



**Abaris Realty, Inc.**

7811 Montrose Road, Suite 110, Potomac, MD 20854

301-468-8919 • Fax: 301-468-0983

Web Site: [www.abarisrealty.com](http://www.abarisrealty.com)



March 24, 2020

Dear New Mark Commons Homeowner:

We want all residents to know that the New Mark Commons pool is being prepared for its scheduled opening on May 23<sup>rd</sup>. As you are all aware, the COVID-19 Coronavirus pandemic and efforts to contain it may force us to delay the opening indefinitely. To ensure we are fully prepared for the 2020 NMC Pool Season, we are including the pool registration packet and will process pool passes so community members will be able to enjoy as much of the season as possible. The pool management company is following mandated health and safety guidelines to clean and prepare the pool, and lifeguard staff is ready. That said, with the current Coronavirus (COVID19) pandemic and social distancing requirements, we cannot expect to open the pool on May 23<sup>rd</sup> and have no current information regarding when/if we will be able to. We encourage all residents to stay informed through [www.maryland.gov](http://www.maryland.gov), [www.cdc.gov/coronavirus](http://www.cdc.gov/coronavirus) along with trusted News organizations. If all citizens do our part and the medical organizations worldwide continue to work on ending this pandemic, our hope is to return to our regular lives sooner than later.

The following hours of operation will apply if the pools are permitted to open this summer:

Hours of Operation:

1. The pool will be open from Saturday, May 23, 2020 through Monday, September 7, 2020.
2. The pool will be open seven days a week, including holidays.
3. While public school is in session Tuesday, May 26, 2020 through Friday, June 12, 2020 the hours of operation will be as follows:  
2 P.M. – 9 P.M. on Monday – Friday  
10 A.M. – 8 P.M. on Saturday  
10 A.M. – 9 P.M. on Sunday  
10 A.M. – 8 P.M. on Monday, Memorial Day May 25, 2020
4. After public school is out of session after Friday, June 12, 2020 the hours of operation will be as follows:  
11 A.M. – 9 P.M. on Monday – Friday  
10 A.M. – 8 P.M. on Saturday  
10 A.M. – 9 P.M. on Sunday  
10 A.M. – 6 P.M. on Saturday, Independence Day July 4, 2020  
10 A.M. – 6 P.M. on Monday, Labor Day September 7, 2020

Guest Fees:

Guest fees are \$2 per guest during the week and \$4 per guest on weekends and holidays. A 10-use guest pass can be purchased for \$20, for use on any day of the week.



Rules for Pool Parties:

The Board of Directors has adopted rules for pool parties held during regular operating hours which are attached.

Pool Pass System:

We will be using the same pool pass system as last year. If you had a pass last year and your dues are not delinquent, the pass you used last year will be valid this year. Passes are only deactivated if your account has a delinquent balance. Owners who rent their homes must either relinquish their pool pass privileges to the tenants residing in the home or the tenants must apply for a non-resident pool membership. Only one family per home may apply for passes. If you have lost or misplaced your pass, if you are a new resident who has never registered for pool passes before or if you have new members in your household who need a pass, you must complete the enclosed Pool Pass Application form and submit it to Abaris Realty **no later than Monday, May 4, 2020 in order to ensure that your new pool passes are activated and picked up before opening day on May 23, 2020. Completed applications must be sent to Abaris Realty by mail, fax or email:**

**Abaris Realty, Inc.**

**Attention: Kaitlyn Ambush  
7811 Montrose Road Suite 110**

**Potomac, MD 20854**

**Fax: 301-468-0983**

**Email: [kambush@abarisrealty.com](mailto:kambush@abarisrealty.com)**

Please allow at least 7 calendar days for processing new applications. Tenants who are renting must provide a copy of the current rental lease along with the pool pass application in order for the application to be processed. Residents will be contacted when the pass is ready for pick-up at the pool facility.

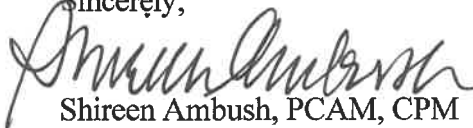
**Please be advised that there will be no walk-in service for pool pass applications.** Abaris Realty is fully responsible for processing pool passes. The lifeguards are not able to issue new pool passes or activate passes that have been deactivated.

Pool Rules and Pool Access Permission & Liability Waiver:

Enclosed are the pool rules and the 2020 Pool Access Permission & Liability Waiver form. If you have children in your household between the ages of 9 – 15, a new form must be completed and returned to Abaris Realty in order for them to use the pool without being accompanied by an adult parent or guardian.

On behalf of the Board of Directors, I hope you have a great summer at the pool!

Sincerely,



Shireen Ambush, PCAM, CPM  
Property Manager



# **New Mark Commons 2020 Swimming Pool Rules**

## **SCHEDULED HOURS OF OPERATION**

1. The NMC pool will be open from Saturday, May 23<sup>rd</sup> through Monday, September 7<sup>th</sup>.
2. The NMC pool will be open seven days a week, including holidays.
3. Hours of operations are as follows:
  - While MCPS is in session May 26<sup>th</sup> through June 12<sup>th</sup>
    - 2 PM to 9 PM on Monday – Friday
    - 10 AM to 8 PM on Saturday
    - 10 AM to 9 PM on Sunday
    - 10 AM to 8 PM on Monday, Memorial Day holiday
  - Summer in-season hours of operation June 15<sup>th</sup> through September 7<sup>th</sup>
    - 11AM to 9 PM on Monday – Friday
    - 10 AM to 8 PM on Saturday
    - 10 AM to 9 PM on Sunday
    - 10 AM to 6 PM on Independence Day, July 4<sup>th</sup> and Labor Day, September 7<sup>th</sup> holidays
4. Pool, changing rooms and showers all close promptly at designated schedule times. No one will be admitted to the pool 15 minutes prior to closing.
5. NMC swim team meets and events held at the NMC pool will impact opening and closing times. Dates and times will be provided.

## **ADMISSION**

**All NMC Residents** and **NMC Nonresident Pool Members** who have current pool registration identification cards/passes and who are current with payment of all NMC financial dues obligations are eligible to use the pool. To obtain a pool pass, contact property management company Abaris Realty, Inc. at 301-468-8919 or email [kambush@abarisrealty.com](mailto:kambush@abarisrealty.com) Current pool identification passes must be presented and scanned at the NMC pool office by Pool Personnel staff at each visit prior to entering the pool facilities.

**Guests** must be accompanied by NMC residents or nonresident NMC pool members in order to be admitted once the appropriate guest fee is paid in cash to the staff in the NMC pool office. The NMC pool guest fee is \$4.00 per guest on weekends and holidays and \$2.00 per guest at all other times. A 10-use guest pass can be purchased for \$20, for use on any day of the week.

**Ongoing admission is dependent upon pool users complying with the NMC Pool Rules.**

**NMC Pool Party Rules** allow up to 15 guests to be brought to the pool during standard hours of operation if the NMC host has applied for and received approval in advance from the NMC property management company Abaris Realty, Inc. 301-468-8919 for a specific date and time.

**Nonresident Care Providers, Au Pairs, Babysitters and Nannies** accompanying children must have written permission of the NMC parents on file at the NMC pool office.

**Renter or Tenant of NMC Property.** NMC pool membership is associated with one family per property. An owner of NMC property must declare in writing to Abaris Realty, Inc. whether an identified renter/tenant may be granted a NMC pool membership for the season instead of the owner. If the owner chooses to use the pool membership for the season, the renter/tenant may apply for a nonresident NMC pool membership.

**All persons using the pool area do so at their own risk and accept responsibility for their own safety. Personal property is the responsibility of the persons using the pool.**

### **AGE-BASED SWIMMING RULES:**

1. Any child under 16 years of age may enjoy unrestricted use of the main pool upon successfully passing a Basic Swim Test administered by a lifeguard.
2. All children under 9 years of age must be accompanied in the pool by an adult or responsible person 16 years or older.
3. Children who have not passed the Basic Swim Test must have a responsible person in the pool with them within an arm's reach at all times and are prohibited from the deep end of the pool or using the diving board.
4. Non-swimmers must remain in shallow water (chest deep or less).
5. Only US Coast Guard approved flotation devices and noodles are permitted in the main pool.
6. Children age 9-15 may come to the pool to swim without parents accompanying them only after successfully passing a Basic Swim Test and having a 2020 Pool Access Permission & Liability Waiver form completed and signed by their parent or guardian on file with the NMC property management company Abaris Realty, Inc., and the pool management company, Pool Personnel. Forms are available at the pool manager/lifeguard office or on the NMC website: [www.newmarkcommons.net](http://www.newmarkcommons.net)
7. The Basic Swim Test consists of:
  - a. Swimming  $\frac{1}{2}$  length of the pool with confidence, using one of four basic swimming strokes.
  - b. Stopping and treading water for a period of one-minute.
  - c. Resuming swimming the length of the pool with confidence.
  - d. Successful completion of the test shall be at the discretion of the pool manager/lifeguard.
8. There will be a fifteen minute rest break every hour in which all children under the age of 16 must exit the pool.

### **NMC SWIMMING POOL USERS' RULES**

1. All pool users must:
  - Wear swimming apparel (bathing suit or trunks, UV protection tops).
  - Shower before entering any pool
  - Only enter the pool when a lifeguard is on duty
  - Refrain from spitting, spouting water or blowing the nose while swimming
  - Refrain from underwater swimming for distance

- Comply with all NMC pool rules and directions issued by the lifeguards
2. Absolute NOs for all pool users:
    - **NO RUNNING, CARELESS OR ROUGH PLAY, IMPROPER CONDUCT**
    - **NO ABUSIVE OR PROFANE LANGUAGE**
    - **NO BALL PLAYING ON THE POOL DECK OR AGAINST A CLUBHOUSE WALL**
    - **NO GLASS BOTTLES OR CONTAINERS** (including baby bottles)
    - **NO FOOD ON THE POOL DECK.** Eating is restricted to seated tables in the patio area.
    - **NO CELL PHONES, CAMERAS, or other VIDEO devices may be used in the changing rooms or restrooms.**
    - **NO CHEWING GUM**
    - **NO ALCOHOL, DRUGS, SMOKING OR VAPING.** This is a State of Maryland Law.
    - **NO PETS are permitted within the pool area.**
  3. Patrons with the following health conditions may not swim in any pool: anyone with skin abrasions or skin diseases; having a cold, cough, inflamed eyes, open sores, infection, excessive sunburn, nasal or ear discharge.
  4. Any child who is not toilet trained or adult who is incontinent must wear a clean diaper or disposable swim diaper that is covered by a separate rubber/vinyl pants fitting snugly around the legs and waist.
  5. Diving rules as posted and/or directed by a lifeguard must be adhered to. Diving is only allowed in the diving well. Only one person is permitted on the diving board at one time. Dives must only be forward in direction. Only one bounce on the diving board is allowed. No flotation device, goggles or toys are permitted in the diving well. Divers will not dive until the previous diver has reached the ladder at the side of the pool.
  6. Lap lanes are intended for fitness swimming. Hanging on the lane ropes is prohibited.
  7. Only pool supplied rafts are permitted in the pool on the 4<sup>th</sup> of July.

## **NMC CLUBHOUSE AND SWIMMING POOL FACILITY RULES**

1. NMC encourages all users to be respectful of each other and the facility itself while enjoying the Clubhouse and pool.
2. All users must obey the direction of the pool manager/lifeguards. Please note that the pool manager/lifeguards are not only authorized, but are required to enforce the NMC pool rules for the purpose of ensuring the safety of all users/guests. The pool manager/lifeguards have the authority to establish and enforce any other rules and regulations that will further the safe operation of the pool. They also have the authority to prohibit any activity, whether specifically described in the facility/pool rules, or unstated, that they determine is unsafe.

3. The pools may be closed at the discretion of the lifeguards at any time due to weather (heavy rain, thunder, lightning, etc.), breakdown of equipment, operational defects, or other causes.
4. The pool office is only for the use of pool managers and lifeguards.
5. If a patron with a disability needs special accommodations to use the pool complex, please contact the Pool Manager.
6. Radios, CD players and other portable electronic devices may be played only with earphones, at a volume that does not disturb others. All electronic devices on the pool deck must be battery operated.
7. Bicycles, skateboards, rollerblades/roller-skates or scooters are not permitted on the pool deck. Baby strollers and baby wagons are allowed.
8. A designated basketball is permitted only when used to play basketball in the pool. No other balls are permitted for play in the pool area.
9. All trash and recycling must be deposited in receptacles provided.
10. There will be no guest entry refunds for inclement weather closures of the pool.
11. NMC residents who are interested in a private pool party or use of the Clubhouse outside of standard pool hours of operation should speak to the property management firm Abaris Realty, Inc. at 301-468-8919.

**2020**  
**NEW MARK COMMONS HOMES ASSOCIATION, INC.**  
**POOL ACCESS PERMISSION & LIABILITY WAIVER**  
**(Swimmers Age 9-15)**

I acknowledge that I have received and read the New Mark Commons Homes Association, Inc. (the "Association") Pool Rules and Regulations. I further acknowledge the following:

1. All children under 9 years old must be accompanied in the pool by an adult or responsible person 16 years of age or older.
2. An adult or responsible person 16 years or older must be in appropriate swim attire and within arm's reach of any child in the water who has not passed the basic swimming test\*.
3. Children between the ages of 9 and 15 (i.e., the child's 9<sup>th</sup> birthday has passed but he/she has not reached his/her 16<sup>th</sup> birthday) may use the pool unaccompanied by an adult or responsible person 16 years of age or older if he or she passes the basic swimming test each year.

By signing this form, I grant my child(ren) named below, permission to access the pool without being accompanied by an adult or responsible person 16 years of age or older. I am the parent or legal guardian of the child(ren) named herein, and in such capacity have the legal authority to sign this form. I acknowledge that the child(ren) named below are between the ages of 9 and 15 and passed the basic swimming test. **I hereby agree that use of the swimming pool is at the child(ren)'s and my own risk. As a condition of my child(ren)'s use of the swimming pool, I on behalf of myself, my heirs and assigns and the child(ren) named herein, expressly agree to hold the Association, its members, directors, officers, agents, employees, independent contractors, their heirs, successors and assigns harmless from any claim, liability, loss, damage, or expense of any kind or nature whatsoever (including personal injury or death) that may arise due to the child(ren)'s use of the pool.** I further acknowledge that the child(ren) will abide by the Pool Rules and Regulations, any posted or published rules or signs, or any instruction given by a lifeguard, and their failure to do so may result in immediate termination of use of the pool. I further acknowledge that the lifeguards are not babysitters for the child(ren) and there is a risk associated with the child(ren)'s use of the pool without supervision by an adult or responsible person age 16 or older. I further acknowledge that I may be held financially responsible for acts of malicious mischief or vandalism by the child(ren) that results in damage to Association property.

Child's Name: \_\_\_\_\_ Age: \_\_\_\_\_ DOB \_\_/\_\_/\_\_

Child's Name: \_\_\_\_\_ Age: \_\_\_\_\_ DOB \_\_/\_\_/\_\_

Child's Name: \_\_\_\_\_ Age: \_\_\_\_\_ DOB \_\_/\_\_/\_\_

Child's Name: \_\_\_\_\_ Age: \_\_\_\_\_ DOB \_\_/\_\_/\_\_

Parent/Guardian Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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

Address: \_\_\_\_\_

Emergency Contact: \_\_\_\_\_

\*Swim Test consists of: swimming ½ the length of the pool with confidence then treading water for 1 minute, and then swimming the remaining length of the pool with confidence. Successful completion of the swim test will be judged by the pool manager at his/her discretion.



# NEW MARK COMMONS POOL PARTY RULES

## For parties held during pool operating hours

Note – these rules vary slightly from what is printed in the 2019/2020 directory. The rules were revised early 2020.

The following rules apply to private pool parties held during normal pool hours:

- All parties at the pool must be scheduled at least one week in advance with our pool management company - Pool Personnel - by emailing them at: [john@poolpersonnel.com](mailto:john@poolpersonnel.com)
- The party administrator is authorized to deny an event if the requested date conflicts with a previously scheduled party or falls on one of the blackout dates.
- Blackout dates are: Memorial Day weekend, Father's Day, July 4<sup>th</sup> weekend or surrounding days, and Labor Day weekend.
- No more than 15 swimmers, including both members and non-members, can be included in the pool party guest list.
- The party host must check-in with the guards upon arrival.
- The party's food focus must be contained within the designated eating area and may not overtake the entire area. The party's host is reminded that your party is being held during normal operating hours, and we request that you show courtesy towards other pool users. This would include bringing your own table to use for food distribution and ensuring the area is cleaned up at the conclusion of the party.
- Parties are limited to two hours. Set-up and clean-up are in addition to the two-hour maximum.
- The preference is to limit the pool schedule to one party per day. The Party Administrator has the discretion to schedule up to two parties.
- The pool party host will pay applicable fees. (non-members fees: \$2 per guest weekday and \$4 per guest weekend)
- Non-member pool party guests between the ages of 9 and 16 must sign a liability waiver.
- All pool parties must provide a minimum of two chaperones.
- Pool party guests must comply with all NMC pool rules.

### NOTES:

To be eligible to host a NMC pool party, you must be a resident or non-resident pool member in good standing and be in attendance throughout the duration of the party.

QUESTIONS AND PARTY SCHEDULING: Contact the New Mark Commons Pool Management Company at [john@poolpersonnel.com](mailto:john@poolpersonnel.com) and use the subject heading "New Mark Commons Pool Party"

The Pool Rules can be found on the NMC website: <https://newmarkcommons.org/forms-and-docs/>