

***Aviano***  
***Community Association***

**Association Facility Rules and Regulations**

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# AVIANO ASSOCIATION FACILITY RULES & REGULATIONS

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## I. INTRODUCTION

The Association Facility Rules and Regulations of Aviano Community Association, an Arizona nonprofit corporation (the "Association"), are established by the Board of Directors of the Association under the authority described in the Governing Documents for the Aviano Community Association, including, but not limited to, the Articles of Incorporation, Bylaws ("Bylaws") and Declaration of Covenants, Conditions and Restrictions ("Declaration"), and the same may be amended and/or supplemented from time to time. Physical areas addressed in the documents are the recreational facilities within the common areas (hereinafter collectively referred to as "Association Facilities").

The Association Facility Rules and Regulations purposes are as follows:

- Assist the Association in serving the best interests of the greatest number of members while generally protecting the rights of all members in a fair and impartial manner.
- Preserve and maintain the recreational facilities within the common areas of Aviano for the well-being, convenience and enjoyment of the members and their guests.
- Compile policies, rules and regulations governing access to and use of the Association Facilities; specifically, establish standards for use, restrictions, facility regulations, membership registration procedures, facility rental procedures, assessment collection and delinquency policy and enforcement criteria for Aviano.

It must be recognized and understood by all members that it is necessary for representatives of the Association to apply and enforce these Association Facility Rules and Regulations against all members and occupants equally and that all members and occupants have the right to enjoy the Association Facilities subject to the terms of the Governing Documents. Members enjoying the Association Facilities must respect the rights of others sharing in the use of the Association Facilities. Courtesy and common sense must prevail in the proper utilization of the Association Facilities.

The use of the Association Facilities is primarily for the enjoyment of the members of the Association. Guests or visitors are accommodated only when such accommodation does not infringe upon the convenience or right of enjoyment of the members. Further, while every effort is made to provide comfortable use of the Association Facilities by all members and guests, the Association Facilities are not intended to serve the public; although there are public areas within Aviano, which will be identified below. While the Association will attempt to accommodate members with special needs, the Association reserves the right to charge fees to those members and occupants for special accommodation requests.

### A. Authority

Pursuant to Article IV, Subsection 4.3 of the Declaration, the Board of Directors may, from time to time, and subject to the provisions of the governing documents, adopt, amend and repeal rules and regulations pertaining to: 1) the management, operation and use of the Areas of Association Responsibility including, but not limited to, any recreational facilities situated upon the Areas of Association; and 2) the health, safety or welfare of the Owners. In the event of any conflict or inconsistency between the provisions of these Rules and Regulations and the Governing Documents, the provisions of the Governing Documents shall prevail. The Association Rules and Regulations shall be enforceable in the same manner and to the same extent as the covenants, conditions and restrictions as set forth in the Governing Documents.

These Association Facility Rules and Regulations, amendments and additions thereto, adopted by the Board of Directors shall be binding upon all members and their respective guests, tenants, invitees, and licensees, and upon any other persons having use rights with respect to the Association Facilities and/or other common area pursuant to an agreement with the Association.

The Declaration also authorizes the Board of Directors to permit use of portions of the common area by third parties for purposes deemed, in the discretion of the Board of Directors, to benefit the community; pursuant to such authority, and in order to generate income to provide enhanced amenities, offset maintenance expenses and allow discounted resident use fees, are open to the public until the Board, by duly authorized resolution and with approval of the Declarant, resolves otherwise.

Section 8.8 of the Declaration provides that the Board of Directors may impose sanctions for violation of these Association Rules (after notice and hearing, if required by the Declaration and/or Bylaws), including without limitation the following:

1. Suspension of the voting rights of a member;
2. Imposition of reasonable monetary fines;
3. Suspension of a person's right to use any of the Association facilities;
4. Suspension of services to a member or to a lot; and
5. Levying benefited assessments against an owner's lot to cover expenses incurred pursuant to section 6.3 of the Declaration.

**B. Goals**

1. To assure continuity in procedures, which preserve the integrity of the overall community, and not to unduly restrict individual or personal preferences.
2. To explain and further define, if necessary, the more general issues covered in the CC&R's, as they are part of the overall Governing Documents of Aviano Association.
3. The Aviano Community Association Board of Directors may, from time to time, adopt additional, and/or amend existing standards. Copies of such additions, and/or amendments will be posted on the community website ([www.avianocommunity.com](http://www.avianocommunity.com)), distributed to the membership, and kept on file for Aviano Community Association c/o Rossmar and Graham.

**C. Desert Ridge Community Association**

Aviano is a sub-association within the Desert Ridge Community Association (DRCA). This "master association" has established CC&Rs, Association Bylaws, Design Guidelines and other governing documents that provide guidelines for landscaping, property maintenance, and residential architectural elements; street parking restrictions; nuisances; etc. As members of the DRCA, Aviano members are required to conform to these types of rules. Accordingly, the DRCA, not Aviano Community Association, is responsible for their enforcement. You are encouraged to review the DRCA governing documents online at [www.rossmarconnect.com](http://www.rossmarconnect.com).

**D. Membership**

Each owner of a lot/unit shall be a member of the Association, provided, there shall be only one membership per lot/unit. If a lot is owned by more than one person, all co-owners shall share the

privileges of such membership, subject to the provisions of the Governing Documents. Members are expected to adhere strictly to the following Code of Conduct:

**E. Member Code of Conduct**

1. Members must conduct themselves so as not to jeopardize or interfere with the rights and privileges of other members, tenants or guests.
2. Members are responsible for the conduct of their tenants and guests. Tenants and guests will be held to the same standard of conduct as set forth herein for members.
3. Members shall refrain from loud, profane, indecent or abusive language.
4. Members shall not harass or intimidate any other member, occupant, guest, Association employee, director, officer or committee person.
5. Members shall not compromise the safety of others by their actions.
6. Physical or verbal abuse directed at other members, tenants, guests, Association employees, directors, officers or committee persons will not be tolerated.
7. No firearms or other weapons will be permitted on the Association property.
8. Members shall be held responsible for any damage to Association property caused by the member and/or tenants or guests.
9. Members shall not interfere with the management of the association; complaints shall be directed to the Community Manager. The Community Manager may require that the complaint be submitted in writing before taking action.
10. Members may inform management formally or informally of other member's conduct. However, such complaints may not be kept anonymous per Arizona law.
11. Members shall obey all safety rules and will be subject to sanctions if unsafe behavior is exhibited.
12. Members are prohibited from profiting financially from their membership by charging occupants or guests for use of the Association Facilities with express permission of the Board of Directors. The Association may enter into contracts, from time to time, with members to provide products or services for an approved fee.
13. Proper dress is required in all Association Facilities in accordance with the following basic guidelines:
  - a. Upper body garments, that cover the entire torso, must be worn in all activities in the Community Center.
  - b. Bathing suits are required in the swimming pool area.
  - c. Appropriate athletic apparel is required in athletic sport areas, including specified footwear and clothing.
  - d. Offensive language and/or images are not allowed on clothing.

14. Any member who conducts him/herself in an unbecoming manner or who breaks an Association Facility Rule or Regulation is subject to disciplinary action. *Disciplinary Action will be managed by the Lifestyle Director and/or Community Manager and may, include \$100 fine following the progressive discipline practice of "Three Strikes You're Out" where three strikes have occurred in a six-month period. Please note that unpaid fines will result in a loss of facility privileges. The three strikes notification to the member will consist of verbal notification, then written notification, then assessment of the \$100 fine from the Board of Directors. In cases of very aggressive or illegal activities, the Board of Directors may forego the progressive process and immediately suspend privileges for 30 days and assess the \$100 fine.*

## **II. GENERAL GUIDELINES**

### **A. General**

1. No animals, with the exception of service animals, are permitted in the Community Center, pool areas or on the event lawn.
2. The Community Manager and staff have the authority to adjust hours of operations for all facilities, including but not limited to parks and open space, in anticipation of, or resulting from, seasonal, holiday, special events, unusual circumstances, nuisance, injury and/or damage resulting from operations and use. All injuries or accidents involving Association Facilities must be reported to Aviano Community Association at 480-538-2800.
3. The Association Rules will not necessarily be imposed upon Aviano Community Association for those events sponsored or hosted by Aviano Community Association.
4. The Association Facilities are a designated smoke-free environment and smoking is prohibited indoors according to State Law.

### **B. Guest Policy**

1. Residents are permitted to bring up to five (5) guests per lot/unit per day, to the Community Center. Guest parties of six (6) or more will be required to make a reservation at the appropriate fee. The number of guests permitted may be further limited on certain days or on seasonal high-usage days as determined by the Aviano Community Association Board of Directors or Staff.
2. Guest Fees: There is a guest fee to use the fitness facilities (cardio room, free weight room, and movement studio). There is no fee for guests using the pool, tennis courts, basketball courts, rockwall, and clubhouse lobby area. Residents must register ALL guests prior to using the facilities each day. Residents & Guests will sign the Guest Sign-In and Waiver Form and guests will receive a wristband for that day.
3. Anyone not in possession of an Aviano Community Association I.D. Card must be accompanied by someone with an Association I.D. Card at all times. People using the Association Facilities do so at their own risk.
4. Members are responsible for repair/replacement costs for damages to Aviano Community property, caused by the Member, Member's Family or their guests.

### **C. I.D. Cards and Rules**

Only holders of valid I.D. Cards and valid guest passes are entitled to use the Association Facilities. Unauthorized use of I.D. Cards or use of false information in obtaining I.D. Cards may result in confiscation of the I.D. Card and appropriate sanctions. An I.D. Card is valid only for the person to whom it is issued, and cannot be loaned, transferred or assigned. All I.D. Cards will contain the cardholder's photograph.

#### **I.D. Card Rules:**

1. In order to monitor and maintain card policy compliance, I.D. Cards and guest passes must be presented when requested by Association staff.
2. When using the association facilities, all guests must be accompanied by an Aviano community member. Guests are required to sign a waiver, sign the guest log, follow all facility rules and pay the guest fee if using the fitness facilities.
3. Holders of I.D. Cards who do not identify their guests as such are in violation of the Association Rules and are subject to sanctions as determined by Management or the Board of Directors.
4. I.D. Cardholders may register for various activities and classes at the front desk upon presentation of a valid I.D. Card.
5. There are no refunds for I.D. Cards.
6. Aviano Access I.D. Card Applications are available in the Exhibit section of this document, or at the Community Center reception desk, or on the community website: [www.avianocommunity.com](http://www.avianocommunity.com).

### **D. Member I.D. Cards:**

1. Member I.D. Cards: The Association will issue, at no charge, cards to the homeowners who are residing in the home.
2. Additional Family Cards will be issued to the following individuals if the address is their permanent residence: Immediate family is defined as legal guardianship of children between the ages of 12 and 21; or an elderly family member over the age of 65. Children under the age of 12 do not require an I.D. Card.
3. Additional Member Cards: Members who have persons that temporarily reside with them or have a person that provides family services (nanny, caregiver, etc.) and are over the age of 18 may receive a maximum of two (2) I.D. Cards.

4. Card Examples:

- a. Two parents (deed holder), three children (ages 7, 13, 17) and grandparents that live at Aviano during winter months.

Member ID Cards		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Mr. Member	1-1-63	Owner
Mrs. Member	9-9-64	Owner
Additional Family ID Cards (ages 12 to 21 and 65+)		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Child (13)	3-3-95	Son
Child (17)	4-4-91	Daughter
Additional Member ID Cards (age 22+ and max 2)		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Mr. Smith	7-7-46	Father
Mrs. Smith	8-8-48	Mother

- b. Two parents (deed holder), four children (ages 3, 5, 16, 22), and a non-resident nanny. 22 year old is college student home during summers.

Member ID Cards		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Mr. Member	1-1-63	Owner
Mrs. Member	9-9-64	Owner
Additional Family ID Cards (ages 12 to 21 and 65+)		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Child (16)	5-5-92	Daughter
Additional Member ID Cards (age 22+ and max 2)		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Child (22)	6-6-86	Son
Ms. Collins	9-10-86	Nanny

- c. Single parent (deed holder), two children (ages 11 and 14), two grandparents over the age of 65, and family friend who visits for winter.

Member ID Cards		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Ms. Member	10-10-72	Owner
Mr. Jones	9-20-38	Father
Additional Family ID Cards (ages 12 to 21 and 65+)		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Child (14)	7-4-94	Son
Mrs. Jones	7-20-40	Mother
Additional Member ID Cards (age 22+ and max 2)		
<u>Name</u>	<u>Birth Date</u>	<u>Relation to Owner</u>
Ms. Williams	4-10-73	Family Friend

5. Lost or Stolen Cards: A replacement charge of \$25 is required if a card is lost or stolen
6. Each member will be required to show proof of residency and complete Aviano Access Control Card Application. Proof of residence includes both of the following documents:
  - (i) Grant deed, final escrow closing document, key release form or documentation from any government agency where the mailing address is within Aviano.
  - (ii) Photo identification
7. Guest Visits: If a Member I.D. Card holder invites a guest to the Community Center Fitness Facilities, a Guest Wristband may be purchased by the Cardholder at the front desk for a fee deemed appropriate by the Board of Directors; the fee is subject to change as determined by management or the Board of Directors. There is no fee for guest usage of the pool, basketball courts, tennis courts, rockwall or clubhouse lobby. Members must register ALL guests each day at the front desk by signing the Guest Sign-In and Waiver and obtaining a guest wristband. In addition, members must accompany their guest(s) at all times while in the Association facility. The Board of Directors may adopt rules limiting the number of Guest Passes issued. No refunds will be given. Guests with valid Guest Wristband will pay resident I.D. Card holder rates (referred to herein as "Member's rates") for any activity, which is subject to an additional fee or charge.
8. Definition of a Guest: A person(s) hosted by a member or renter to whom temporary hospitality is extended for a short period. Selling or giving away a Guest Wristband for use by a non-resident is not allowed. Abuse of Guest privileges can ultimately result in sanctions.

**E. Renter I.D. Cards:**

1. Per page 29 of the Desert Ridge Master Community Guidelines, members may lease their unit/lot but **must be for a minimum of six (6) months**. Any member who leases or otherwise transfers occupancy of his or her lot/unit is not entitled to receive or retain an I.D. Card. Immediate written notice of the transfer of occupancy must be given to the Association and the member must surrender to the Association his/her previously issued I.D. Card(s). The right of the lessee(s) to receive the I.D. Card(s) allocable to the subject lot depends on the following:
  - a. The member (lessor) must be current in assessments and in good standing with the Association (ie, not suspended by the Board of Directors).
  - b. The lessee must deliver to the Association a copy of his/her signed lease agreement.
  - c. The member (lessor) must have surrendered his/her I.D. Card(s) to the Association.
  - d. Lessees are required to fill out and sign the Aviano Tenant Form, pay a \$50.00 management fee and sign a form stating they have read and understand the Association Rules.

- e. Lessees enjoy certain facility use privileges associated with membership without being members of the Association. Lessees do not have the right to vote in Association affairs, be counted in determining a quorum at any Association meeting and are not entitled to be listed on the membership register.
  - f. A Renter I.D. Card will be revoked upon termination of the lease agreement. The holder of a Renter I.D. Card is subject to sanctions for a violation of these Association Rules as specified above.
2. Issuance: The Access I.D. Cards for Renters will follow the same protocol as specified above for all members (Section VII, Subsection D).
  3. Guest Visits: Renter I.D. Cardholders are allowed guest privileges as specified above for all members (Section VII, Subsection D).

**F. Wildfire Elementary School and Boys and Girls Club**

1. Wildfire Elementary School and The Boys and Girls Club are sole and separate entities from each other and Aviano. Each has its own set of rules and restrictions apart from Aviano.
2. Aviano Community Association may arrange for mutual use of each facility from time to time. Responsibilities and liabilities are established on a case-by-case basis between parties.

**G. General Park Use**

All Aviano parks are private and are to be used only by Aviano residents and their guests. To ensure your community park remains private, please be prepared to show your resident ID card if asked. Those without resident ID may be asked to leave.

**H. Pet Guidelines**

No dogs nor other animals of any kind are permitted in the Community Center at any time, except for certified service dogs, or in the case of a special pet event when this rule would be waived for the specific event.

**III. FACILITY GUIDELINES**

**A. Access Control Policy**

1. All users of the facilities must present their Aviano Resident I.D. card including the community center and parks.
2. Aviano Community Center welcomes guests of our residents. Residents must accompany their guests while using the Community Center.

**B. The Community Center Operation**

1. Community Center hours are 4:00 a.m. - 11:00 p.m. The Community Center holiday schedule will be posted on the community website.

2. When reserving the facilities where staff is required to attend and the scheduled event is not held, a charge for each hour that the staff stayed beyond their normal work schedule will be deducted from the user's security deposit. Staff will only wait for a party's arrival forty-five (45) minutes after the start time. Late charges will accrue in half hour increments based on the per hour charge. Any portion of the half hour will result in the incremental charge.
3. Member and employee safety is of the utmost concern; unsafe or disruptive behavior will not be tolerated at any time.
4. Aviano Community Center is an alcohol and tobacco free environment. We ask that residents and guests do not consume alcohol while they are using the Community Center, unless it is a community-sponsored event; or an event that is pre-arranged with the Aviano staff, in writing. Tobacco use is not allowed in the Community Center nor surrounding facilities any time.
3. Aviano Community Center has an established dress code for all members and guests. Members and guests are required to wear appropriate athletic clothing and shoes when participating in Community Center programs.
4. All members and guests are expected to conduct themselves in a mature, responsible manner when using the facility. Abusive language, fighting and/or unbecoming behavior will not be tolerated and may result in sanctions.
5. No skateboards, in-line skates, scooters or bicycles are permitted in or around the Community Center.
6. Food and drinks are limited to the lobby and banquet and conference rooms. Water, in a closed container only, is permitted in the fitness areas and movement studio. Please no glass containers in the fitness areas and movement studio at any time.
7. Music played at the Community Center for parties must be turned down to a level not audible outside by 11:00 p.m.
8. Lockers are for day use only. Aviano Community Center is not responsible for lost or stolen items.

### **C. Resort Pool Rules and Guidelines**

1. The resort pool is available daily from 5 a.m. to 11 p.m.
2. The pool and pool play area are for private use only, limited to members and their guests. Management reserves the right to deny use of the pool to anyone at any time.
3. Members are permitted to bring up to five (5) guests per lot/unit per day, to the Pool. Members must register ALL guests each day at the front desk by signing the Guest Sign-In and Waiver and obtaining a guest wristband. In addition, members must accompany their guest(s) at all times while in the Association facility.
4. Guest Passes:

- a. Guest wristbands are available at the Community Center front desk during normal business hours on a first come first serve basis.
  - b. Members must register ALL guests each day at the front desk by signing the Guest Sign-In and Waiver and obtaining a guest wristband.
  - c. There is no fee for guest usage of the pool, basketball courts, tennis courts, rockwall and clubhouse lobby. There is a guest fee of \$5 per person for usage of the fitness facilities (cardio room, free weight room and movement studio)
  - d. Each pass is valid for the entire day.
  - e. Pre-purchasing of guest passes is prohibited: all passes must be purchased and used on the same day.
  - f. Cash and checks are accepted.
  - g. Management reserves the right to deny guest pass purchases at any time.
5. No running or rough play will be tolerated.
  6. The lap lanes are for lap swimmers when present. Hanging or lying on the lane dividers can damage the dividers and the divider anchors and is not permitted.
  7. Any floatation aides must be attached to the body. Only free-floating objects permitted are noodles. No rafts, chairs, etc.
  8. No diving is allowed; maximum depth of the resort pool is 5 feet.
  9. An adult (age 18 or older) must accompany persons under the age of 12 at all times.
  10. For purposes of maintaining a healthy swimming environment, incontinent persons of all ages are required to wear approved swim diapers at all times while in the pools or spa. The swim diapers are non-disposable, rubber or cloth material, and have elastic at the waist and legs. **The typical Pampers or Huggies swim diapers do not provide adequate protection and are not allowed.**
  11. No person under the influence of alcohol or illegal drugs may use the pool.
  12. No animals or pets are permitted in or around the pool, deck or other grassed areas of pool.
  13. No glass of any sort is allowed in the pool or play pool area. Beverages are permitted in cans or plastic containers only.
  14. Nudity or improper swim attire is not permitted, specifically:
    - a. Thong bottoms
    - b. Shear, knitted or see-through tops (including t-shirts and tank tops that are not sun protecting by design)
  15. Furniture may not be removed from its assigned pool deck.
  16. Lounges or chairs may not be reserved by placing towels on them.
  17. Cabanas are first come first serve unless reserved and paid for as a rental.

18. All persons using the pool do so at their own risk; owners and management are not responsible for accidents or injuries.
19. Please shower before entering the pools.
20. No personal loud music or amplified sound is permitted in the pool/spa and recreation areas. Headphones must be used at all times.
21. The Community Center will not provide towels.
22. Please do not remove emergency pool equipment (life preserver, net, etc) unless there is an emergency.

**D. Fitness Center Policy**

1. The Fitness Center is open from 4:00 a.m. to 11:00 p.m.
2. Management reserves the right to deny use of the facility to anyone.
3. Your I.D. Card will allow you access to the Fitness Center during the hours noted above.
4. Guest Passes:
  - a. Guest passes are available at the Community Center reception area during normal business hours on a first come first serve basis.
  - b. Members must register ALL guests each day at the front desk by signing the Guest Sign-In and Waiver and obtaining a guest wristband.
  - c. There is no fee for guest usage of the pool, basketball courts, tennis courts, rockwall and clubhouse lobby. There is a guest fee of \$5 per person for usage of the fitness facilities (cardio room, free weight room and movement studio)
  - d. Each pass is valid for the entire day.
  - e. Pre-purchasing of guest passes is prohibited: all passes must be purchased and used on the same day.
  - f. Cash and checks are accepted.
5. Management reserves the right to deny guest pass purchases at any time.
6. Persons under 12 years of age are not allowed in the fitness center. A parent or guardian, age 18 or older, must supervise persons between the ages of 12 and 14 years of age.
7. Infant carriers, strollers, etc. are NOT permitted. Due to safety and liability, no infants, toddlers, or young children are permitted in the Fitness Center while parents are working out.
8. Only proper workout attire and closed-toed athletic footwear is permitted. No bare feet, no sandals, no attire with metal or plastic adornments are allowed. Shirts must be worn at all times that fully cover the torso. Street clothes are not permitted.
9. There is a thirty-minute use limit on all cardiovascular equipment, except when no others are waiting.

10. Cell phone use is not permitted while on the equipment.
11. All equipment must be wiped down after use. Users must provide their own towels.
12. All weights must be kept in the weight room and re-racked by user. No outside weights nor other equipment may be stored in the Community Center.
13. Do not drop weights on the floor.
14. Any moveable equipment must be returned to its regular location upon completion of use.
15. No radios or other listening devices other than portable devices with headsets may be used.
16. Beverages, other than water and sports drinks in plastic, sealed containers, are not permitted. Food is not permitted in the fitness area.
17. Use of the lockers is on a first-come, first-serve basis. Persons may only use locker while they are on the premises; management may remove items left in lockers overnight.
18. Persons using the Fitness Center and its equipment do so at their own risk; and should consult with their physician prior to engaging in any fitness program.

**E. Movement Studio Guidelines**

1. The Movement Studio is intended to promote low to medium impact exercise, aerobic dance, and stretching group programs. Therefore, due to the nature of these programs, preference is given to group lessons and group instructional programs. Members may use this facility in a self-directed manner only when group programs are not scheduled. Members may not conduct group exercise classes that are not approved by the Community Manager nor Lifestyle Director.
2. Guest Passes:
  - a. Guest passes are available at the Community Center reception area during normal business hours on a first come first serve basis.
  - b. Members must register ALL guests each day at the front desk by signing the Guest Sign-In and Waiver and obtaining a guest wristband.
  - c. There is no fee for guest usage of the pool, basketball courts, tennis courts, rockwall and clubhouse lobby. There is a guest fee of \$5 per person for usage of the fitness facilities (cardio room, free weight room and movement studio)
  - d. Each pass is valid for the entire day.
  - e. Pre-purchasing of guest passes is prohibited: all passes must be purchased and used on the same day.
  - f. Cash and checks are accepted.
3. Management reserves the right to deny guest pass purchases at any time.
4. Persons under the age of 12 years are not permitted in the movement studio. Persons between the ages of 12 and 14 must be accompanied and supervised by an adult, age 18 or older.

5. Appropriate fitness apparel, including upper body garments that fully cover the torso and proper footwear, is required. Sandals, shower clogs, street shoes or other similar items are not acceptable fitness footwear.
6. Infant carriers, strollers, etc. are NOT permitted.
7. Food or beverages are not permitted in the Movement Studio, except for sports drinks or water in plastic bottles.
8. Persons should consult with their physician prior to engaging in any fitness program.

**F. Tennis Courts Guidelines**

1. The hours of operations are: 5:00 a.m. to 11:00pm.
2. The tennis courts are part of the Association Facilities and are only available to use by members of the Association.
3. Guests must be accompanied by a sponsoring I.D. Cardholder at all times during use of the tennis courts.
4. Only proper tennis attire and closed-toed athletic footwear is permitted. Shirts must be worn at all times that fully cover the torso.
5. Food, alcoholic beverages, tobacco products and glass containers are not allowed in the court enclosure. Water or other non-alcoholic drinks in covered or closed plastic containers are permitted.
6. No skateboards, in-line skates, scooters or bicycles are permitted on the court.
7. Management reserves the right to suspend play or close the tennis court, at anytime, for maintenance and/or any other reason deemed to be in the best interest of the community.
8. **TENNIS COURT RESERVATIONS**

Court reservations are for the exclusive use of Aviano residents, their accompanied guests and those contracted with Aviano to provide tennis instruction. Courts may be reserved no earlier than 5 days in advance (with the exception of Aviano programming) and no later than 24 hours prior to reservation time. Courts may only be reserved a maximum of 2 hours, and only 1 court reservation may be made per person per day. If a court is not reserved, it is first come-first serve and the court may only be used for 2 hours. Reservations can be made at the front desk or by calling 480-538-2800.

A schedule of court reservations will be posted on the tennis court or you may call the front desk at 480-538-2800 to check court availability.

**Forfeiture of Reservation**

- A resident who had made a reservation must claim the reservation no later than 15 minutes after the reservation start time.
- If the reservation is not claimed by 15 minutes after the reservation start time, all rights to that reservation are forfeited.
- If a reservation is forfeited, the court is available on a first-come, first-serve basis.

9. **OUTSIDE TENNIS INSTRUCTION (OTI) POLICY**

Individuals, whether residents or non-residents, are not permitted to use the Aviano amenities for business purposes. This includes, but is not limited to, the clubhouse, fitness facilities, swimming pool, and tennis courts. The Association may enter into contracts, from time to time, with individuals or businesses to provide products or services for an approved fee. We recognize that for some time now, members have grown accustomed to bringing in their own private instructors. Therefore, to accommodate those that have established this practice, the following requirements must be met:

- The resident must register their Tennis Instructor with the Association.
- A copy of the Tennis Instructor's insurance certificate (minimum \$1,000,000 coverage) must be provided to the Association plus the Association must be added as an additional insured on the policy.
- A facility use payment must be made of \$15 per session or \$400 per year, whichever is less.
- The registered Tennis Instructor will be given an ID badge identifying them as a contracted instructor and will be required to show their ID when asked.
- Residents will have to follow the tennis court reservation policy in order to reserve the court for their lesson. (no court fee will apply).

No private instruction may be provided for non-residents. Any non-registered Tennis Instructors providing lessons will be asked to leave. Please contact the Lifestyle Director to register your instructor or if you have any questions.

**G. Basketball Court Guidelines**

1. The hours of operations are: 5:00 a.m. to 11:00 p.m.
2. The basketball courts are part of the Association Facilities and are available to use by residents of the association as well as those in surrounding communities.
3. Play will be on a first come, first serve basis. Limit playtime per team will be 1 hour to allow all players/teams access and use of the court.
4. No full court play is permitted when 15 or more players are gathered unless it is a coordinated resident group activity, recognized by Association management.
5. All players must wear proper basketball attire and shoes.
6. Food, tobacco products, alcoholic beverages, and glass containers are not allowed on the court. Water or other non-alcoholic drink in covered or closed plastic containers are permitted.
7. No organized group team play permitted at any time, other than play organized and approved by Management.
8. No skateboards, in-line skates, scooters or bicycles are permitted on the court.

9. Management reserves the right to deny access to the basketball court to anyone whose behavior and/or conduct presents a potential hazard to the health, safety, and welfare of others.
10. Management reserves the right to suspend play or close the basketball court, at anytime, for maintenance and/or any other reason deemed to be in the best interest of the community.
11. All persons using the basketball court do so at their own risk. Owners and management are not responsible for accidents or injuries.

#### **H. Park Guidelines**

All Aviano parks are private and are to be used only by Aviano residents and their guests. To ensure your community park remains private, please be prepared to show your resident ID card if asked. Those without resident ID may be asked to leave.

1. Park hours are 5am – 11pm; Please Note: Playground closes ½ hour after dusk and those 16yrs and under are not permitted in the park ½ hour after dusk without a parent or guardian.
2. Park Ramada use is on a first come, first serve basis.
3. Pets must be leashed at all times when in the community common areas. Pet owners must clean up all waste deposits left by their pets. Violators are subject to fines as established in the community fine policy.
4. No person may dump, deposit or leave any bottles, cans, ashes, paper, boxes, food, garbage or other waste in a park, except for the disposal of such materials in proper receptacles provided by the Aviano for such materials. If no receptacles are provided, or if the receptacles are full, all such materials shall be removed from the park by the person who provided them.
5. No glassware is permitted.
6. No throwing, tossing or otherwise propelling, either willfully and maliciously or carelessly and negligently breaking any glass object in a park.
7. No alcohol (with the exception of Aviano Community Association approved special events).
8. Use of golf equipment is prohibited.
9. No camping is permitted.
10. Portable barbecues are not permitted.
11. No fires except for charcoal fires in grill designated for such use.
12. Loud music is not permitted.

13. No organized sports use on passive park areas, without written permission of the Association.
14. Motorized vehicles are not allowed on walkways, sidewalks or pathways anywhere in the community.
15. It is recommended that children are supervised by an adult age 18 or older at all times.
16. Food, tobacco products, alcoholic beverages, and glass containers are not allowed in the Playgrounds. Water or other non-alcoholic drinks in covered or closed plastic containers are permitted.
17. No person shall possess or carry a firearm in a park.
18. Use of the Playground Parks is at your own risk.
19. Sales activity is prohibited (i.e. displaying for sale, selling, vending, peddling, or transfer of possession or ownership of an item) with the exception of approved vendors for Aviano special events.
20. Launching of model airplanes, gliders, hot air balloons or rockets is prohibited.

### **Vandalism**

A person commits vandalism in a park by:

- Defacing or damaging any building, facility, structure, equipment or property within a park.
- Destroying, digging up, mutilating, collecting, cutting, harvesting or removing any live or dead tree or plant within a park.
- Digging, or removing or excavating any sand, gravel, rocks or soil from a park.
- Killing, harming, taking, molesting or disturbing any animal, reptile or bird within a park.
- A person caught committing vandalism will be prosecuted to the fullest extent and will be held financially responsible for damages.

**Violation of any of these guidelines could result in disciplinary actions, up to and including loss of privileges or monetary fines.**

**Phoenix Police Non-Emergency Phone Number - 602.262.6151**

**Aviano Front Desk Phone Number - 480.538.2800**

### **I. Facility Reservation and Rental Policy**

1. Portions or all of the Community Center may be rented by Aviano members at a fee as determined by the Board of Directors. Security deposits and liability insurance are required as well as on-site security depending on the activity.
2. Cabanas at the pool may be rented by Aviano members at a fee as determined by the Board of Directors. Security deposits and liability insurance are required.

### **J. Community Center Parking Policy**

1. The parking lot is available to residents and their guests during the Community Center hours of operation only. No overnight parking is permitted.

2. Parking is available on a first come, first serve basis.
3. Parking is at the risk of the vehicle owner or person driving/parking the vehicle. Aviano Community Association, its Agents, Board, Insurance Company and Management are held harmless and are not liable for any damages and/or losses whatsoever.
4. Safe and proper speeds must be maintained while driving in the parking areas. There may be some blind spots present.
5. Residents must observe all posted signs, including but not limited to: stop signs, one-way signs, posted speed limits, and/or entrance signs.
6. Vehicles must be parked head first into the parking space.
7. No parking is permitted at any time:
  - a. in posted areas prohibiting parking
  - b. in traffic lanes
  - c. in front of trash doors/bins
  - d. in front of gate or building entrance/exit
  - e. blocking vehicles egress from or their ingress to a parking space
  - f. in reserved/assigned parking spaces
  - g. fire and/or emergency lanes
  - h. in areas designated for handicap parking (unless the vehicle displays a handicap parking plate or placard)
8. No automobile, truck, trailer, camper, van, recreational vehicle, motorcycle, bicycle, dune buggy, boat or any other vehicle shall be parked in any portion of the Community Center other than within a designated parking space.
9. No maintenance or repair work of any kind may be performed on vehicles in the Community Center parking area or its driveway areas.
10. Vehicles (other than Aviano Community Association electric vehicles) are not permitted to be washed, waxed, detailed and/or serviced in any way in the parking area or any other location on the premises.

**K. Towing Policy**

Decisions to tow a vehicle from the Community Center shall be that of the Community Manager or Aviano Community Association Board President. Efforts will be made to contact the owner of a vehicle that may be towed, prior to towing, except when this is not practical or in the case of an emergency.

Aviano Community Association, through its Board of Directors, may cause the removal of a vehicle parked within the project and move it to another location within Aviano or to the nearest public garage if the vehicle is parked in violation of any of the following:

1. The vehicle has been issued a notice of parking violation, and ninety-six (96) hours have elapsed since the issuance of that notice.

2. The vehicle is located on private property and lacks an engine, transmission, wheels, tires, doors, windshield, or any other major part of requirement necessary to operate safely on the highways, including non-registration.
3. The vehicle is parked in a marked fire lane. \*
4. The vehicle is parked in a manner which interferes with ingress, egress and access to the Community Center, gates, doors, garbage bins, etc.\*
5. The vehicle is parked in a manner that impedes the flow of traffic. \*
6. The vehicle is parked overnight in the Community Center parking lot or past the posted hours of operation of the Community Center.
7. The vehicle is parked in a space designated for handicapped parking without proper authority or placard/decal. \*
8. The vehicle is parked in a designated reserved parking space. \*
9. The vehicle is parked in any location designated as NO PARKING by either signage, painted curb, or other method of designation. \*

*NOTE: \* These marked violations may necessitate immediate towing without prior notice and/or warning.*

**IV. MEMBER ACKNOWLEDGEMENT**

This is not necessarily an exhaustive list of all policies, procedures, and rules associated with the Association Facilities. While this is intended to be an accurate reflection of all procedures, management reserves the right to revise any policies, rules, schedules, etc. as circumstances change (e.g., emergencies, change in personnel, workload, community issues, etc.) I have read, understand and will adhere to the policies and procedures above, which have been established for the Aviano Community. I understand that failure to follow these policies and procedures listed above will jeopardize my privileges to use the facility and programs.

Member/Tenant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_