

PART II: CULPIN RECREATION CENTER USE PRIVILEGES AND RULES

II.A. GENERAL RECREATION CENTER USE PRIVILEGES AND RULES

- II.A.1 Recreation Center.** EP's Culpin Recreation Center, which consists of the Clubhouse, Swimming Pool, Tennis Court, Racquetball Court, parking lot, and adjacent common areas, is owned by EPCSA and is operated and insured solely for the use and enjoyment of its members, their tenants, members' and tenants' resident family members, and guests at their own risk.
- II.A.2. No commercial activity.** No commercial activity of any kind is permitted on the Recreation Center's premises.
- II.A.3. Failure to abide by rules.** Failure of an EPCSA member, the member's tenant, a member's or tenant's family members, and/or their guests to abide by the following rules of the Recreation Center and its component facilities, and any disruptive behavior or damage/abuse of the facilities, may result in cancellation of Recreation Center privileges for that member by the EPCSA Board of Directors and revocation of the member's access key card. Should a member lend the card to anyone and that person violates these rules, the member to whom the access key card was issued is responsible for their behavior and any consequent cost to EPCSA. Written complaints will be addressed by the Board.
- II.A.4. Key cards.** EPCSA members may not lend their access key cards to anyone but an immediate family member who lives in the home with them. If a member provides the access key card to his/her tenant, the tenant may not lend the access key card to anyone but an immediate family member who lives in the home with the tenant.
- II.A.5. Access.** An EPCSA member, the member's tenant, or a member's or tenant's resident family members or houseguests may use the Recreation Center facilities unaccompanied. The EPCSA member or member's tenant must accompany all other guests when they are using any of the Recreation Center facilities.
- II.A.6. Children.** Notwithstanding the provisions of #II.A.5 above, all children age 14 or under must be supervised at all times by an adult resident family member or houseguest of an EPCSA member or the member's tenant when using any of the Recreation Center facilities.
- II.A.7. Alcoholic beverages.** EPCSA will not purchase or provide alcoholic beverages for consumption in Recreation Center facilities. Members, tenants, and adult family members may not provide alcoholic beverages to underage persons on the premises of Recreation Center facilities.
- II.A.8. Unauthorized use.** Unauthorized use of the Recreation Center and its component facilities constitutes trespassing and will be dealt with by law enforcement. EPCSA is not responsible for any adverse consequences of unauthorized use.

II.A.9. Use Privileges

a. *EPCSA Members*

- (i) The privileges of Recreation Center membership and use are automatically extended to all EPCSA members – defined in the *Amended Declaration of Covenants and Restrictions for the Estancia Primera Community* (“*Amended Declaration*”) as all Owners of homes or unbuilt lots in EP – who are in good standing (i.e., when the member’s assessment payments are current and the member is not currently in violation of any provision of EPCSA’s “Governing Documents”).
- (ii) Recreation Center membership and use privileges cannot be transferred or donated to a third party. They are strictly limited as provided in these rules.
- (iii) The Board reserves the right as provided by Article VI, Section 7 (b) of the *Amended Bylaws of Estancia Primera Community Services Association* to cancel the Recreation Center membership and use privileges of any member or member’s tenant who misuses or damages the facilities or disregards these rules or the specific rules for the Recreation Center’s component facilities.
- (iv) One (1) Recreation Center gate access key card for each EP property has been provided by EPCSA to the property’s owner, and only one such card is permitted for each property. When a property is sold, the key card is to be transferred from the seller to the purchaser. Lost or stolen cards should be reported to the Recreation Center Manager so the missing key card can be cancelled. Regardless of the circumstances, if a member needs a replacement card, EPCSA will issue one after payment of the fee of \$50.00.

b. *Tenants of EPCSA homes*

If an EPCSA member wishes to permit a tenant to use the facilities, the member should provide the access key card to the tenant. The member remains responsible for the access key card issued to that member.

c. *Family Members and Guests of EPCSA Members or Members’ Tenants*

Complimentary use of the facilities is extended to the member or member’s tenant’s family members and guests. The member is responsible for the behavior of the card users and any family members and guests of that user as stated in #II.A.3.

d. *Pets prohibited*

Only properly registered and certified service animals are allowed in the Recreation Center facilities. All other pets and animals are prohibited at all times.

#II.A. approved April 18, 2018

II.B. CLUBHOUSE USE PRIVILEGES AND RULES

II.B.1. Clubhouse Use Privileges

a. *Who Can Use the Clubhouse*

An EPCSA member or a member's tenant may reserve the Clubhouse facility of the Recreation Center for exclusive personal use, or for the exclusive use of a noncommercial organization or entity in which the EPCSA member or tenant, or an adult family member who lives in the EPCSA member's or tenant's home, is a member. That member of the organization must be present for the entirety of the event in the Clubhouse and the event must not be a profit-making or revenue-generating activity. This does not preclude use by a nonprofit organization that has membership dues, or that charges a modest fee for attending the event to defray the event's costs.

b. *Reservations and Fee for Clubhouse Use and Responsibility for Compliance with Clubhouse Rules and for Cleanup After Use*

- (i) Reservation of the Clubhouse is on a "first-come, first-served" basis. The clubhouse may not be reserved for personal use on summer holidays.
- (ii) Except in the case of fee-exempt groups (see below), a nonrefundable use fee from options below must be paid in advance by check payable to "EPCSA" presented to the Clubhouse Events Coordinator appointed by the Board of Directors (or, in the case of his/her unavailability, to the EPCSA President) by the EPCSA member or tenant reserving the Clubhouse regardless of the nature of the event for which it is being reserved. A separate fee must be paid for each calendar date on which an EPCSA member/tenant wishes to reserve the Clubhouse. The Clubhouse Events Coordinator will transmit all user fee checks to the EPCSA Treasurer.

Use Fee Options:

Option 1 (food/beverages served):

2 hours or less \$25.00

2-4 hours \$50.00

4 hours or more \$75.00

Option 2 (no food/beverages served):

2 hours or less \$ 0.00

2-4 hours \$25.00

4 hours or more \$50.00

Option 3 (no food/beverage served):

A per person fee of \$2.00

- (iii) When the Clubhouse Events Coordinator receives a request for a reservation subject to the appropriate use fee, he/she will inform the reservee that the event will be scheduled in the Events and Activity Calendar on the EPCSA website as "tentative" with the date of the request shown in parentheses and that the status of the reservation will be changed to "confirmed" when payment is received. If payment is not received in ten calendar days from the date of the request, the tentative reservation will be deleted. When payment is received, the Clubhouse Events Coordinator will confirm the reservation and provide the reservee with a checklist containing the nine cleanup requirements of Rule II.B.2 (see below) and indicate that a

cleaning fee will be imposed on the EPCSA member/tenant who reserved the Clubhouse if the requirements are not complied with (See attached template email and checklist following II.B.1). The reservee will be required to complete, sign, and leave the checklist for the Recreation Center Manager prior to departure from the Clubhouse after its use.

- (iv) Each confirmed reservation on the EPCSA website will be in the name of the EPCSA member or member's tenant who made the reservation.
- (v) Whether the EPCSA member or member's tenant making a Clubhouse reservation will be hosting a personal event or is reserving the Clubhouse for the use of an organization or entity in which he/she, or an adult family member who lives in his/her EP home, is a member (see paragraph a. above), that member or member's tenant will be responsible for the event, for compliance during the event with all Rules for Clubhouse Use (see subsection II.B.2. below), and for the condition of the Clubhouse after its use.
- (vi) The following groups, entities, and meetings are not subject to the use fee as prescribed in #II.B.1.b. (ii):
 - (a) EPCSA Board of Directors and its committees and subcommittees.
 - (b) EPCSA Architectural Review Board.
 - (c) Meetings of EPCSA, including its Annual Meeting.
 - (d) Official meetings of EP neighborhood/subdivision homeowners' associations and their committees and subcommittees and architectural committees.
 - (e) EP Women's Group (EPWG)
 - (f) Each of the nine EPCSA neighborhood subdivisions may hold an annual party/social gathering at the Clubhouse without a fee being charged. Each event will only qualify for the fee exemption if every owner and/or resident in the neighborhood receives an invitation to attend. The Clubhouse reservation needs to be made by an individual property owner in the neighborhood subdivision that will hold the party/social gathering. This owner's name will be shown in the EPCSA Events calendar as the organizer, and he/she will be responsible for ensuring compliance with all clean-up and other requirements in Rule II.B.2 of the Book of Resolutions.
 - (g) The \$75 use fee will not be waived for any other groups, entities, or meetings without prior approval of the EPCSA Board of Directors.

c. Occupancy Limit

As provided in a ruling by a Santa Fe Fire Department inspector, the occupancy limit for the Clubhouse is 100 persons.

d. Hours of Availability

The Clubhouse is available for use and reservation between the hours of 9:00 a.m. and 10:00 p.m. every day of the year. By special prior arrangement with the Recreation Center Manager, evening use may be extended after 10:00 p.m. but not beyond midnight.

e. *Extent of Reservation*

A reservation of the Clubhouse for exclusive use does NOT include the swimming pool or pool area, the tennis court, or the racquetball court. It includes the conference/meeting area, the kitchen, and the Clubhouse restroom facilities.

ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION (EPCSA)
CLUBHOUSE RESERVATION CONFIRMATION FORM AND POST-EVENT
CLEANUP CHECKLIST

Dear _____ (Name of EP Owner/Tenant Reserving Clubhouse)

I wish to confirm your Clubhouse reservation for _____ (Date of Reservation) for the period _____ (Hours of Reservation). Your event is now shown as “confirmed” in the Events and Activities Calendar on the EPCSA website.

Please note that all individuals, entities, and groups reserving the Clubhouse must comply with Rule II.B.2 (Rules for Clubhouse Use) in the EPCSA Book of Resolutions (<https://estanciaprimer.org/about-estancia-primer/>). Among other requirements, users must return the Clubhouse to the condition in which they find it prior to their event. I am attaching a checklist of cleanup activities that need to be completed prior to your departure from the Clubhouse on the date of your event or no later than 2:00 pm on the day after your event if you decide to contract with a Cleaning Service. Please complete, date, and sign the checklist and leave it for the Recreation Center Manager.

Please note that if all items in the attached checklist are not completed you will be assessed a \$75 fee to cover the cleaning costs.

Sincerely,

(Clubhouse Events Coordinator)

(Date)

Form approved October 8, 2021

ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION (EPCSA)
CLEANUP CHECKLIST TO BE COMPLETED AFTER EVENTS

When an event has concluded, it is the user’s responsibility to ensure that the following procedures are completed before departure on the date of Clubhouse use, or, if a contract cleaning service is used, are completed no later than 2:00 p.m. the day after the event. Please place a check mark against each item to indicate its completion:

- (i) All floors have been swept. (Brooms and other supplies are in the closet at the end of the hallway near the men’s room and/or in the chair closet.) _____
- (ii) All dirty/used dishes and utensils have been washed and returned to the cabinets or drawers from which they were originally taken, and all countertops have been cleaned. _____
- (iii) All items brought into the Clubhouse, including any placed in the refrigerator, have been removed from both the refrigerator and the Clubhouse. _____
- (iv) All kitchen and other Clubhouse trash/garbage cans have been emptied, and the contents (all must be in trash bags that have been tied closed) have been placed in the City of Santa Fe trash bins on the Clubhouse’s northwest patio. _____
- (v) A clean/empty trash bag (boxes of trash bags are located under the kitchen sink or in the hallway closet) has been placed in the kitchen and each other Clubhouse trash/garbage can. _____
- (vi) All chairs and card tables have been returned to the same place where they were found. (This includes placing six card tables – two rows of three tables side-by-side – surrounded by 10 chairs in the center of the meeting room.) _____
- (vii) All lights have been turned out. _____
- (viii) The thermostat, if adjusted up for the event to 70 degrees during cold weather (the Clubhouse has no air conditioning), is reset to 62 degrees. _____
- (ix) The Clubhouse doors have been locked, and the building alarm reset if/as directed by the Recreation Center Manager.

COMMENTS: _____

(Signature of Individual who Reserved Clubhouse)

(Date)

PLEASE LEAVE COMPLETED FORM FOR THE RECREATION CENTER MANAGER

Form approved October 8, 2021

II.B.2 Rules for Clubhouse Use

- a. SMOKING OR OPEN FLAMES ARE NOT PERMITTED IN THE CLUBHOUSE, except that candles and a fire in the fireplace are permitted. In any event, the decorative candles provided by EPCSA may not be used.
- b. If any alcoholic beverages are served, the reserving EPCSA member accepts all responsibility and liability pertaining to the use or abuse of those beverages, and the responsibility to ensure that—
 - (i) None is served to any person not of age to legally consume such beverages;
 - (ii) Any guest who appears to be intoxicated is denied the ability to consume additional alcoholic beverages; and
 - (iii) Any guest who appears to be possibly intoxicated is dissuaded from driving upon his/her departure and alternative transportation is provided to him/her.
- c. When an event has concluded, it is the user's responsibility to ensure that the following procedures are completed before departure on the date of Clubhouse use, or, if a contract cleaning service is used, are completed no later than 2:00 p.m. the day after the event:
 - (i) All floors have been swept. (Brooms and other supplies are in the closet at the end of the hallway near the men's room and/or in the chair closet.)
 - (ii) All dirty/used dishes and utensils have been washed and returned to the cabinets or drawers from which they were originally taken, and all countertops have been cleaned.
 - (iv) All items brought into the Clubhouse, including any placed in the refrigerator, have been removed from both the refrigerator and the Clubhouse.
 - (v) All kitchen and other Clubhouse trash/garbage cans have been emptied, and the contents (all must be in trash bags that have been tied closed) have been placed in the City of Santa Fe trash bins on the Clubhouse's northwest patio.
 - (vi) A clean/empty trash bag (boxes of trash bags are located under the kitchen sink or in the hallway closet) has been placed in the kitchen and each other Clubhouse trash/garbage can.
 - (vi) All chairs and card tables have been returned to the same place where they were found. (This includes placing six card tables – two rows of three tables side-by-side – surrounded by 10 chairs in the center of the meeting room.)
 - (vii) All lights have been turned out.
 - (viii) The thermostat, if adjusted up for the event to 70 degrees during cold weather (the Clubhouse has no air conditioning), is reset to 62 degrees.
 - (ix) The Clubhouse doors have been locked, and the building alarm reset if/as directed by the Recreation Center Manager.
- d. Failure to fully comply with all aspects of #II.B.2. c. will result in the EPCSA member or tenant who reserved the Clubhouse being assessed an additional \$75

fee to cover cleaning costs. The Recreation Center Manager will make this determination when visiting the Clubhouse after the event and will inform the Clubhouse Events Coordinator or the EPCSA President accordingly.

- e. The EPCSA member or tenant who reserved the Clubhouse will be assessed the full cost of any repairs that are required as a result of damage caused during the period of his/her reservation.
- f. Please contact the Recreation Center Manager – [name] ([email address] or [phone number]) – to advise if any problems or issues were encountered during Clubhouse use, or if any kitchen or bathroom supplies are needed.

#II.B. approved July 14, 2023;; earlier versions approved October 8, 2021 and April 18, 2018

II.C. SWIMMING POOL USE PRIVILEGES AND RULES

II.C.1. Pool Use Privileges

- a. Pool hours are 9:00 a.m. to 9:00 p.m. between Memorial Day and Labor Day. Individual adult owners (or resident adult family members) may swim between 7 and 9 am by prior arrangement with the Recreation Center Manager. Anyone swimming before 9 am must be respectful of those who live close to the pool and avoid loud noise. Early morning access for any children, guests, or any groups of adults that by the nature of group interaction would cause additional noise in the early hours is not allowed.
- b. The Recreation Center Manager or other person authorized by the Board may close the pool during usual operating hours or days because of inclement weather, for maintenance, or for other necessary reasons.
- c. Restrooms and showers are open during pool hours.
- d. The pool cannot be reserved for exclusive use by any EPCSA member or his/her tenant.

II.C.2. Rules for Swimming Pool Use

- a. *No Lifeguard – All Swimmers Swim at Their Own Risk.* All persons swimming in or entering the pool acknowledge that no lifeguard is present and accept the responsibility and liability for use of the pool and for any accident or injury that occurs to him/her during that use. Any adult responsible for the care of a minor who permits the minor to swim or enter the pool acknowledges that no lifeguard is present and accepts all responsibility and liability for use of the pool by the minor and for any accident or injury that occurs to the minor during use.
- b. *Call 911 in the event of any emergency or threatening situation.* There is an outside phone for emergency use only near the shower/restroom door.

- c. Each member, member's tenant, or member's or tenant's resident family member or houseguest who uses the pool is required to enter his/her name, access key card number, and number of guests (if applicable) in the sign-in book located on the table under the entry portal.
- d. Every person who swims must shower before entering the pool.
- e. Swimmers must always wear appropriate swimming attire. Long hair must be securely tied or placed in a swimming cap.
- f. It is MANDATORY that any child under two (2) years of age entering the pool wear a watertight disposable diaper.
- g. NO glassware of any kind and NO glass bottles and NO food or alcoholic beverages are permitted in the pool area. Food and drinks may be served and consumed only on the raised patio area.
- h. NO loud music may be played in the pool area by means of any device or instrument.
- i. NO diving into the pool is allowed – the pool is only five feet deep.
- j. Do not sit, stand, or walk on the pool cover or its frame.
- k. Climbing on pool fences is prohibited.
- l. NO large flotation devices are permitted in the pool.
- m. A towel must be placed over the pool furniture at all times when a person is sitting or lying on the furniture to prevent stains from sunscreen.
- n. Whenever a person in the pool area has opened an umbrella or used one already open, he/she must carefully close it when departing the pool area.
- o. When a person departs the pool area, he/she MUST either remove everything (including containers and wrappers of food and beverages consumed/used on the raised patio area) that he/she and any guests brought into the area or place it in a trash receptacle.
- p. NO PETS OF ANY KIND, INCLUDING SERVICE ANIMALS, ARE PERMITTED IN THE SWIMMING POOL

#II.C. approved July 14, 2023; earlier versions approved July 9, 2021 and April 18, 2018

II.D. TENNIS COURT USE PRIVILEGES AND RULES

- II.D.1.** The tennis court is to be used only for playing tennis. No other use is allowed.
- II.D.2.** In order to reserve the tennis court, an EPCSA member, a member's tenant, or a member's or tenant's resident family member must sign up online; instructions are provided on the Estancia Primera web site. Anyone using the court without a reservation must relinquish it to a person who reserved it at the reserved time.
- a.* Reservations may be made at a least 24 hours in advance for up to 3 times (1.5 hour increments) per week for up to two months in advance on the first of each month (for example, on April 1 reservations can be made through the end of May; on May 1, reservations can be made through the end of June, etc.).
 - b.* Reservations may be made at the same playing time each day for up to two days each week in order to allow others access to desirable time on the courts. The third reservation should be at a different time but not less than 1 hour from the time of the other two reservations.
 - c.* Contiguous reservations may not be made on the same day.
 - d.* Same day use of the courts for unreserved slots is on a first-come basis.
- II.D.3.** Only tennis shoes may be worn on the court. Street shoes and dark-soled athletic shoes are not permitted.
- II.D.4.** When a person departs the tennis court, he/she MUST either remove everything (including food and beverage containers and wrappers) he/she and any guests brought into the area or place it in a trash receptacle.
- II.D.5.** When playing on the court before 9:00 a.m., players must be respectful of those who live close to the court and avoid loud noise.
- II.D.6.** Do not prop the gate open before, during, or after using the court.

#II.D. approved July 10, 2020; earlier version approved April 18, 2018

II.E. RACQUETBALL COURT USE PRIVILEGES AND RULES

- II.E.1.** The racquetball court is to be used only for playing racquetball. No other use is allowed unless the ESPCA Board of Directors approves an exception.
- II.E.2.** In order to reserve the court, an EPCSA member, a member's tenant, or a member's or tenant's resident family member must sign up online; instructions are provided on the Estancia Primera web site. Anyone using the court without a reservation must relinquish it to a person who reserved it at the reserved time.
- a.* Reservations may be made at a least 24 hours in advance for up to 3 times (1.5 hour increments) per week for up to two months in advance on the first of each

month (for example, on April 1 reservations can be made through the end of May; on May 1, reservations can be made through the end of June, etc.)

- b.* Reservations may be made at the same playing time each day for up to two days each week in order to allow others access to desirable time on the courts. The third reservation should be at a different time but not less than 1 hour from the time of the other two reservations.
- c.* Contiguous reservations may not be made on the same day.
- d.* Same day use of the courts for unreserved slots is on a first-come basis.

II.E. 3. Only tennis shoes may be worn on the court. Street shoes and dark-soled athletic shoes are not permitted.

II.E.4. When a person departs the racquetball court, he/she **MUST**—

- a.* either remove everything (including food and beverage containers and wrappings) he/she and any guests brought into the area or place it in a trash receptacle;
- b.* turn off the court's lights and the lights in the court access hallway; and
- c.* set the building alarm if/as so directed by the Recreation Center Manager.

#II.E. approved July 10, 2020; earlier version approved April 18, 2018