

# 2023 VIRGINIA OAKS FITNESS CENTER RULES

The Fitness Center Rules and Regulations ("Rules") are not intended to limit or restrict use of the Fitness Center Facility ("Fitness Center"). To ensure each person's safe enjoyment of the Fitness Center, it is necessary to establish rules, and enforce them diligently.

Use of the Fitness Center is acknowledgment that you have read the Rules below and agree to comply with them. Failure to use the Fitness Center in compliance with these Rules may result in the loss of privileges to use the Fitness Center.

## **GENERAL FITNESS CENTER INFORMATION**

- The Fitness Center will generally be available for use by Residents 24 hours / 7 days a week. These hours are subject to change by the Association's Board of Directors and changes to the hours of operation will relayed to the community via the Town Sq app and the community webpage. Entry to the Fitness Center is through the use of Resident keycard only. Additional keycards may be obtained by contacting the managing agent.
- The Fitness Center is for the exclusive use those Residents who are in good standing with the Association. "Good standing" shall mean an Owner or tenant whose right to use all or any portion of the Common Area has not been suspended for a violation of the Declaration or rules and regulations or for nonpayment of assessments. Any guest brought to the Fitness Center must be accompanied by a Resident at all times; the Resident is responsible for assuring guests follow all rules.
- Residents shall ensure the security of the building while inside the Fitness Center. This includes (but is not limited to) ensuring the front doors are securely closed, locked, and not propped open for others to enter; and lights are turned off if they are the last person to leave the Fitness Center.
- All persons using the Fitness Center do so at their own risk. Users of the facility are responsible for obtaining medical clearance and advice before using the equipment and for following all manufacturer recommendations regarding the safe use of the equipment. The Association assumes no responsibility or liability for any accident or injury in connection with such use of or any loss or damage to person or their property.
- Users of the Fitness Center must read the posted instructions on the use of various equipment and must follow all instructions of the Fitness Center regarding the use of the equipment. All equipment must be used in accordance with the manufacturers' instructions and recommendations. Users of the equipment are liable for damages resulting from their abuse, misuse, or negligent use of the equipment.
- Horseplay, profanity, disruptive conduct, and misuse of the equipment and/or any portion of the Fitness Center will not be tolerated and may be subject to temporary or permanent suspension of Fitness Center privileges.

### **FITNESS CENTER RESTRICTIONS**

- For the safety of those in the Fitness Center, children under the age of 12 and those who are not capable of using the equipment in accordance with the manufacturer's recommendations are not permitted to use the equipment in the Fitness Center. Children ages 12 through 15 may use the equipment in the Fitness Center only when accompanied by a responsible person who is over the age of 16 and familiar with the safe use of the equipment in accordance with manufacturer recommendations. Residents 16 and over who are capable of safely using the equipment may use the Fitness Center equipment unsupervised.
- Pets are not allowed in Fitness Center.
- No food or drink may be brought into or consumed in the Fitness Center, with the exception of water in a spill proof, non-glass container.
- Illegal drugs, alcohol, and tobacco of any kind and in any form is prohibited in the Fitness Center.
- Personal radios, musical, and video playing devices shall be used only with headphones in order to avoid disturbing others.

### **USE OF FITNESS CENTER EQUIPMENT**

- Users of the equipment must wipe off machines and benches after each use. Disinfectant wipes are available in the Fitness Center for this purpose.
- All exercise equipment is available on a first-come, first-serve basis.
- Shirts and shoes appropriate for the type of equipment being used must be worn at all times. No sandals, flip flops, or wet swimming suits allowed in the Fitness Center.
- ***Immediately report faulty or damaged equipment to the Pool and Recreation Committee ([poolandrec@virginiaoaks.org](mailto:poolandrec@virginiaoaks.org)) or HOA Board ([HOA@virginiaoaks.org](mailto:HOA@virginiaoaks.org)).***

### **LIABILITY**

- The Association, its directors, officers, agents, employees, and other designees shall not be responsible for any claims, liabilities or damage to or loss of any personal property for any reason whatsoever (including theft), direct or indirect, arising from or relating to the use of the Fitness Center.
- All users of the Fitness Center assume all responsibility, risks, liabilities, and hazards incident to the use of the Fitness Center and hereby release and forever discharge the Association and its officers, directors, employees and agents from liability for personal injury, death, and damage to the destruction of property arising from the use of the Fitness Center. Users of the Fitness Center shall indemnify and hold harmless the Association, its directors, officers, employees, agents and members from any and all claims, costs, causes of action, liability, and/or damages (including but not limited to attorneys' fees and costs) resulting from or related to the use of the Fitness Center.

- No one who has COVID-19, is displaying symptoms of COVID-19, or has been in contact (defined as being within six feet (6') or in the same enclosed room) with someone with COVID-19 with the previous seven (7) days shall be permitted in the Fitness Center. Symptoms are deemed to be the following: a fever of 100.4 degrees Fahrenheit or higher; sense of a fever; cough, shortness of breath, chills, sore throat or muscle aches that cannot be attributed to another health condition; or any combination of the foregoing.
- The Association Board reserves the right to adjust or add any Rules as needed. Additional Fitness Center rules may be posted at the Fitness Center or may be implemented and distributed to the membership via the website or other methods. The Association Board reserves the right to limit the number of guests and refuse access to the Fitness Center to those who are not in good standing or whose actions pose an immediate threat to the safety of person or property.
- The Association reserves the right to suspend a Resident's right to use the Fitness Center for nonpayment of assessments and for violations of the Association's rules and regulations. Additionally, the Association reserves the right to assess monetary penalties against any Owner found in violation of the Declaration or Rules.

*Rules and regulations reviewed in 2023, last updated 2021.*