

**WATERGATE AT LANDMARK CONDOMINIUM
UNIT OWNERS ASSOCIATION**

POLICY RESOLUTION NO. 92

RECREATIONAL USE OF THE COMMON ELEMENTS

March 28, 2017

RESOLVED by the Board of Directors ("Board") of the Watergate at Landmark Condominium Unit Owners Association:

WHEREAS, Article 3, Section 3.2. of the Bylaws assigns the Board with "all the Powers and duties necessary for the administration of the affairs of the Condominium" and further states that the Board "may do all such acts and things as are not by the Condominium Act or by these Bylaws directed to be exercised and done by the Unit Owners Association"; and

WHEREAS, the landscaped and lawn areas of the Condominium were primarily designed and intended for the enjoyment of the community and not for active or recreational use of dangerous or destructive nature; and

WHEREAS, the Board deems it necessary, therefore, to establish appropriate provisions and restrictions for the reasonable use of the common elements;

NOW THEREFORE, BE IT RESOLVED THAT:

1. Recreational use substantially dangerous or destructive to property or persons is not permitted, to include use of spiked or cleated shoes on landscaped and lawn areas.
2. Climbing on the railings of the fence and around the huts in the gazebo and waterfall areas and playing physical games on the lower levels of these areas are prohibited.
3. Throwing, kicking and bouncing of balls or other objects is not permitted on the Upper Terrace or Lower Terrace, within the Community Center, or in the lobbies and hallways of the Condominium buildings.
4. The playing of sports for which specific facilities or areas have been provided, such as tennis, basketball and volleyball, is permitted only in those facilities or areas.
5. The landscaped and lawn areas may be used for running; jumping; throwing, catching and kicking balls; tossing discs or similar recreational equipment; and general play and recreation; except that:
 - a. League-affiliated or other forms of formally organized competitive play such as baseball, football and soccer require prior Management approval.
 - b. Throwing, kicking, and catching games are not permitted in the immediate area outside the fencing for the outdoor pool, on playground equipment, or

adjacent to any windows, except in cases sanctioned by Management. Balls may not be intentionally kicked or thrown against any Watergate structure or walls not designed or approved for such use.

- c. Propelling equipment such as baseball bats may be used only in lawn areas that Management determines to have sufficient clearance for their safe use.
- 6. Any audio or musical equipment on or adjacent to the tennis courts must be used with earphones or similar devices to limit sound when the courts are in use.
- 7. Management may restrict access to lawn and landscaped areas while work is being performed; for reseeded, sodding, or similar activity; and when Management may deem an area unsuitable for use (e.g., following heavy rainfall and until the area has been completely restored).
- 8. When equipment (e.g. spikes, bats, balls, etc.) is used in violation of these rules, the first enforcement mechanism shall be a verbal warning. If the warning does not result in behavior conforming to the rules, Patrol Services may confiscate equipment contributing to the violation or pursue other actions consistent with violations of Watergate policies. Any equipment confiscated by Patrol Services shall be made available for retrieval at the Patrol Services office within a reasonable time period, not to exceed one calendar day.

AND BE IT FURTHER RESOLVED, as it is difficult to list every type of recreational activity that could take place on the lawn, landscaped and other common areas, that activities not specifically referenced in this or other Watergate resolutions shall be permissible so long as the activity does not endanger the people or property of Watergate at Landmark in the judgment of Management. This Resolution shall not be interpreted to restrict Management from taking appropriate action to curtail offensive and/or abusive behavior.


Replacing June 30, 2015 version which amended June 24, 2003 version (formerly AR #52)

Book of Minutes _____, of the Board Meeting of March 28, 2017

ATTESTED:



Vivian Moran, Secretary



Gary H. Dahl, President

3/30/17

Date

3/30/17

Date