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Newtown Estates Community Association (NECA)

Recreation Center & Premises Rules & Regulations

Effective 02/15/2015

NEWTOWN ESTATES COMMUNITY ASSOCIATION (NECA)

RECREATION CENTER & PREMISES

RULES & REGULATIONS

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A. DEFINITIONS

Except as otherwise stated in the rules and regulations, the following definitions apply:

1. **General Manager:** The person hired by the Board of Directors, or the Board's designee to manage the Recreation Center and Association.
2. **Guest:** Anyone invited by and in the company of a member to use the facilities on a limited basis.
3. **Member:** Any owner, tenant, or resident registered in the Recreation Center's Entry Security Access System.
4. **Member in 'good standing':** Member that is up-to-date with all financial obligations and not in the 'certified letter' process of any covenant violation.
5. **Owner:** Any person(s) holding legal title to a property within the Newtown Estates Community Association (NECA). In the case of a corporation or partnership, the owner shall be limited to the officer or partner who actually resides on the property.
6. **Premises:** The Recreation Center facility, its surrounding grounds, and all lands within the Newtown Estates.
7. **Residence:** A lot or permanent home located within the NECA.
8. **Resident:** A person who resides on a property in the NECA.
9. **Tenant:** Any resident lessee or renter of a property in the NECA.

B. GENERAL RULES

1. Only NECA members in 'good standing' and their guest(s) may use the Newtown Recreation Center. All members and guest(s) must check-in at the Front Office upon entering the facility.
2. Any person using the facility agrees to abide by the RECREATION CENTER RULES & REGULATIONS and any legitimate instructions of staff personnel as a condition of remaining on the premises.
3. NECA is not responsible for any loss or damage of personal property. A person(s) entering the premises do so at their own risk to their safety and

- to the possible loss or damage of their personal property, including property stored in lockers or any storage area, or left in the possession of staff personnel.
4. NECA reserves the right to search any bag or container in the possession of anyone while they are on the premises. Should NECA property be discovered in the possession of anyone, the person will be detained and the Honolulu Police Department will be summoned.
 5. Owners will be held financially liable for any property they, their tenants, or their guests damage, misplace, abuse or render unusable. No property may be removed from the premises without the prior approval of the General Manager or his designee.
 6. Children twelve (12) years and younger must be supervised by an adult at all times while on the premises.
 7. A member(s) and guest(s) may not bring any animal on the premises. Handicapped members or guests, dependent upon a signal dog may bring it onto the premises. However, said animal will not be allowed in the swimming pool or wading pool nor be allowed to cause unreasonable disturbance.
 8. No individual shall threaten, intimidate, create a disturbance, use profane language or physical force against the Manager, staff personnel, or other persons while on the premises or within any common area or areas as considered to be a part of the Newtown Estates. The General Manager or his designee will remove anyone engaging in such conduct from the premises. The Manager has the authority to suspend the violator(s) from using the Recreation Center.
 9. Consumption of food or beverages, with the exception of water, is not allowed in the Health Club, the swimming pool or the wading pool areas. Containers or items made of glass are prohibited in all areas of the Recreation Center.
 10. Illegal activities (e.g., gambling, drug use) are prohibited on the premises.
 11. Any activity or use of equipment within the Recreation Center, which the General Manager or his designee deems injurious to others or damaging to property, is prohibited.
 12. Smoking of any kind (cigarette, electronic cigarettes, etc.) is prohibited within the entire facility area.
 13. Any commercial activity or soliciting is prohibited on the premises unless approved in writing by the Membership Policy Committee.

14. Loitering or drinking alcoholic beverages is not permitted in the parking lot.
15. Consumption of alcohol is prohibited on the premises, with the exception of alcohol served during facility rental, with a Special Duty Officer present.
16. Fees, payable in advance, may be assessed from members for certain classes, activities, or program events.
17. Some areas of the facility may occasionally be closed for repair or maintenance. When possible, advance notice of closure will be given.
18. Outdoor areas may be closed at the discretion of the General Manager or his designee due to inclement weather.
19. The General Manager may waive any part of these rules for supervised classes, activities, or program events, provided the waiver does not interfere with the fair and equitable treatment of any member.
20. No roller skating or skateboarding is allowed on any area of the recreation center.
21. Closing Policy: All members must begin vacating the Recreation Center premises upon notification by the staff personnel. Recreation Center hours will vary during holidays which may include closure of the facility.
22. The General Manager has the authority to close the entire recreational facility due to emergencies, general repairs, storms, and any other civil disturbances.

C. REGISTRATION OF MEMBERSHIP

1. Registration of membership will be granted only to owners and persons residing at the owner's NECA address, or tenants residing at a NECA property. Proof of ownership or residency at the NECA property is required.
2. Photo identification pictures are taken during normal business hours.
3. Registration forms must be completed and submitted by the owner(s) at the time of registration.
4. Valid government-issued photo identification is required to identify a member during registration at the Front Office. Individuals without valid photo identification must provide alternate identification.
5. Owner(s) and person(s) residing at the owners' NECA address, or tenant(s) must register in person at the Front Office.
6. Misrepresentation of facts by an individual to obtain membership will result in the suspension of privileges for any member(s) involved in the

misrepresentation, and/or a fine not less than \$100 (one hundred dollars) assessed against the member's property.

7. OWNER POLICY

- a. The owner(s) must submit a signed "Facility Privileges Registration" form listing the names of individuals eligible to obtain membership and stating that said individuals reside at the owner's NECA property address.
- b. If there are more than six (6) residents residing at any one (1) residence, the General Manager shall insure all persons listed are residents.
- c. An owner may waive and assign all membership privileges to his tenant. The owner may not retain recreation center membership privileges once assignment is given to the tenant.
- d. The "Facility Privileges Registration" form is available at the Front Office.

8. TENANT POLICY

- a. If an owner decides to waive and assign all membership privileges to his tenant, the owner(s) or agent of this NECA property must submit a signed "Facility Tenant Privileges Registration Form" with a copy of a valid lease agreement listing the names of individuals eligible to obtain membership and stating that said individuals reside at the owner's property address.
- b. If there are more than six (6) tenants residing at any one (1) residence, the General Manager shall insure all persons listed are tenants. Only the names of tenants listed on the valid lease agreement will be allowed to register as members.
- c. The property owner(s) or tenant(s) will be assessed a "transfer fee" for any new tenant(s). A transfer fee will be assessed for any additional tenant(s) names added to the lease agreement after the initial agreement has been processed by NECA.
- d. The "Facility Tenant Privileges Registration" form is available at the Front Office.

9. GUEST POLICY

- a. Guests must be accompanied by a NECA member to be permitted on the premises. Any member who does not remain with an invited guest will forfeit the use of the facility for the remainder of the day and the guest will be escorted from the premises.

- b. The member host must pay a guest fee for every guest each time he/she enters the Recreation Center.
- c. NECA members must sign-in all guests at the Front Office. Members must include the full name and age (17 and under) of each guest.
- d. Members are limited to five (5) guests per household at any one time in a single day.
- e. One (1) accompanied guest per household is permitted to use the Health Club.
- f. Guests are not permitted to reserve or rent any area of the facility or check out any NECA equipment from the Front Office.
- g. Members are responsible for the behavior and actions of their guests.

D. HEALTH CLUB RULES

- 1. Only members and their authorized one (1) guest may use the Health Club. Children twelve (12) to fourteen (14) years of age must be under the direct supervision of an adult at all times.
- 2. **Children under the age of twelve (12) will be denied access due to safety and liability issues.**
- 3. People with medical conditions should consult their physician to determine if they are physically fit to use facilities.
 - a. All weight equipment must be returned to its correct location. Free weights may not be removed from the exercise room.
 - b. No slamming or dropping of weights on both free weights and machines.
 - c. Members and guests must wipe down exercise equipment after each use.
 - d. No music equipment allowed except for personal sound producing devices with headphones.
 - e. Report any damaged or broken exercise equipment to the front office.
 - f. Do not change the television channel unless other gym users give their prior approval.
- 4. No improper use of the exercise equipment will be allowed. Members without knowledge of the proper use and care of the equipment should read posted instructions on equipment for proper use.

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5. Any person, member or guest using the exercise equipment will do so at their own risk. NECA does not have any attendant on duty and is not responsible for any injury or loss of property.
6. No wet clothing will be allowed in the exercise room. Members and guests using the exercise equipment must wear appropriate attire at all times. This includes t-shirt, long or short pants, and athletic shoes.
7. Members and guests using the sauna (Women's Locker Room) or the steam room (Men's Locker Room) must shower before entering any of these areas and wear appropriate attire at all times. This includes t-shirt, shorts, and footwear.
8. Swimmers must dry off completely before entering the building.
9. Consumption of food or beverages, with the exception of water, is not allowed in the Health Club. Containers or items made of glass are prohibited in all areas of the Recreation Center.

E. TENNIS AND BASKETBALL COURT RULES

1. TENNIS COURTS

- a. A court reservation must be made in person to assure use of a court or a practice wall. No telephone reservations will be accepted.
- b. Only members may reserve a tennis court. Reservation is limited to one (1) court per household at any given time.
- c. Court use will be determined by order of sign-up. Advanced reservations will not be accepted.
- d. Playing time is limited to one (1) hour if other players have signed up and are waiting to play.
- e. Athletic shoes must be worn while playing on the courts.
- f. The tennis ball machine is available for use on Tennis Court I only through the Front Office. Members using the machine must sign out for the key and must have knowledge of the use of the tennis ball machine.
- g. People with medical conditions should consult their physician to determine if they are physically fit to use the facilities.
- h. The General Manager or his designee may close the courts during scheduled classes, activities, or program events.

2. BASKETBALL COURTS

- a. Athletic shoes must be worn while playing on the courts.

- b. People with medical conditions should consult their physician to determine if they are physically fit to use the facilities.
- c. The General Manager or his designee may close the courts during scheduled classes, activities, or program events.

F. SWIMMING POOL RULES

1. NECA does not have lifeguards on duty at all times. An adult other than the NECA lifeguard must supervise children less than twelve (12) years of age or any individual who is not able to swim.
2. Any persons using the swimming pool will do so at their own risk. NECA is not responsible for any injury or loss of property. Persons with health conditions should consult with their physician before using the facilities. *Special Use Permit Events: Sponsors using the swimming pool areas must supervise guests at all times. Sponsors are held responsible for the actions of their guests. All members and guests must abide by all NECA swimming pool rules and regulations.
3. All accidents must be reported to the NECA lifeguard or staff personnel immediately.
4. All swimming pool users must shower before entering the swimming pool. Persons leaving the pool area to use the restrooms must take a second cleansing shower prior to re-entering the swimming pool.
5. Special toddler swim diapers must be used to prevent contamination of swimming pool. Fecal matter or vomit must be reported immediately to the front office.
6. Persons having an open sore, inflamed eye or any other known communicable disease are not allowed in the swimming pool.
7. Violators will be asked to leave the pool area if rules are not followed.
8. The swimming pool or portions thereof may be closed during scheduled classes, activities, and program events conducted or sponsored by NECA.
9. For the safety of others, swimming pool users must dry themselves completely before entering the indoor facility.
10. All swimming pool users must wear appropriate swimwear attire for a family oriented facility.

11. **Permitted:**
 - a. Arm floats, built in floatation suits, life vests, aqua jogger/floatation belts, swim webs, and goggles.
 - b. Infant/toddler tubes for children three (3) years of age and younger.
 - c. Masks, snorkels, and fins when there are less than twenty (20) people in the swimming pool.
12. **Prohibited:**
 - a. Running, roughhousing, or unreasonable noise.
 - b. Profanity or improper behavior.
 - c. Food and beverages in gated pool area.
 - d. Containers or items made of glass.
 - e. Ball playing and water shooting devices.
 - f. Toys of any kind.
 - g. Spitting, spouting of water or discharging of bodily fluids.
 - h. Jumping, diving, "cannon balling" or "big splashing" into the pool.
 - i. Scuba gear (except for maintenance/repairs).
 - j. Beach balloons or balls, floating mats, and large floating rings.
13. During designated lap swim hours, priority is given to persons swimming laps. If there are four (4) or more lap swimmers, free swimmers must remain out of the swimming pool.
14. Lap swimmers using the swimming pool during designated lap swim hours are allowed to use swim-enhancing equipment such as kick boards, hand paddles and pull buoys.

**Lap Swim Hours: Monday-Friday: 8 a.m. - 10 a.m.
6 p.m. - 9:30 p.m.
Saturday-Sunday: 8 a.m. - 10 a.m.**

**Free Swim Hours: Monday-Sunday: 10 a.m. - 6 p.m.
(Lap swim is not permitted during free swim hours.)**

15. NECA lifeguard or staff personnel are authorized to eject violators of the swimming pool rules from the pool area.

G. WADING POOL RULES: THE WADING POOL USAGE IS LIMITED TO CHILDREN UP TO FIVE (5) YEARS OF AGE

1. At all times, an adult must accompany and supervise children five (5) years of age and younger.
2. Any persons using the wading pool will do so at their own risk. NECA is not responsible for any injury or loss of property. Persons with health conditions should consult with their physician before using the facilities.
3. All accidents should be reported to the NECA lifeguard or staff immediately.
4. All wading pool users must shower before entering the wading pool. Persons leaving the pool area to use the restrooms must take a second cleansing shower prior to re-entering the wading pool.
5. Special toddler swim diapers must be used to prevent contamination of wading pool. Fecal matter or vomit must be reported immediately to the front office.
6. Persons having an open sore, inflamed eye or any other known communicable disease are not allowed in the wading pool.
7. Violators will be asked to leave the pool area if rules are not followed.
8. The wading pool or portions thereof may be closed during scheduled classes and program events conducted or sponsored by NECA.
9. For the safety of others, wading pool users must dry themselves completely before entering the indoor facility.
10. All wading pool users must wear appropriate swimwear attire for a family oriented facility.
11. **Permitted:**
 - a. Arm floats, built in floatation suits, life vests, aqua jogger/floatation belts, swim webs, and goggles.
 - b. Infant/toddler tubes for children three (3) years of age and younger.
12. **Prohibited:**
 - a. Running, roughhousing, or unreasonable noise.
 - b. Profanity or improper behavior.
 - c. Food and beverages in gated pool area.
 - d. Containers or items made of glass.
 - e. Ball playing and water shooting devices.
 - f. Toys of any kind.
 - g. Spitting, spouting of water or discharging of bodily fluids.
 - h. Jumping, diving, "cannon balling" or "big splashing" into the pool.

13. NECA lifeguard or staff personnel are authorized to eject violators of the wading pool rules from the pool area.
14. No more than ten (10) people in the wading pool at a time.

H. **FACILITY ROOMS, ROOM RENTALS, & SPECIAL USE PERMITS**

1. The facility rooms (Recreation Room, Upstairs Lounge, and Arts & Crafts Room) are reserved for the NECA Board of Directors, Committees, Sub-Committees, Sub-Association meetings, NECA conducted activities (Special Events and Sports Program), Facility Rentals, NECA sponsored groups (Fee for Service), and classes and activities on a first-come, first-served basis, in that order.
2. The Recreation Room, Upstairs Lounge, and Arts & Crafts Room are to remain closed and secured when not in use. Use of these areas must be reserved and/or listed as scheduled.
3. Only members in 'good standing' may apply for a Special Use Permit and rent facilities for a private function. Non-residents, invited by the member host, may attend private functions as long as the host member completes the Facility Rental Application/Special Use Permit Application, pays the applicable fees, and remains for the duration of the entire function.
4. Private functions are to be conducted within normal Recreation Center operating hours unless the General Manager or his designee makes an exception.
5. The Upstairs Lounge, Recreation Room and Pavilion/Lanai area may be rented for private functions when available. The rental of the Pavilion/Lanai area is available during evenings only and must be rented in conjunction with the Recreation Room rental. Access to other parts of the facility not rented is prohibited. (See Facility Rental Application for time schedule and conditions).
6. A Special Use Permit reserves the use of the kitchen and allows a member to increase the numbers of guests he may invite to the Recreation Center facility. The **Special Use Permit** allows a maximum of thirty (30) guests to the facility at the current guest rate fees.
 - The Special Use Permit does not include use of the Health Club.
 - The hours of the lifeguard vary so the lifeguard may not be available during your reservation time.
 - The pavilion area can be used on a first-come, first-served basis; however, members already using the area cannot be asked to leave.

- Sponsor(s) must supervise the guest(s) in the swimming pool area and in the lobby area at all times.

(See Special Use Permit Application for time schedules and conditions).

7. Facility room rentals for the following are prohibited and will not be allowed for commercial activities such as political events (coffee hours, political fundraisers, or any other political election related events), religious events, craft fairs, etc.
8. All Facility Rental Application and Special Use Permit Application forms are available at the Front Office. The application must be completed and submitted along with full payment before a reservation will be considered for approval. Reservations are confirmed when the General Manager or his designee has approved the application.
9. Changes regarding any Facility Rental and/or Special Use Permit will not be permitted unless it has been approved in writing by management.

I. **PROGRAMS, CLASSES, & ACTIVITIES**

1. All NECA—conducted or sponsored programs, classes, and activities are for members only unless otherwise specified by the Membership Policy Program Committee and the General Manager.
2. Any fees assessed must be paid before starting any program, class, or activity.
3. Unauthorized registration by a non-member in any program, class, or activity will result in the forfeiture of any fees paid and immediate prohibition from participation in the program, class, or activity. Any member caught falsifying any membership information will lose the right to participate in any NECA-conducted or sponsored programs, classes, or activities. Other penalties may be imposed at the discretion of the General Manager.
4. NECA-conducted “Special Events” (Easter, Halloween, Christmas, etc.) are programs coordinated by the staff member assigned and the General Manager, as authorized by the Board of Directors. Members shall be given priority when determining whether non-resident guests may participate at a fee. Non-resident guests must be registered in the Special Event to participate and accompanied by a member. Prior to each Special Event, the Program Committee will establish the limitations on the number of non-resident guests allowed per member and the applicable fee for the Special Event.

5. NECA-conducted "Sports Programs" (Basketball, volleyball, etc.) are programs coordinated by the staff member assigned and the General Manager, as authorized by the Board of Directors. Non-members are not allowed to participate.
6. NECA-sponsored "Fee for Service" programs are activities conducted by Independent Contractors who, by written agreement with the NECA are authorized to conduct their activity on the premises. Fee for Service programs are subject to all Recreation Center Rules & Regulations. All Independent Contractors must maintain liability insurance coverage with a minimum of \$1,000,000 (one-million dollars) per occurrence for bodily injury and \$100,000 (one-hundred thousand dollars) per occurrence for property damage. The Board of Directors may require additional coverage based on the contractor's activity and, at its discretion, may require other NECA-sponsored groups to be similarly insured, depending on the group's activities. Non-members are not allowed to participate.
7. Class and activity location and schedules are on a first-come, first-served basis.

J. KILINOE STREET PARK

1. Kilinoe Street Park is a private park available only to residents and their guests. Unauthorized park users will be prosecuted for trespassing.
2. No organized sports leagues or activities are allowed in the park without the written approval of the General Manager. Groups of more than ten (10) invited guests will require a "Park Use Permit" from the General Manager.
3. Golfing, gas-operated toys, firearms, darts, archery, and motorized vehicles are not allowed in the park.
4. No animals are allowed in the park with the following exception: Handicapped members or guests dependent on a certified guide or signal dog may bring the animal into the park provided said animal does not cause any unreasonable disturbance.
5. The park is open from 8:00am to sunset daily. No evening use is permitted without written approval from the General Manager.
6. The park may be closed for a NECA-conducted program or maintenance without prior notice.
7. Persons using the park equipment do so at their own risk to safety and personal property.

K. EQUIPMENT USE

1. Only members may check out equipment. Valid government-issued photo identification will be exchanged for the equipment checked out.
2. Equipment can be checked out at the Front Office. No member may check out equipment consecutively unless his playing time has completely elapsed and no one is waiting to use the equipment.
3. Members are responsible for insuring that equipment being used is complete and undamaged when being checked out and again when returning the equipment. Discrepancies must be reported before commencing play.
4. Members who check out equipment are liable for missing or damaged equipment.
5. Food and drinks are not permitted on or near any equipment.
6. The member's valid government-issued photo identification will be returned when the equipment is checked in at the Front Office in its original condition.
7. Play equipment and board games may not be removed from the premises:
 - a. Billiard (pool) tables are located in the Game Room (inner lobby) and the Upstairs Lounge. Cues, balls, rack and chalk may be checked out from the Front Office.
 1. Playing time is limited to thirty (30) minutes.
 2. Abuse or inappropriate use of equipment is not permitted (e.g., sitting on or moving or lifting the Billiard table, throwing or dropping cues and balls on the floor or Billiard table, etc).
 3. The Billiard tables are to be covered upon completion of play unless other players are immediately following to use it.
 - b. A Ping-pong (table tennis) table is located in the Game Room (inner lobby). Ping-pong paddles may be checked out from the Front Office. A net is already mounted on the Table Tennis table.
 1. Playing time is limited to thirty (30) minutes.
 2. Abuse or inappropriate use of equipment is not permitted (e.g., banging paddles against the table, slamming balls onto the floor, at walls or at one another, etc).
 3. Players can purchase a ping-pong ball from the Front Office.

L. ENFORCEMENT PROCEDURES

1. Depending on the severity of the violation, corrective action may range from verbal reprimand to immediate removal from the Recreation Center and the suspension of Recreation Center privileges. Indefinite suspension of all Recreation Center privileges is determined by the General Manager. Refusal to leave when requested will result in the Honolulu Police Department being summoned and charges filed against the violator.
2. A letter will be sent to the member (the parent or legal guardian if the violator is a minor) detailing the violation and specifying any penalty and/or fine to be imposed. Violators who refuse to acknowledge and pay any imposed penalty will be charged with "illegal trespassing" should they subsequently attempt to enter the premises.
3. Members may appeal the charges and penalties imposed on them by submitting a written appeal to the Membership Policy Committee no later than thirty (30) days from the date of the imposed penalties.
4. The General Manager and staff personnel on duty have the authority to enforce all of the Newtown Estates rules and regulations.

M. PARKING AND PARKING LOT

1. Parking is permitted for NECA members and registered guests while utilizing or attending a function or event at the Recreation Center.
2. No smoking or consumption of alcohol is permitted in the Recreation Center parking lot at any time.
3. No parking is permitted in the NECA driveway at any time.
4. No overnight parking or vehicle storage is permitted. Any vehicle with mechanical problem must have written permission from the manager.
5. To avoid damages, it is recommended that a vehicle "drive into" a parking stall and not "back into" a parking stall.
6. No speeding in the NECA driveway or parking lot. The speed limit in the parking lot is 5 mph to 10 mph.
7. Drive only in the direction of the arrows.
8. No loud music or boom boxes from vehicles at anytime.
9. Newtown Estates Community Association is not responsible or liable for any damages to any vehicle, personal injury, theft, or any loss of personal property while parking on NECA premises.
10. No running, ball playing, roller or in-line skating, skateboarding, or bicycling in the driveway or parking lot.

N. TRASH BINS

1. The two (2) trash bins located in the parking lot area is for the exclusive use of the Recreation Center. Dumping or disposal of personal household trash or green waste is expressly prohibited.