting in the water. No exceptions.**

AGREEMENT

I (we) the undersigned hereby request membership in the Radiance Community Pool for the 2022 swimming season. I (we) have read, understand, and agree to the following:

1. This signed agreement and receipt of key entitles eligible member's family and guests to the use of the Radiance Community Pool for the 2022 swimming season, May 1 to October 31. **All property owners and renters who are current with RPOA dues and assessments are eligible. Please do not present this Agreement to the Pool Liaison unless this qualification has been met.** The Pool Membership/Key Rental Fee is \$40.00 payable in full to the RPOA upon receipt of the pool key. Please present payment in the form of a check only.



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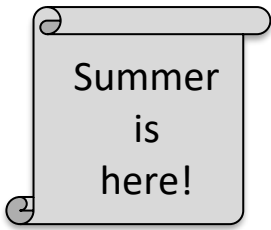
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2. **Member, member's family, and member's guests will abide by all Radiance Community Pool Rules posted.** These include: no rough or disruptive play; no pets; no glass; no alcohol; no smoking; no vaping; no sunscreen in the water (always shower off before entering pool). Use of the pool after 10 pm requires "silent swim" only. Signing this contract testifies to the member's understanding of and agreement to all pool rules detailed on the Standing and Supplemental Rules document.
3. **In 2022, pool rules include Supplemental Rules adopted to protect pool users against exposure to COVID-19 as far as possible, consistent with settled law and practice regarding the powers of Texas HOAs during periods of heightened risk to public health and safety.** All applicants for pool membership are required to sign a separate COVID-19 waiver (p. 3) before a key will be issued.
4. Resident member will abide by all pool key rental policies. **Your key is intended for use by resident member, family, and guests only—no loaning it out; no duplication. Please understand that loaning or duplicating your pool key are grounds for immediately revoking your 2022 pool membership.** Children under 12 may not operate the lock.
5. Fees for replacement of lost key: \$10 the first time, \$30 subsequently. Key shall be returned to the Pool Liaison or Radiance Community Manager at the end of the season (no later than the second Saturday in November) by mail or drop box. RPOA reserves the right to request the return of the key for just cause including, but not limited to, failure of member, member's family, or member's pool guests to abide by the rules, or if resident falls behind more than 2 months in RPOA dues. Pool membership/key rental fees will not be refunded in this event.
6. Member is responsible for repairs or replacement of any damaged Community Pool property whether such damage occurred intentionally or unintentionally by member, member's family, or member's guests.
7. It is recommended that no one swim at the pool alone. **Resident member, member's family, and member's guests swim at their own risk and release and waive Radiance Property Owners' Association (RPOA) and Radiance residents from any liability for injury occurring to member, member's family, and member's guests or for damages to member/family/guest property. Further, member shall indemnify the RPOA and Radiance residents against damages by others resulting from this pool membership. Responsibility for any accidents or injuries lies solely with the resident member.**



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Applicant Member's Signature	<i>Email (neatness counts!)</i>	
Address		
Phone	Key #	Date
Names of <i>all</i> family members who will swim (add ages of children, e.g. "Elvis, 3"; add phone contact information, if applicable, for each family member)		
ALL BABIES/TODDLERS MUST WEAR A SWIM DIAPER AND USE <i>BABY POOL ONLY</i> . A "CODE BROWN" IS COSTLY TO FIX. PLEASE TAKE ALL DIAPERS WITH YOU TO BE DISPOSED OF AT YOUR HOME.		

Specific Waiver for Pool Use during Ongoing COVID-19 Pandemic

RPOA has adopted Supplemental Rules for the purpose of protecting pool users, to the extent possible, against exposure to COVID-19. Please note that the RPOA Board reserves the right to revisit the Supplemental Rules at any time should the situation with respect to COVID-19 change dramatically.

- These rules are consistent with settled law and practice governing the powers of Texas homeowners associations to require heightened safety measures when they determine certain risks to be high. The rules also follow current CDC guidelines for curbing coronavirus infection and spread.
- Because the RPOA cannot require every conceivable measure to protect pool users against infection with the coronavirus or to ensure they do not transmit it to others, *all users recognize that they ultimately bear sole responsibility for their health and safety.*
- RPOA requires certain measures be followed this summer and RPOA will enforce the Supplemental Rules to the full extent possible. It is generally understood that, absent a full-time lifeguard, pool users *swim at their own risk*. Likewise, pool users are required to follow all rules that RPOA is empowered to make to curb the spread of the coronavirus, even when pool member compliance cannot be constantly monitored or immediately enforced.
- In signing this waiver, the applicant for pool membership thereby releases and waives Radiance Property Owners' Association (RPOA) and Radiance residents from liability for coronavirus infection, transmission, or COVID-19 illness in connection with the pool member's, member's family's, and member's guests' use of the Radiance Community Pool.

Applicant Member's Signature
