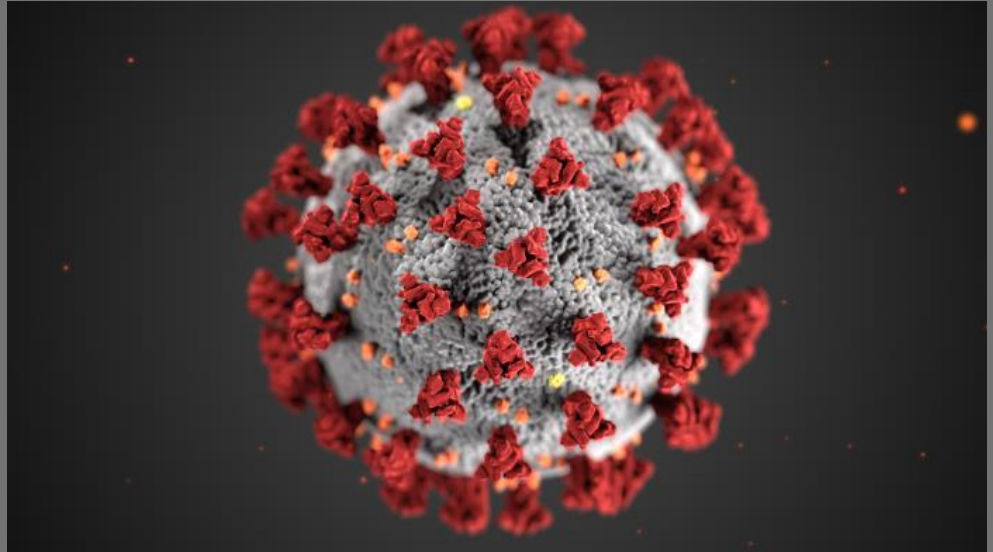


2020

# Memorial Northwest Homeowners Association

## Addendum to Community Center Policy during COVID-19 pandemic

This document is an addendum to the current community center policy filed on January 10, 2014. Where there is a conflict from the original document and this document, this document shall prevail.



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## Introduction

Ensuring the health and safety of all residents while using the Memorial Northwest Community Center, including all other community amenities, is our highest priority during the COVID-19 pandemic crisis, and the cooperation of all Owner(s) is required.

Memorial Northwest Homeowners Association will strive to balance the legal obligations set forth in its dedicatory instruments that may potentially conflict with providing the highest COVID-19 safety standards, but we will choose to place the health and well-being of our community first.

Memorial Northwest Homeowners Association intends this document to be a practical, plain language policy during the COVID-19 pandemic. This document cannot address every situation that will arise, nor can it ensure compliance with the ever-changing federal, state and local laws implemented to combat COVID-19. All Owner(s) are hereby responsible to stay informed and assure compliance of yourselves and your respective households with all health and safety guidelines issued by the authorities having jurisdiction.

## COVID-19 Warning & Disclaimer

Coronavirus, COVID-19 is an extremely contagious virus that spreads easily through person-to-person contact. Federal and state authorities recommend social distancing to prevent the spread of the virus. COVID-19 can lead to severe illness, personal injury, permanent disability, and death. Utilizing the Community Center and other community facilities could increase the risk of contracting COVID-19. The Association in no way warrants that COVID-19 infection will not occur through swimming or attendance or otherwise accessing the Association's Community Center and other community facilities.

## Definitions

**Adult** shall mean individuals 18 years of age or older.

**Access Control** shall mean technology used to gain access to the community center amenities.

**Association** shall mean the Memorial Northwest Homeowners Association (a Texas Nonprofit Corporation).

**Board** shall mean the Board of Directors of the Memorial Northwest Homeowners Association.

**Community Center** shall mean the property and amenities located at 17440 Theiss Mail Route Road, Spring, Texas 77379.

**Credentials** shall mean any form of picture identification issued by a federal or state agency required to be in possession by all adults when on property.

**Good Standing** shall mean paid current of all financial obligations to the Association.

**Grandfathered Participant(s)** shall mean non-members of the Association identified in the original agreement of the conveyance of the Community Center from the Memorial Northwest Swim and Racquet Club. Grandfathered Participant(s) are not members of the Association.

**Guardian(s)** shall mean an adult residing within a household of a Member(s) or Grandfathered Participant(s).

**Guest(s)** shall mean any individual(s) who is NOT the following: a Member(s), a Grandfathered Participant(s), a registered minor child of the Member(s) who is the parent or legal guardian, a registered minor child of the Grandfathered Participant(s) who is the parent or legal guardian, a registered adult of the Member(s) who is the parent or legal guardian, or a registered adult of the Grandfathered Participant(s) who is the parent or legal guardian.

**Household** shall mean all individuals residing in the same residence for more than 14 consecutive days.

**Manager** shall mean an employee of the Association having authority to administer the policies of the Community Center. The **Manager** may also be referred herein as **Management**.

**Member(s)** shall mean record Owner(s) of the properties within the jurisdiction of the Association.

**Minors** shall mean individuals under 18 years of age.

**Owner(s)** shall mean and refer to the record owner(s) of property within the jurisdiction of the Association, excluding persons or entities who hold an interest merely as securities for the performance of an obligation.

**Patrons** shall mean individuals present at the community center.

**Registered** shall mean the submission of all required documentation executed by Member(s) or Grandfathered Participant(s) submitted to the Manager.

**Registration** shall mean the completion of all required written documentation disclosing all individuals within the same Household under the parental or legal responsibility of the Member(s) or Grandfathered Participant(s).

**Staff** shall mean the Manager, other employees, contractors or agents authorized by the Board.

## General Rules and Regulations

The Community Center is a private amenity owned by the property owners of the Association. These rules and regulations (the "Pandemic Policy") are hereby enacted during the COVID-19 pandemic and shall remain in effect as federal, state or local governing authorities declare a pandemic emergency and or as long as the Board deems necessary.

Any use of, or access to, the Community Center is for the exclusive use by Member(s) or Grandfathered Participant(s) and their Household.

## WARNING

**USE OF THE COMMUNITY CENTER MAY INCREASE YOUR RISK FOR CONTRACTING COVID-19.**

By entering the Community Center, the Member(s) and Grandfathered Participant(s) have agreed to this policy on behalf of all Household participants. The Association shall not be liable for any damage or

injury of or to any individual entering the Premises or the building of which the Premises are a part or to goods or equipment therein, or in the structure or equipment of the structure of which the Premises are a part, and all Member(s) and Grandfathered Participant(s) hereby agree to indemnify, defend and hold the Association harmless from any and all claims or assertions of every kind and nature.

All Member(s) and Grandfathered Participant(s) are required to ensure all Household individuals abide by the most current version of the "Health Protocols for Individuals" provided by the Texas Health and Human Services while on property (see Appendix 1, version dated May 15, 2020). Should a Household individual have any of the listed health protocols or symptoms, it is recommended to seek medical advice from a medical professional.

CRITERIA FOR SYMPTOMS	ACCESS DENIED
Any two of the following symptoms: cough, muscle pain or headache.	<b>Individual DENIED access until symptoms subside for at least 24 hours.</b>
Diarrhea	<b>Individual DENIED access until 24 hours after a solid bowel movement.</b>
Any one of the following symptoms: Shortness of breath, chills, repeated shaking with chills, feeling feverish or a measured temperature of at least 100 degrees Fahrenheit or loss of taste or smell.	<b>Individual is DENIED access until symptoms subside for at least for 72 hours.</b>
Known close contact with a person who is lab-confirmed to have COVID-19.	<b>Entire Household DENIED access for 14 days from the date of close contact.</b>

Adherence to the Health Protocols for Individuals is the responsibility of the Member(s) and Grandfathered Participant(s). This includes, but is not limited to, the following:

- Maintaining social distancing from other Household participants while on the premises;
- Washing hands frequently for 20 seconds or more with soap and water;
- Applying personal hand sanitizer when soap and water may not be available;
- The use of face coverings while indoors to reduce the spread of any communicable virus;
- Report immediately to the Association a known close contact person or family member who is lab-confirmed to have COVID-19.
- Any conflicts between Households while on property may result in both Households being removed and suspended from the Community Center. Neither the Association, nor its staff, will engage in resolving any disputes or determine who may be at fault. The course of action will be swift removal from the premises.

All Adults must have proper credentials while on property. Registered Minors are prohibited unless supervised by the Member(s), Grandfathered Participant(s) or Guardian(s) within the same Household.

Member(s) who are NOT in good standing with the Association shall be denied privileges to the Community Center or other amenities until their account is paid in full. Grandfathered Participants not in good standing are denied Grandfathered Participant status immediately upon default and access to the Community Center or other amenities is not renewable.

### **Right of the Association to remove or suspend**

The Association reserves the right to remove (or have removed) any person(s) who has been involved in a policy violation and/or has been uncooperative, disruptive, or presents risks to others while at the Community Center or other community amenities.

Failure to comply with this policy manual and/or other rules and regulations of the Association may result in temporary suspension of privileges for up to one (1) year.

The following actions are prohibited and may result in suspension or removal from the premises by the Manager:

- holding open a door or gate for anyone other than the registered Household participants;
- the unauthorized use of an access code by someone other than an authorized user;
- the use of tobacco products;
- the use of vaping products and devices;
- failure to comply with a staff member's instructions or warning within the pool area.

At the Manager's sole discretion, the Manager may initiate the right to remove and suspend privileges for up to 7 days. The Manager shall provide a written report to the Community Center Management Committee documenting the incident and actions taken. The Community Center Management Committee, at its sole discretion, may increase the suspension period for up to 60 days after reviewing the incident and severity.

### Right of the Member(s) to appeal

A Member(s) has the right to be heard by the Board to consider an appeal. The right of appeal must be requested via email to [President@mnwhoa.org](mailto:President@mnwhoa.org) within 10 days of the date of the incident in order to be placed on the agenda for the next Board of Directors meeting.

## Guest Policy

All guests are hereby prohibited from entering the Community Center until further notice while the COVID-19 quarantine remains in effect or at any other time that this Policy is invoked.

## Pool Rules

Member(s), Grandfathered Participant(s) or adult guardians of minor children must be present in the pool area at all times.

Pool deck furniture has been removed and is unavailable for use. Each patron may bring a chair, a beach towel or a blanket to use on the deck. Due to social distancing, Households are expected to conserve space and provide a 6-foot distance from any another household. Households are encouraged to bring their own food and beverages. Consumption of food and beverages must remain a minimum of 8 feet from all pool edges as required by Harris County Health and Safety Standards. All items brought into the pool areas must be removed when exiting the pool area. Households are not allowed to leave personal items, exit the pool area and return later (no "saving seats"). Lost and found items may be collected and provided to the Community Center Manager for patrons to claim.

Lifeguards are provided to govern the pool area and decisions of lifeguards are final. Lifeguards are performing only those duties as defined by the American Red Cross Life Guarding Manual. Interfering with these duties is strictly prohibited.

Gate Guards are provided to ensure compliance of all registered individuals who are authorized to enter and to support any occupancy limitations set by the governing authorities. When the occupancy limit reaches capacity, the gate shall be closed. All Households may wait in line and shall be allowed in as an equal number of patrons have left the Community Center. Each Household (all individuals) shall maintain their position in line or forfeit their position should they leave.

Lifeguards are NOT covering the Lap Pool as indicated by the pool signage. Parents and adult guardians are required to supervise their minor children at all times when using the lap pool.

Children who are non-swimmers shall be under the direct supervision of a parent(s) or an adult legal guardian at all times.

The large slide may be used under lifeguard supervision only. The large slide may be closed by the lifeguards for any reason.

A 10-minute safety break shall be observed every 10 minutes before the hour, and all minors must exit the pool during this break (no lifeguards will be on duty). Adults may still swim during the safety break and children are encouraged to use the restroom during this time.

Member(s) and Grandfathered Participant(s) are responsible to ensure the restrooms are in clean sanitary working order. Any deficiencies are to be reported to the Lifeguards for resolution. Should any restroom sanitization products become unavailable, the pool shall be closed.

## **Tennis Area**

Member(s), Grandfathered Participant(s) or adult guardians of minor children must be present and minor children shall be supervised at all times.

Problems: Any problems or issues shall be brought to the attention of the Manager.

The following are prohibited, suspended or unavailable beyond the tennis entrance:

1. League play;
2. more than 4 occupants on a court;
3. scheduling or reserving of a court;
4. tennis restrooms;
5. water fountain;
6. ice machine;
7. bicycles, skates, roller blades, scooters, etc.; or
8. pets of any kind.

No cleaning solutions or disinfectants are used in the outdoor environment. Users are encouraged to bring their own hand sanitizer and disinfectant wipes.

## **Fitness Center**

The fitness center has been CLOSED until further notice as adequate protection against COVID-19.

## **Community Center Rentals**

Given the NO GUEST policy, all rentals for private parties and events are cancelled until further notice.



## APPENDIX 1 - Health Risk Assessment and protocols



**TEXAS**  
Health and Human  
Services

Texas Department of State Health Services

John Hellerstedt, M.D.  
Commissioner

### ☒ CHECKLIST FOR ALL INDIVIDUALS

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*The following are the minimum recommended health protocols for all individuals in Texas. These minimum health protocols are not a limit on the health protocols that individuals may adopt. Individuals are encouraged to adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all Texans.*

*The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. Because of the hidden nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including those who are most vulnerable.*

*Please note, public health guidance cannot anticipate every unique situation. Individuals should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization.*

#### Health protocols for individuals:

- ☐ Maintain at least 6 feet separation from other individuals not within the same household. If such distancing is not feasible, other measures such as face covering, hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced.
- ☐ Self-screen before going into a business for any of the following new or worsening signs or symptoms of possible COVID-19:
  - ☐ Cough
  - ☐ Shortness of breath or difficulty breathing
  - ☐ Chills
  - ☐ Repeated shaking with chills
  - ☐ Muscle pain
  - ☐ Headache
  - ☐ Sore throat
  - ☐ Loss of taste or smell
  - ☐ Diarrhea
  - ☐ Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
  - ☐ Known close contact with a person who is lab confirmed to have COVID-19
- ☐ Wash or disinfect hands upon entering a business and after any interaction with employees, other customers, or items in the business.
- ☐ Consistent with the actions taken by many individuals across the state, consider wearing cloth face coverings (over the nose and mouth) when entering a business, or when within 6 feet of another person who is not a member of the individual's household. If available, individuals should consider wearing non-medical grade face masks.
- ☐ **Individuals aged 65 or older are at a higher risk of COVID-19. To the extent possible, avoid being within 6 feet with individuals aged 65 and older. Individuals aged 65 and older should stay at home as much as possible.**
- ☐ Avoid being in groups of more than 5 individuals.