

# Wailuna Recreation Association

---

## RULES AND REGULATIONS

July 31 2021

Wailuna Recreation Association Recreation Association (WRA)  
 RULES AND REGULATIONS  
 July 31, 2021

**CHANGE LOG**

Change Number	Date	Page	Section / Paragraph	Summary
0	31 August 2011	all	all	This document completely replaces Wailuna Recreation Association Rules and Regulations dated 4 August 1987, with Revisions
1	31 July 2019	All	All	This document completely replaces Wailuna Recreation Association Rules and Regulations dated 31 August 2011, with Revisions.
2	July 31, 2021	7 10 11-12	2.8 3.1 4.2	Updated relevant sections pertaining to FOB access and fees for violations

## WAILUNA RECREATION ASSOCIATION RULES AND REGULATIONS

### INTRODUCTION

Wailuna Recreation Association (WRA) manages and controls recreation facilities serving the three Wailuna residential communities: Wailuna Association of Apartment Owners (AOAO), The Heights at Wailuna, and The Crest at Wailuna. The WRA Board of Directors manages and operates the recreation areas, including the Swim Club, Tennis Club, Tot Lot, and the Lodge to ensure the fullest possible use and enjoyment by the residents of the community living units. The Board is solely responsible for the care, maintenance and operation of the recreation areas.

The following Rules and Regulations are established and designed to enhance the quality of life for residents and their guests when using Wailuna Recreation Association facilities. Additionally, they serve to protect all residents from inconveniences and nuisances caused by improper use of the premises.

The Rules and Regulations are derived from, and further define and interpret, the Wailuna Recreation Association Declaration of Covenants, Conditions and Restrictions (CCR) and By-Laws. All owners, residents and their guests shall be bound by these rules and by standards of reasonable conduct, whether covered by these rules and regulations or not.

Owners and residents may seek clarification and interpretation of any rule by contacting the Managing Agent. The Board of Directors will resolve any disputes with the rules in accordance with the provisions of the Condominium Property Regime and Hawaii state law and regulations.

The Managing Agent and Recreation Manager under the direction of the Board of Directors shall enforce these rules and regulations. The Managing Agent and Recreation Manager will try to resolve any problems as soon as possible. When necessary the Managing Agent will refer complaints to the Board of Directors for resolution.

Residents are responsible for ensuring that all members of their family, as well as their respective guests, comply with these rules and regulations. Owners are responsible for acquainting their families, guests, invitees, employees, tenants and agents with these rules and regulations and for taking steps as may be necessary to ensure that they comply with the requirements.

## **Section 1**

### **GENERAL RULES**

#### **1.1 Applicability**

These rules and regulations apply to all residents and their guests within Wailuna Recreation Association (WRA) facilities, parking areas and common elements.

#### **1.2 Use of Facilities**

All residents of AOA Wailuna, The Heights at Wailuna and The Crest at Wailuna, in good standing, are members of the Wailuna Recreation Association, and are eligible to use facilities at The Swim Club, Tot Lot, The Tennis Club and The Lodge. Non-resident owners and employees of the above-mentioned Associations are not entitled to use said facilities. Guests must be accompanied by the sponsoring resident.

#### **1.3 Noise and Disturbances**

Residents shall not make, or permit to be made, any disturbing or excessive noises in the recreation facilities, parking spaces or in the common elements. Residents will not permit their families, or their guests, to interfere with the rights, comforts, conveniences, and quiet enjoyment of other residents.

#### **1.4 Common Elements**

Common elements include the grounds, streets, roads, driveways, parking areas and structures of Wailuna Recreation Association. Common elements are managed by the Association. Use of the common elements by owners, residents, and their guests is subject to the WRA governing documents. The common elements shall not be obstructed and shall be used only for their respective purposes. The lawns around WRA buildings are common elements.

#### **1.5 Pets and Service Animals**

No livestock, poultry, rabbits or other animals whatsoever shall be allowed or kept in any part of Wailuna Recreation Association areas, except that dogs, cats and other household pets may transit recreation areas if they are on a leash or in appropriate pet carriers. As required by law, notwithstanding any other provision herein, visually impaired persons may keep certified seeing-eye dogs; hearing impaired persons may keep certified signal dogs; and physically impaired persons may keep certified service dogs with them while in recreation areas and may use such dogs as reasonably necessary to enjoy Wailuna Recreation Association facilities.

#### **1.6 Fireworks**

Use of fireworks of any type is prohibited within all Wailuna Recreation Association areas.

**1.7 No Smoking**

Smoking is prohibited in all Recreation Association facilities, including the Swim Club, Tennis Club, Lodge, and Tot Lot.

**1.8 Emergency**

In an emergency, residents should call 911 for the Pearl City/Aiea Police Department, Fire Department and Ambulance service. As soon as reasonably possible, the resident also should notify Wailuna Recreation Association Security at 282-7299, the Recreation Manager at 456-3020 and Associa Hawaii at 837-5211. If possible, the resident should watch for the emergency vehicle to arrive and guide it to the location of the emergency.

**1.9 Buildings and Landscaping**

The Board employs a team of gardeners, maintenance personnel and contractors, as necessary, to maintain the facilities, grounds and common elements in a continuing high standard of quality and appearance. These employees are the only persons authorized to change or modify the Wailuna Recreation Association buildings and landscaping.

**1.10 Parking**

Wailuna Recreation Association common elements include twelve parking spaces near the Swim Club and Tot Lot, and five spaces near the Tennis Club. These spaces will be clearly marked for Swim Club or Tennis Club parking. Parking in recreation area stalls is to be used only when residents or guests are within the facilities. Vehicles parked in violation of this rule will be cited for violation of WRA rules and may be towed without warning.

## Section 2

### FACILITY OPERATIONS AND MANAGEMENT

#### 2.1 General

The WRA Recreation Manager is responsible for day-to-day operation and maintenance of the recreation facilities. A list of the Recreation Manager's duties and responsibilities is included at Appendix A.

#### 2.2 Hours of Operation

Recreation areas are open as shown below. Residents and guests are not permitted in recreation areas when they are closed.

- a. Swim Club pool and spa: Open 8:00AM to 10:00PM daily. Clubhouse available for reservations 3:00PM to 10:00PM daily.
- b. Tennis Club courts: Open 7:00AM to 10:00PM daily. Clubhouse tables available for reservations 11:00AM to 10:00PM daily; the kitchen may be reserved between 3:00PM and 10:00PM daily.
- c. Lodge swimming pool and spa: Open 8:00AM to 10:00PM daily. Lodge meeting room and kitchen available for reservations 3:00PM to 10:00PM daily.
- d. Tot Lot: Open at 8:00AM and closes 30 minutes after sundown daily.

#### 2.3 Age Restrictions

For safety and health reasons, WRA facilities restrict the age of children with regard to use of the following facilities:

- a. Swim Club and Lodge swimming pools: Children under the age of 16 years must be accompanied by or supervised by an adult (18 or older).
- b. All spas: Children younger than 7 years are not allowed in the spas at any WRA facility. Children under the age of 16 years must be accompanied by an adult in order to enter any of the spas.
- c. Tennis Club entry: After 5:00PM, children under the age of 16 years must be accompanied by an adult.

#### 2.4 Reservations

The Recreation Manager is responsible for scheduling and coordinating all events. Reservations for the use of the Recreation facilities for an event must be submitted to the Recreation Manager, not more than 60 days and not less than three days in advance of the reservation for use during the months of January through November. Reservations will be accepted and confirmed in the order received on a first-come, first-serve basis. Residents are advised to call the Recreation Manager prior to filling out request forms to determine if facilities are available on their desired dates.

Because of the high demand for the facilities around year-end holidays, December reservations must be submitted prior to September 30th. It is suggested that applicants specify one or more alternate dates. A drawing will be held at the October Board Meeting for the December dates for which more than one request has been received. If an applicant does not obtain the chosen primary date, the application will automatically be placed into the drawing, if required, for the alternate date. After the drawing, December dates remaining open will be on a first-come, first-serve basis.

Reservation applications are available in a wall file adjacent to the front door of the Lodge, on the WRA web site. A damage/clean-up deposit of \$100.00 is required at the time the reservation is made. This deposit, minus any clean-up or damage charges will be returned following inspection by the Recreation Manager.

## 2.5 Event Conduct and Clean Up

Event reservations apply only to the picnic facilities and The Lodge building, and do not include the pools, spas, lawns and Tot Lot. Guests at approved events may use the pools and spas provided a lifeguard is present, but access to all facilities must remain open to all residents. The restrooms, water fountains and entries must be accessible at all times. No tables or other apparatus, including tents and inflatables may be placed on the lanai or lawn areas.

Wailuna Recreation Association does not provide lifeguard service, and all residents and guests use the pools and spas at their own risk. The host of any scheduled event must provide a certified lifeguard if the pools or spas are to be used. The Wailuna Recreation Association maintains a list of pre-approved lifeguards. If you plan to use one of the lifeguards on the pre-approved list, please provide their name with your reservation form. For lifeguards not on the preapproved list, a lifeguard certificate form must be provided with the registration form. The lifeguard must be on duty in the pool area at all times when guests are present.

The only cooking and heating equipment that may be used are the stove and gas grills provided by the Recreation Association, except for rice cookers, electric frying pans, warming pads, etc.

Trash must be removed from the kitchen and exterior facilities and disposed of in the appropriate dumpsters by the host. In the event that the cost of clean-up/damages exceeds the deposit, the host will be billed for the additional amount. If no damage occurred, clean up was satisfactory and host and guests departed by 10:00pm, the deposit will be returned.

The maximum number of guests at a reserved event at each facility is shown below:

- |                |    |
|----------------|----|
| a. Swim Club   | 35 |
| b. Lodge       | 50 |
| c. Tennis Club | 25 |

## 2.6 Guests

Except during reserved events, guests are limited to four per unit, and residents under the age of eighteen must have an adult household member with them, in order to bring guests into the facilities.

## **2.7 Glass Containers**

Glass containers or articles made of glass are not permitted within the facilities, with the exception of The Lodge building.

## **2.8 Entry To and Exit from Facilities**

Residents and guests shall enter the Swim Club, Tennis Club, and Lodge only through the gates using the FOB issued by the Wailuna Recreation Association. Climbing over walls or fences for any reason is prohibited. FOBs are the devices used in conjunction with a proximity reader to open the electronic locks. Electronic locks used in conjunction with FOBs are programmed to allow access only during the authorized hours of the facilities. Loss of electrical power, such as during a power outage, will disable the locks and allow for safe exit of the premises.

Use of FOBs will be construed as acceptance of these Rules and Regulations and consent to deactivation of a FOB in the event of a violation, as set forth herein. The FOB will be deactivated for any of the following reasons: (1) an owner is delinquent in Association dues; (2) a non-resident uses an owner's FOB, as observed by staff or via security system; (3) residents and/or guests engage in flagrant rules violations; or (4) vandalism of Association property.

Lost, stolen or misplaced FOBs must be reported to the Site Manager and will be deactivated from the system and replaced. Only resident owners or managing agents can obtain replacement FOBs for a nominal fee from the Wailuna Recreation Association Site Manager by calling 808-456-3020 and requesting an appointment.

## **2.9 Prohibited Items**

Bicycles, skateboards, roller skates and roller blades or any other wheeled vehicles are not permitted within the facilities or common areas. Strollers are permitted.

No audio equipment, such as radios, record players, CD players and televisions may be played within the facilities without the use of headsets or earplugs, except during the conduct of an approved event and only if it does not disturb other residents. Karaoke machines, live bands and amplifying equipment may not be used at the Swim Club, Tennis Club, or Lodge pool area. Live bands may be used within The Lodge building, but without amplification.

## **2.10 Furniture**

No outside furniture may be introduced into the facilities, and no Recreation Association furniture may be removed. Lodge furniture is not to be taken outside of The Lodge or used on the lanai or lawn.

## **2.11 Swimming Pool and Spa Rules**

Wailuna Recreation Association swimming pools follow all Department of Health requirements that apply to public swimming pools and spas; these rules are summarized below. WRA does not provide lifeguard service, and all residents and guest use the pools and spas at their own risk. Personal hygiene activities including but not limited to shaving and other grooming activities in the pools or spas is prohibited.



**Department of Health Public Swimming Pool Rules**

- (1) All persons using the public swimming pool shall take a cleansing shower bath before entering the public swimming pool. A bather leaving the public swimming pool to use the toilet shall take a second cleansing shower bath before returning to the public swimming pool
- (2) Any person having an infectious or communicable disease shall be excluded from the public swimming pool
- (3) Spitting, spouting of water, and blowing the nose in the public swimming pool shall be strictly prohibited
- (4) Infants and toddlers to prevent contamination of the public swimming pool shall use swim diapers
- (5) The public swimming pool shall be immediately closed for cleaning in the event of an accidental fecal or vomit discharge. All bathers shall leave the swimming pool until such substances are removed; and
- (6) Pets are not allowed in a public swimming pool

Wailuna Recreation Association augments the Department of Health requirements with the following rules:

- a. A certified lifeguard must be provided by the host of any scheduled event if the pools or spas are to be used.
- b. For health and safety reasons Children younger than 7 years are not allowed in the spas at any WRA facility. Children under the age of 16 years must be accompanied by an adult in order to enter any of the spas.
- c. Glass containers or articles made of glass are not permitted within the facilities, with the exception of The Lodge building.
- d. Smoking, including vaping is prohibited in the both swimming pool and spa areas.
- e. No food or drinks are allowed in the pools and spa.
- f. Pushing, running or scuffling is not permitted.
- g. Loud noise, shouting or yelling within the facilities is not permitted.
- h. For the safety and comfort of all residents, unnecessary splashing of water and "bombing" are not permitted. Diving, back dives, somersaults and twists into the pool are not permitted.
- i. All persons known to be, or suspected of being afflicted with an infectious disease, or suffering from a cough, cold, or who are wearing bandages (other than Band-Aids) shall be excluded from entering the pool and spas.
- j. No spitting, spouting of water or blowing of the nose in the pools and spas is permitted.
- k. All bathers must shower before entering pools or spas and all suntan oil and soap must be removed from the body prior to entering pools or spas.
- l. Only swimming devices strapped or fastened to a person's body are permitted in the pools and spas.
- m. The following devices are not permitted within the facilities: Balls, Frisbees, inner tubes, surfboards, kickboards, air mattresses, ride-on toys, noodles, swim fins and scuba diving equipment.
- n. G-string/thongs, walking shorts, cut-offs, pants or street clothes are not permitted in the pools and spas. Babies and toddlers must wear an infant swim diaper.

## 2.12 User Items

Users are required to remove all articles brought into recreation areas. The Recreation Association is not responsible for lost or stolen articles. The Site Manager may be contacted at 456-3020 to see if lost items may have been recovered or turned-in.

## Section 3

### MAINTENANCE FEES AND ASSESSMENTS

#### 3.1 General

Maintenance fees are collected and utilized by the Association to maintain the common elements, facilities and grounds. Each owner is required to pay his/her proportionate share on a timely monthly basis in accordance with the Wailuna Recreation Association governing documents. Units that are delinquent in maintenance fee payments will be denied use of the WRA facilities for any period during which any such assessments remain unpaid.

#### 3.2 Payment

WRA monthly maintenance fees are due and payable on the first (1<sup>st</sup>) day of each month. Payment shall be made to the Managing Agent of the resident's residential association. The Residential Association shall immediately pay over to the WRA's Managing Agent all fees and assessments. Payments are due to the WRA Managing Agent not later than the fifteenth (15<sup>th</sup>) of the month in which they are due.

#### 3.3 Late Fees

The Board may elect to charge a late fee when assessments are late. This fee will reimburse the Association for the cost of administering the delinquent account(s).

- a. When the delinquency (late payment) is the result of delay in payment of collected assessments to WRA by the Residential Association, WRA may elect to impose a \$100.00 late fee per occurrence on the Residential Association. The late fee policy also applies to any special assessments that may be lawfully levied against owners.
- b. When the delinquency (late payment) is the result of delay in payment or non-payment of assessments to the Residential Association by the owner, WRA may elect to impose a late fee on the owner. The late fee policy also applies to any special assessments

#### 3.4 Interest

The Board may elect to charge interest against any assessments unpaid more than 30 days from its due date in accordance with Hawaii Revised Statutes.

#### 3.5 Compound Charges Continuing Delinquency

Penalties or late charges are assessed monthly against unpaid balances, which may include any unpaid late fees. Owners with an account dispute should immediately notify the Managing Agent of the issue to avoid continuing penalties.

## Section 4

### Rules Enforcement

#### 4.1 Enforcement

All residents are encouraged to report violations of any of these rules they observe. All complaints and reports of violations should be directed immediately to the Managing Agent in writing or the Recreation Manager by telephone. Please provide the following information:

- a. Date offense occurred.
- b. Time of day offense occurred.
- c. Location where offense occurred.
- d. The offense committed.
- e. If known, the name and unit number of the responsible owner or person.

#### 4.2 Penalty System

Owners will be subject to financial penalties (fines) for their violations and for violations by their tenants, invitees, employees, or guests of these rules and the Wailuna Recreation Association governing documents. Residents and/or owners shall immediately correct any discrepancies or violations.

The following penalties apply to violation of event rules:

<u>Violation</u>	<u>Penalty</u>
Non-compliance with event hours	\$100
Use of swimming pool with no lifeguard	\$100 plus loss of use for 60 days
Dirty kitchen or bathrooms	\$50
Dirty swimming pool or spa	\$50
Damage requiring drain, clean and refill swimming pool	\$500
Failure to pick up and dispose of trash	\$25
Damage to plumbing or facilities	Cost of repair plus \$25

Penalties for violation of other rules and regulations are

- |                   |                               |
|-------------------|-------------------------------|
| a. First Offense  | Warning letter                |
| b. Second Offense | \$ 100.00                     |
| c. Third Offense  | Loss of access to facilities. |

Residents with ongoing violations (i.e., violations that continue for more than sixty (60) days), will lose access to the facilities by having their FOB disabled (for a period not to exceed sixty (60) days) and will be referred to the Association's attorney for resolution, including, but not limited to, the institution of legal action. Owners will be liable for all legal expenses incurred by the Wailuna Recreation Association in enforcing the Wailuna Recreation Association governing documents and these Rules and Regulations.

In cases where a flagrant violation occurs which affects the common good or health and safety of residents, the Board may assess a financial penalty of up to \$500.00 or refer the matter to the Association's attorney immediately.

Owners or residents who have been fined are allowed the opportunity to be heard at the next regular meeting of the Board of Directors if they request to appear prior to said meeting. The appellant will be given an opportunity to present defenses and supporting evidence. If the appellant wishes a further hearing, the decision of the Board may be further appealed to an Appeals Committee consisting of three (3) apartment owners of which one each shall be selected by the appellant and the Board and the third selected by the two apartment owners. The findings of the Appeals Committee shall be final. If the appellant is not an owner, the owner or the owner's agent shall be required to be present at all meetings.

Adopted, July 31, 2021

By the Board of Directors of the WAILUNA RECREATION ASSOCIATION

## IMPORTANT PHONE NUMBERS

Important notes:

1. Report break-ins, theft, vandalism, or other crimes to both Wailuna Recreation Association Security and Honolulu Police. **Call 911 during daytime hours when Security is not on site.**
2. Report noise, loud parties, **rules violations** or other disturbances to Wailuna Security Patrol.

<b>Agency, Organization, Contact</b>	<b>Phone / Fax / email</b>
Fire, Police, Ambulance	Phone: 911
<b>Wailuna Security Patrol</b>	<b>Phone: 282-7299</b>
Recreation Manager - Jojee Mougín	Phone: 456-3020 Email: <a href="mailto:wra1856@gmail.com">wra1856@gmail.com</a>
Wailuna Recreation Association Associa Hawaii - Michelle “Mimi” Bruhn, Community Manager	Phone: 629-7117 Fax: 888-608-4021 After hours Emergency only (fire/flood) 1-800-241-5255 Email: <a href="mailto:info@associahawaii.com">info@associahawaii.com</a> Web site: <a href="http://www.AssociaHawaii.com">www.AssociaHawaii.com</a>
AOAO Wailuna R Managing Agent: Hawaiiana Management -Rocksford Takamatsu	Phone: 593-9100 After hours emergency: 533-3116 Web site: <a href="http://www.hmcmgt.com">www.hmcmgt.com</a>
The Heights at Wailuna Managing Agent: Hawaiian Properties -David Simpson	Phone: 539-9577 Email: <a href="mailto:davids@hawaiianprop.com">davids@hawaiianprop.com</a> Web site: <a href="http://www.hawaiianprop.com">www.hawaiianprop.com</a>
The Crest at Wailuna Managing Agent: Hawaiian Properties -Kanani Kaopua	Phone: 539-9501 Email: <a href="mailto:kanaik@hawaiianprop.com">kanaik@hawaiianprop.com</a> Web site: <a href="http://www.hawaiianprop.com">www.hawaiianprop.com</a>