

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
VENTANA METROPOLITAN DISTRICT**

ADOPTING POOL AND HOT TUB/SPA RULES AND REGULATIONS

WHEREAS, the Board of Directors (the “Board”) of Ventana Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado (the “District”) has determined that it is in the best interest of the District and the residents and property owners of the District to adopt pool and hot tub/spa rules and regulations in order to preserve and protect public property and facilities owned and/or operated by the District, and prohibit activities that interfere with the use and enjoyment of such property and facilities; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the Board is authorized to adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and laws of the State of Colorado for carrying on the business, objects, and affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(n), C.R.S., the Board is authorized to have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted to the District by Article 1, Title 32, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(1)(j), C.R.S., the District is authorized to fix and impose fees, rates, tolls, charges and penalties for services or facilities provided by the District; and

WHEREAS, pursuant to § 18-9-117(1), C.R.S., in addition to any authority granted by any other law, the District may adopt such orders, rules, or regulations as are reasonably necessary for the administration, protection, and maintenance of public property under its control, management or supervision, regarding, *inter alia*, the following matters: (i) the preservation of property, grounds and structures; (ii) restriction or limitation of the use of such public property as to time, manner, or permitted activities; (iii) prohibition of activities or conduct on public property which may be reasonably expected to substantially interfere with the use and enjoyment of such places by others or which may constitute a general nuisance; (iv) necessary sanitation, health, and safety measures; (v) camping, picnicking, assemblages, and other individual or group usages including the time, place, and manner in which such activities may be permitted; (vi) use of all vehicles as to place, time, and manner of use; and (vii) control and limitation on fires; and

WHEREAS, pursuant to § 18-9-117(2), C.R.S., such limitations or prohibitions must be prominently posted at all public entrances to such property or such notice must be given by an officer or agency, including any agent thereof, or by any law enforcement officer having jurisdiction or authority to enforce the limitations, restrictions, or prohibitions; and

WHEREAS, the Board has determined that it is in the best interest of the District and the residents and property owners of the District to adopt rules and regulations in order to provide for the preservation of the health, safety, and welfare of residents, property owners, and the public and

in order to preserve and protect public property and facilities owned and/or operated by the District, and prohibit activities that interfere with the use and enjoyment of such property and facilities.

NOW, THEREFORE, be it resolved by the Board of Directors of Ventana Metropolitan District as follows:

1. Adoption of Pool and Hot Tub/Spa Rules and Regulations. The rules and regulations attached hereto as **Exhibit A** and incorporated herein by this reference (the “Rules and Regulations”) are hereby adopted pursuant to § 32-1-1001(1)(m) and § 18-9-117, C.R.S.

2. Variances. The Board hereby authorizes the district manager or general counsel to grant written variances from the Rules and Regulations for good cause shown.

3. Amendment. The District expressly reserves the right to amend, revise, redact, and/or repeal the Rules and Regulations adopted hereby in whole or in part, from time to time in order to further the purpose of carrying on the business, objects, and affairs of the District. The foregoing shall specifically include, but not be limited to, the right to adopt new rules and regulations and/or policies and procedures as may be necessary, all in the Board's discretion.

4. Effective Date. The provisions of this resolution shall take effect as of the date this resolution is adopted by the Board.

5. Severability. If any term or provision of this resolution or if any rule or regulation is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of the remainder of the resolution or the Rules and Regulations, as a whole, but shall be severed, leaving the remaining terms or provisions in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

6. Penalties. Persons who violate any of the Rules and Regulations shall be subject to criminal and civil penalties.

a. Criminal Remedies. Pursuant to § 18-9-117(3)(a), C.R.S., any violation of the Rules and Regulations is unlawful and persons found in violation shall be subject to criminal penalties enforceable by authorized law enforcement officers.

b. Civil Penalties. A violation of any of the Rules and Regulations is subject to any and all civil remedies available to the District under Title 32, C.R.S. or other applicable laws, including a civil penalty hereby imposed in the amount of \$50 for the first violation, \$100 for the second violation, and \$250 for the third and subsequent violations, and actual costs and attorneys' fees incurred by the District. The District may collect such penalties, charges, costs and fees by any means authorized by law.

[Signature page follows]

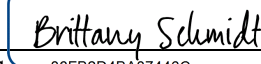
RESOLVED AND ADOPTED this 9th day of July, 2026.

**VENTANA METROPOLITAN
DISTRICT**, a quasi-municipal corporation and
political subdivision of the State of Colorado

DocuSigned by:


D3ABDB3C22D14BC...
President

ATTEST:

DocuSigned by:


865F3D4BA87446C...
Secretary

[Signature page to Resolution Adopting Pool and Hot Tub/Spa Rules and Regulations.]

EXHIBIT A

A. Pool Rules and Regulations

1. **Failure to follow the Rules and Regulations, including but not limited to accessing the pool and hot tub/spa outside of stated operating hours, may result in suspension of pool privileges, and/or proper authorities being notified.**
2. **NO LIFEGUARD ON DUTY.** Use of the Pool and Hot Tub/Spa is AT YOUR OWN RISK. The District, its Board of Directors, management, agents, and staff are not responsible or liable for any accidents, injuries, or death occurring in or around the Pool or Hot Tub/Spa. Nothing in these Rules and Regulations waives, or is intended to waive, any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as now or hereafter amended.
3. **Pool Hours:** The Pool shall be open from 8 a.m. to 9 a.m. for adult only swim and from 10 a.m. – 8 p.m. for open swim from Memorial Day Weekend through Labor Day Weekend. Pool hours are subject to change without notice.
4. **Maximum Occupancy:** The Pool and Hot Tub/Spa shall not be used by more persons at one time than the maximum bather capacity established under the District's pool operating permit.
5. All users shall still be required to have a picture ID with them when using the facilities. Staff will have the right to do spot checks to verify eligibility to use the pool. Failure to provide this information when asked can mean suspension of your access rights and removal from the premises.
6. **Eligibility; Guests:** Use of the Pool and Hot Tub/Spa is limited to District residents and property owners in good standing and their accompanying guests. An eligible resident or property owner may bring guest(s), provided that they have guest passes, have paid the fee, and must accompany their guest(s) at all times. Guest fees cost \$5 per person per day. Season passes for guests can be purchased for \$20 per person.
7. Any person not able to control his or her bodily functions must wear swim diapers beneath his or her bathing suit. No plastic, disposable or cloth diapers are permitted.
8. **Health and Hygiene:** Persons with a communicable illness, open wound, sore, or infection, or who have experienced vomiting or diarrhea within the preceding twenty-four (24) hours, may not enter the Pool or Hot Tub/Spa. Users are encouraged to shower before entering the Pool or Hot Tub/Spa. In the event of a fecal or vomit contamination incident, the Pool and/or Hot Tub/Spa shall be closed immediately and shall not reopen until decontaminated in accordance with applicable health department guidance.
9. Swimmers are to supply their own towels and swimwear. All guests must wear proper attire when utilizing the swimming pool facility. No undergarments, cutoffs, or shorts (swimming suit shorts are allowed) will be allowed.
10. Animals (except service animals) are not allowed in the pool area. Pets may not be left outside the pool area unattended, or tied to the fence, at any time.
11. Food and drink are permitted in the pool area. No glass containers are allowed in or around the pool area. Only plastic and paper containers may be used. User must clean up after themselves. No alcohol is permitted in the pool area at any time. Failure to adhere to this rule may cause loss of pool privileges.
12. No running, shoving, dunking, rough play, or excessive noise is allowed in the pool or locker room area. **FOUL, ABUSIVE OR LOUD LANGUAGE WILL NOT BE TOLERATED AND YOU WILL BE ASKED TO LEAVE THE FACILITIES.**

13. No diving, jumping, or entering the Pool headfirst is permitted.
14. The only play balls allowed in the pool shall be Nerf-type balls and inflatable plastic beach balls. Tennis balls, golf balls, footballs, basketballs, or other hard balls will not be allowed.
15. Squirt guns, diving toys and reasonably sized floatation devices no bigger than 45 inches shall be allowed as long as use of these items does not interfere at any time with another individual's enjoyment of the facility.
16. With the exception of squirt guns, no weapons of any kind shall be allowed on or around the Recreation Amenities, including but not limited to pocket knives or guns.
17. No bicycles, skateboards, roller blades, or similar are permitted in the pool area, in front of the entrance gates and on or about landscaped areas.
18. Smoking and/or tobacco, marijuana and other similar products are not permitted in the pool area or within 25 feet of the pool fence. The use of illegal drugs is not allowed.
19. The District is not responsible for any loss or theft of personal belongings.
20. Radios and other electronic devices must be played so as not to offend others.
21. Pool may be closed when air temperature is 65 degrees and below, or when lightning is spotted. Once closed due to lightning or thunder, the Pool shall remain closed for a minimum of 30 minutes following the last observed lightning strike or thunder, whichever is later, before reopening.

B. Hot Tub/Spa Rules and Regulations

1. All Pool Rules and Regulations set forth in Part A above apply to and extend into the Hot Tub/Spa area.
2. Enter and exit the Hot Tub/Spa slowly. No jumping, running, or diving in or around the Hot Tub/Spa.
3. No glass containers are permitted in or around the Hot Tub/Spa.
4. Do not enter the Hot Tub/Spa if the water temperature exceeds 104°F.
5. Soak time should be limited to fifteen (15) minutes at a time, with a cool-down period observed before re-entry.
6. Pregnant persons and persons with diabetes, heart disease, high or low blood pressure, or other serious medical conditions should consult a physician before using the Hot Tub/Spa. Use of the Hot Tub/Spa by children under the age of 16 years old is prohibited given the increased water temperature; a parent or guardian is responsible for exercising judgment regarding a minor's use, provided that they are at least 16 years old.
7. Do not use soaps, oils, or bath products in the Hot Tub/Spa. Pool toys and floatation devices are not permitted in the Hot Tub/Spa.
8. Jet controls are located on the wall next to the control room doors north of the Hot Tub.