

Cedar Creek Swim & Racquet Club (CCSRC) Swim At Your Own Risk (“SAYOR”) ADULT SAYOR EXCEPTION Waiver, 2023

The CCSRC Board of Directors and Committee Chairpersons offer two types of SAYOR programs for the CCSRC membership households and are outlined in this waiver and herein referred to as

“all CCSRC SAYOR programs”: Adult SAYOR & Family SAYOR

The CCSRC Board takes the responsibility for these programs very seriously and reserves the right to cancel any or all of them at any time and for any reason. This waiver is extensive by design and is required to protect CCSRC in the event of an accident happening during an CCSRC SAYOR program. A signature is required by all adult participants (with any minors listed), to ensure that members and guests recognize the seriousness of participating in SAYOR privileges.

Participants’ CCSRC membership **must be in good financial standing** to participate. The accounting records will be reviewed before the gate key-card access hours are changed to reflect SAYOR participation.

Violation(s) of the published SAYOR rules may result in loss of participation in the program for the current swim season or disciplinary action for the CCSRC member, which could lead to the household-membership being warned, suspended, or terminated.

SAYOR HOURS

May 8th to September 30th, every day, when lifeguards are not on duty

Adult SAYOR: 6:00 am - 9:00 am (some Saturdays 6:00 am - 10:00 am)

Family SAYOR: 9:00 am - 10:00 pm (some Saturdays 10:00 am - 10:00 pm),
when lifeguards not on duty and swim team is not in session

All SAYOR is prohibited during swim team practice hours and home swim meets (see <https://www.cedarcreekstingrays.com> for swim team schedule)

SPECIFICS FOR EACH PROGRAM

(Must also abide by general SAYOR rules stated in this document)

1. Adult SAYOR

CCSRC members 18+ years or older may swim at their own risk during unguarded hours

- Hours:** 6:00 am - 9:00 am (some Saturdays 6:00am-10:00am, see calendar)
- Guest Rule: CCSRC member heads-of-household** (max. 2 per membership) may have up to 1 guest over the age of 18, per day/per membership, during Adult SAYOR. Guests cannot accompany members more than 3 times per month.
- Guest Rule: CCSRC member NON-heads-of-household 18+ years of age** may have up to 1 guest over the age of 18, per day/per membership, during Adult SAYOR. Guests cannot accompany members more than 3 times per month.
- Head-of-household AND GUEST** must sign the SAME waiver and submit on the same day or day before visit, waivers can be signed and submitted immediately upon entering pool area
- Non-head-of-household members (18+ years) and GUEST:** Head-of-household & guest must sign the SAME waiver & submit on the same day or day before visit. Waiver can be submitted via email or text. **YOU MUST RECEIVE CONFIRMATION BEFORE ENTERING POOL.**
- Member will be responsible for the behavior of their guest.
- Guest must be present with their CCSRC host at all times and must leave when their host leaves.
- Guest is not allowed to visit the pool more than three (3) times a month regardless of guarded or non-guarded hours, unless operating as an adult caregiver to member.
- Exceptions may be granted on a case-by-case basis for individuals under 18 year old for Adult SAYOR. See “Adult SAYOR Exception Waiver” found on ccsrc.org.

GENERAL SAYOR RULES

- Members will adhere to the SAYOR rules and times posted as well as all regular CCSRC pool rules which can be found on ccsrc.org.
- Members agree to use gate key-card or gate code for their own personal use and shall not share it with other members, non-members, or guests; this includes not opening gate for other SAYOR attendees.

- Gate must be kept closed at all times after entering and upon leaving pool area.
- Unattended solo swimming is not recommended. There should be at least one other person in the fenced pool area capable of summoning help if needed.
- Members will clean up after themselves and leave the bathroom and pool area in order before exiting the fenced pool area.
- A lifeguard must be secured through Swim Atlanta for pool parties. A party is 5 or more guests.
- Diving board rules must be strictly adhered to.
- Use of Swim Team diving blocks is strictly prohibited.
- Shallow diving (water less than 8 feet deep) is strictly prohibited.
- Members will make sure all pool gates and clubhouse doors close behind them at all times.
- Members will close & lock parking lot gate if they are the last to leave, regardless of time of day.
- Anyone entering pool area without a signed waiver on record is considered trespassing.

Hold Harmless and Indemnification Agreement

Under the terms of this agreement, in exchange for the opportunity and privilege to participate in **all CCSRC SAYOR programs** and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the signer does hereby release, hold harmless and forever discharge Cedar Creek Swim and Racquet Club and/or Cedar Creek Association, including their board of directors, committee chairpersons/members, club members, and insurance companies from any and all claims, demands, damages, and causes in action arising out of and relating to any and all injuries and damages of any and all kind, to both person and property, and also any and all injuries and damages that may result in the future as a result of or in any way relating to use of the pool, pool deck, pavilion or clubhouse while participating in **all CCSRC SAYOR programs** and being inside the pool fencing during times when a lifeguard or lifeguards are not present. It is fully understood and agreed that this agreement is made and received in full settlement and satisfaction of any and all past, current, and future causes of actions, claims, and demands mentioned herein: that this Release contains the entire Agreement between the parties; and that the terms of this Agreement is contractual and not merely recital. Furthermore, this Release shall be binding upon the undersigned and their respective heirs, executors, administrators, personal representatives, successors, and assigns. This Release has been read and fully understood by the undersigned. The participant has been advised, and given adequate opportunity, to consult with their own legal counsel regarding this agreement prior to signing.

Participant will hold harmless and indemnify CCSRC against any and all claims and actions arising out of the participation of the Participant in **all CCSRC SAYOR programs** including, without limitation, to expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with any liability, suit, action, loss, or damage arising or resulting from the Participant's participation in **all CCSRC SAYOR programs**. Where prohibited by law, the above indemnification does not include indemnification of CCSRC against a claim caused by the negligence or fault of CCSRC, its agent or employee, or any third party under the control or supervision of CCSRC, other than the Participant or its agent, employee or subcontractors. In the case of a criminal proceeding, Participant will indemnify CCSRC against all amounts including, without limitation, expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by CCSRC.

Risk Acknowledgement

In consideration of my participation, I certify that I am in good health and have no physical or other impediment(s) which would endanger me while participating in these activities and that I have been released and authorized by my doctor to participate in the activities of swimming at my own risk. I acknowledge and agree that these activities (being inside the pool gates without a lifeguard present) have inherent risks. I have full knowledge of the nature and extent of all the risks associated with these activities that can include serious injury, head injuries, paralysis and/or death: swimming can result in serious injury and death from diving incidents, diving off of a diving board, drowning, incidents with other swimmers, and falls on deck, etc. I knowingly and freely assume all such risks.

In consideration of my participation in these activities, I hereby (on behalf of myself, my legal representatives, parents, heirs, executors, administrators, and assigns) release and forever discharge the Cedar Creek Swim and Racquet Club/Cedar Creek Association, including its officers, directors, volunteers, employees, members, agents, etc. from and relinquish and forever waive any and all claims and causes of action arising out of my participation in swimming at my own risk for negligence, gross negligence, and such other actionable conduct resulting in personal or bodily injury, property damage, or death.

SIGNATURE PAGE- ADULT SAYOR EXCEPTION
(to be turned in to Pool Committee Chairperson - see bottom of page)

By signing this waiver, the signer confirms that they have read the entire CCSRC SAYOR waiver form (2023), agree with its contents, and wish to obtain an exception to the Adult SAYOR rules that will allow an individual under the age of 18 years to use of the pool during Adult SAYOR hours with an CCSRC member-parent or a Swim Coach present. I understand this is for competitive training and swimming laps ONLY. I also understand that I must be able to SWIM THE FULL LENGTH OF THE POOL, UNASSISTED IN ANY WAY, in order to participate. No Guests can accompany minors during Adult SAYOR.

I confirm I am an CCSRC member under 18 years old:

Key Fob # _____ Printed Name _____ D.O.B. _____

Address _____

Cell Phone _____ Email _____

Signature _____ Date _____ / _____ / 20_____

Adult SAYOR exception will be considered after fulfilling some or all of the following:

Adult Coach or Parent that will be present at all times (18+ years only)

(Printed name, Signature, Relationship/Team Affiliation)

1. _____

2. _____

Permission granted by your own CCSRC-member head(s)-of-household (parent(s)/guardian(s))

(Printed name, Signature, Relationship)

1. _____

2. _____

Need for use (please provide a short explanation)

PRINT AND SUBMIT THIS PAGE ONLY

For gate code or key-fob access hours to be extended, thus allowing your minor child(ren) to participate during Adult SAYOR hours, this waiver permission page must be delivered to the pool chair, Joshua Wold, 902 Angevine Ct, Lilburn, 30047. Upon approval by the CCSRC Pool Chair or President, you will be notified in person, by email, or phone. You can call, text, or email Joshua Wold with any questions at 404-764-8210 or jwold81@gmail.com.

Approval granted by CCSRC President or Pool Committee Chairperson (Signature, Position, Date)