

**COUNCIL OF UNIT OWNERS  
Rock Creek Gardens Condominium  
Silver Spring, Maryland  
COMMUNITY RULES AND REGULATIONS**

<b>Rule No.</b> 8	<b>Title</b> Recreational Facilities	<b>Effective Date:</b> 05/09/2025	<b>Page</b> 1	<b>No of pages</b> 4
<b>Bylaw Reference(s)</b> Article VI Sections 3(a)&(d)		<b>Maryland Condominium Act Reference(s)</b> Section 11-111(d)	<b>Montgomery County Code Ref:</b> Chapter 51 & Executive Regulation 21-12AM	

**8-1. PURPOSE**

This rule establishes policies and procedures governing the use of recreational facilities that are part of the Rock Creek Gardens [general common elements](#). Recreational facilities include the swimming pool as well as the picnic green adjacent to the gazebo located in the grassy area of the main courtyard.

**8-2. POLICY**

- a. Use of general common element recreational facilities is limited to unit owners and residents, and their bona fide guests. Actual or suspected situations involving trespassing or other unauthorized use should be reported to the [on-site office](#).
- b. All persons using general common element recreational facilities do so at their own risk. The [Council of Unit Owners](#) assumes no responsibility for any accident or injury resulting from personal use of the facilities or for any loss of or damage to personal property.
- c. Unit owners and tenants are responsible for the actions of their children and guests while using general common element recreational facilities.
- d. All refuse must be placed in containers provided for that purpose.

**8-3. SWIMMING POOL**

a. General:

The [Board of Directors](#) shall establish and maintain a standing Pool Committee consisting of unit owners and residents to advise the Board on matters relating to pool management and maintain general oversight of pool operations. Pool Committee functions include:

- (1) Meet periodically to conduct planning for and review results of pool management and operations.
- (2) Develop, review, revise, or modify pool rules as considered necessary to enhance the recreational value of the pool, and the safety, comfort, and enjoyment of authorized pool users.
- (3) Generally monitor pool operations and the performance of the pool contractor. Coordinate directly with the [on-site office](#), [management agent](#), and Board of Directors as may be necessary.
- (4) Periodically review the pool sign-in logs and compile usage data to quantify usage rates, identify usage trends, and verify that only authorized users have been admitted.
- (5) Provide advice and recommendations to the Board of Directors regarding pool management and operations. In this connection, recommend capital improvements to the pool and related facilities as considered necessary and appropriate.
- (6) Periodically review all incident reports forwarded by the on-site office and refer reports that involve violations of this or any other community rule to the Board of Directors, which shall have full authority to suspend or revoke pool passes as it deems appropriate.

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<p data-bbox="185 216 302 247">b. <u>Policy.</u></p> <ol style="list-style-type: none"> <li data-bbox="224 279 1487 373">(1) Unless otherwise determined by the Board of Directors, the pool will operate seasonally, beginning with the Memorial Day weekend and ending with the Labor Day weekend each year. Operating hours will be as determined by the Board of Directors.</li> <li data-bbox="224 405 1466 562">(2) The pool will be operated and maintained by a professional pool management company contracted by the management agent on behalf of the community. Pool operations and maintenance will conform to this rule and applicable county codes. Specific rules governing actual use of the pool and activities within the pool enclosure (pool use rules) will be developed jointly by the Pool Committee and pool contractor. Pool use rules will be conspicuously posted within the pool enclosure.</li> <li data-bbox="224 594 1438 657">(3) Subject to prior approval by the Board of Directors, aquatic services offered for a fee, such as water aerobics and swimming lessons, may be proposed, subject to the following pre-conditions: <ol style="list-style-type: none"> <li data-bbox="269 688 1446 751">(a) Such services must be offered and performed only by residents or non-resident unit owners. No commercial contractors or outside service providers will be approved.</li> <li data-bbox="269 783 1076 814">(b) Residents and non-resident unit owners offering services must— <ol style="list-style-type: none"> <li data-bbox="315 846 1438 909">1 Have private liability insurance in minimum amounts of \$1 million per incident and \$6 million total.</li> <li data-bbox="315 940 1474 1003">2 Hold appropriate current certifications required by law and demonstrate competence to provide the proposed services to the satisfaction of the Board of Directors.</li> </ol> </li> <li data-bbox="269 1035 1430 1098">(c) Participation in any such activities is limited to residents and non-resident unit owners and their guests.</li> <li data-bbox="269 1129 1487 1224">(d) Approved activities must not involve the lap lane or otherwise unreasonably interfere with use of the pool by non-participating residents and guests, and may not be scheduled on weekends and holidays, or during “moonlight swim” events.</li> </ol> </li> <li data-bbox="224 1255 1442 1318">(4) Based on information submitted as part of the <a href="#">annual community census</a>, the on-site office will issue printed identification cards (pool passes) to the following authorized users: <ol style="list-style-type: none"> <li data-bbox="269 1350 1430 1381">(a) One pool pass per full-time resident listed on the <a href="#">census form</a> plus three guest passes per unit.</li> <li data-bbox="269 1413 1446 1476">(b) One pool pass per non-resident owner and each immediate family member residing with the unit owner, plus two guest passes.</li> </ol> </li> <li data-bbox="224 1507 1471 1665">(5) Pool passes will not be issued to unit owners who are more than 60 days delinquent in payment of <a href="#">Assessments for Common Expenses</a> or to tenants who do not have a valid lease on file. Resident and guest pool passes that were issued to unit owners who become more than 60 days delinquent may be suspended at the discretion of the Board of Directors so long as the delinquency of more than 60 days continues.</li> <li data-bbox="224 1696 1479 1822">(6) Additional guests, up to a total of nine, may be admitted for a daily fee of \$5 per additional guest over and above those using unit-based pool passes described in paragraph 8-3d(1) and (2) above. Authorized users who desire to purchase additional guest passes must make arrangements in advance with the on-site office.</li> <li data-bbox="224 1854 1495 1948">(7) Pool passes are not transferable and may not be sold, lent, leased, or given to any person who is not a bona fide resident or guest at Rock Creek Gardens. Violations may result in suspension or revocation of all pool passes issued to the unit or non-resident owner, as determined by the Board of Directors.</li> </ol>			

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c. Pool Use.

- (1) Upon entering the pool enclosure, authorized users and guests must show a valid pool pass and sign in on the user logbook maintained by the pool guard on duty.
- (2) Residents and off-site unit owners must accompany their guests so long as they remain within the pool enclosure. Unaccompanied guests are not permitted within the pool enclosure.
- (3) Children under the age of 14 must be accompanied by an adult 18 years of age or older at all times while within the pool enclosure.
- (4) Residents or guests of residents who have open sores or wounds, or who display outward signs of illness may be admitted to the pool deck but may not enter the water.
- (5) Children in diapers and other users, regardless of age, who have medical conditions that may produce incontinence may not enter the pool unless they also wear leak-proof rubber swim pants.
- (6) The following items are not permitted within the pool area at any time:
  - (a) Pets, except animals that are officially certified and trained to assist handicapped persons.
  - (b) Alcoholic beverages, regardless of container type.
  - (c) Non-alcoholic beverages in glass containers.
  - (d) All forms and types of glassware and ceramics
  - (e) Containers of sand or dirt of any kind and in any amount
  - (f) Chewing tobacco or any lighted tobacco or similar product.
  - (g) Fireworks or incendiary devices of any kind.
  - (h) Wheeled vehicles of any size or type, except for wheelchairs and baby carriages.
  - (i) Play pens and play equipment not designed and intended for use within the pool area.
- (7) Beach balls and other balls not having a hard core, kickboards, floats, and similar items specifically designed and intended for pool use may be permitted at the discretion of the pool guard on duty.
- (8) Only appropriate non-slip footwear is permitted on the pool deck.
- (9) Cooking is not permitted anywhere within the pool enclosure. However, food items that have been pre-cooked or that do not require cooking, such as sandwiches and packaged snacks, are allowed. Before leaving the pool enclosure, pool users are responsible for cleaning up all food residues and depositing refuse in the containers provided.
- (10) While pool users are entitled to reasonable enjoyment of the pool, due courtesy and regard must be shown toward residents of units located directly adjacent to the pool enclosure. To this end, profane or excessively loud language, use of noisemakers of any type, and the playing of any form of audio, other than through earphones or ear buds, is not permitted.
- (11) The pool guard on duty is entitled to a work break not to exceed 15 minutes each hour, during which time the pool must be cleared.

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<p>(12) The pool guard on duty may request any user who does not comply with this regulation, or the pool use rules, or who exhibits threatening or harassing behavior, to leave the pool area. The pool guard will also provide a written description of any such incidents to the on-site office. The on-site office will forward all such incident reports to the Pool Committee for possible further action by the Board of Directors.</p>			
<p>d. <u>Pool Parties:</u></p>			
<p>Any single gathering of residents and guests totaling 10 or more persons, but not to exceed 15, is considered a "pool party" for purposes of this rule. Pool parties are governed as follows:</p>			
<p>(1) The unit owner or resident sponsoring the pool party must reserve a specific date and time slot from the on-site office at least seven days in advance of the desired date. Reservations will be accepted on a first-come, first-served basis.</p> <p>(2) Additional fees beyond the guest fees described above will be assessed if the number of expected pool party guests necessitates additional lifeguard(s), per Montgomery County Code. The cost of any additional lifeguards will be at current swimming pool contract rates. Only one pool party may be conducted in a given time slot. A pool party time slot may not exceed three hours and may not extend beyond 6 p.m..</p> <p>(3) The sponsoring unit owner or resident must personally be present for the duration of the event and is responsible for ensuring that the event is conducted in accordance with this rule and any posted pool rules.</p> <p>(4) The sponsoring unit owner or resident is also responsible for post-event cleanup.</p>			
<p>8-4. PICNIC GREEN</p>			
<p>a. The picnic green includes one picnic table and surrounding benches installed directly under the gazebo in the main courtyard, plus an adjacent duplex fire pit consisting of two grills and a common vent.</p> <p>b. Use of the gazebo and/or grills is on a reservation basis. The following procedures apply:</p> <p>(1) Reservations may be made in advance at the <a href="#">on-site office</a>, for periods not to exceed four hours, between the hours of 9 a.m. and 9 p.m.</p> <p>(2) The on-site office will post a list of picnic area reservations on the community website and within the picnic area.</p> <p>(3) The gazebo and/or grills may be used on a first-come/first-served basis at times when there are no posted reservations.</p> <p>c. Users are responsible for providing their own charcoal and for monitoring all fires. Fires must be extinguished completely before leaving the area.</p> <p>d. While picnic green users are entitled to reasonable enjoyment of the facility, due courtesy and regard must be shown toward residents of surrounding units. To this end, profane or excessively loud language, use of fireworks or noisemakers of any type, and the playing of loud music or other audio is not permitted.</p> <p>e. Users are also responsible for cleaning picnic tables and benches, and the areas surrounding the gazebo and picnic grills. If the picnic green trash receptacle is full, users must place any overflow, along with all recyclables, in the appropriately marked containers within the fenced collection centers located throughout the community.</p> <p>f. Pets are not permitted anywhere on the picnic green at any time.</p>			