



Villages of
Kapolei
Association

Recreation Center Rules

A. Definitions

Unless the context in these rules otherwise specifies or requires, the terms defined in this paragraph A shall for all purposes of these rules have the meanings herein specified:

1. Association or “VOK” – the Villages of Kapolei Association, a Hawaii nonprofit corporation organized pursuant to article VII of the DCC&R, and its successors and assigns.
2. DCC&R – the Declaration of Covenants, Conditions & Restrictions for the Villages of Kapolei Association filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1752834, as amended and restated from time to time.
3. Guest – any person residing in the Villages of Kapolei as an invitee of a homeowner or renter on a continuous or daily basis during the period for which guest privileges are requested.
4. Homeowner – a person, corporation, partnership or other legal entity who is the owner of the fee simple interest in any lot. In the event of an agreement of sale, the vendee will be considered the homeowner for purposes of these Recreation Center Rules.
5. Membership I.D. card or VOK membership I.D. card – an I.D. card issued by the Villages of Kapolei Association to persons who are authorized to use the recreation center.
6. Lot or VOK Lot – any residential lot within the private area designated for residential use on a subdivision map; any apartment in a condominium within the private area. For purposes of this definition, the term “private area” shall have the same meaning as set forth in the DCC&R.
7. Renter – any person residing on a Villages of Kapolei lot as lessee under a residential lease for the lot.
8. Villages of Kapolei – The planned urban community developed on the property as described in Sections 1.01, 1.02, and 1.03 of the DCC&R and in any annexation declaration recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii.
9. Villages of Kapolei Recreation Center Member – any homeowner, renter, or guest who possesses a VOK homeowner, renter, or guest membership card issued to said member.
10. Visitor – a person who is a guest of a homeowner or renter, but does not have a guest membership I.D. card.
11. VOK Recreation Center or Recreation Center – the recreation center situated on Kama’aha Loop dedicated to the Association by the Housing Finance & Development Corporation.
12. VOK Staff Members – employees of the Association whose duties relate to the administration and/or operation of the VOK Recreation Center.

The fact that the defined terms may not be capitalized in certain portions of the text of these Recreation Center Rules shall not change their meanings.

B. Membership I.D. Card Regulations

No person shall be permitted to use the Recreation Center without a valid VOK membership I.D. card. Membership I.D. cards are available at the VOK business office.

1. Membership I.D. cards will be issued only in accordance with the Membership Card Policy set forth below. Proof of residency upon a VOK lot and/or proof of ownership of a VOK lot is required. There will be a \$5.00 annual charge for each membership I.D. Card issued to homeowners, renters, lessees, their spouse, and their immediate children under the age of majority. There will be a \$25.00 annual charge for each membership I.D. Card issued to all others in household.

There will be a \$25.00 charge for each guest membership I.D. card issued. A \$2.50 charge will be assessed for each replacement membership I.D. card issued.

2. Photo I.D. pictures will be taken at the VOK business office during designated office hours.
3. Appropriate membership request forms must be completed by the homeowner and application fee payments must be submitted before membership I.D. card photos will be taken.
4. A driver's license or State I.D. is required to identify the member for photo I.D. taking. In the case of minors (17 years old and younger) proof of guardianship is required by birth certificate or legal guardianship papers, and proof of age.
5. Completed membership cards must be picked up by the respective Villages of Kapolei Recreation Center member or a member of the household.
6. The issued membership I.D. card is the property of the Association. It is not transferable and may be recalled or canceled by the Association, through its Board of Directors, at any time without prior notice.
7. Membership I.D. cards shall become void if lost, stolen, or expired, upon the sale of the VOK lot (for homeowner membership I.D. cards), upon termination of the lease for the lot (for renter membership I.D. cards), upon the transfer of privileges, or if replaced with another card. Lost or stolen cards are to be reported to the Association immediately upon discovery. As stated above, replacement cards will be issued for payment of a fee of \$2.50 per card.
8. The use of the Recreation Center shall be subject to these Recreation Center rules.
9. Misrepresentation of facts to obtain a membership I.D. card or the use of said I.D. card to obtain recreation center privileges contrary to these Recreation Center Rules may result in the rescission of membership I.D. cards and/or suspension of privileges.
10. Cards are available for persons seven (7) years old and older.
11. Membership I.D. cards are required for all use of the Recreation Center, with the exception of visitors invited on a one-time basis to attend a function held at the Recreation Center pursuant to a reservation of a room or the pool by a person holding a valid membership I.D. card.

B.1 Suspension of Privileges for Nonpayment of Assessments

1. Owners who become delinquent in the payment of any Assessment or Assessments or any installment or installments thereof, when due, shall be deemed to be delinquent. The Association may suspend the privileges of any owner who has been delinquent for sixty (60) or more days;
2. Prior to the suspension of privileges, the Association shall give written notice to the delinquent owner of its intent to suspend said owner's privileges. Said notice shall be mailed to said owner at the address of the owner as shown in the Association's record of ownership or the address of the lot owned by the owner if no other address is shown in the Association's record of ownership and shall state that the privileges of membership related to the Recreation Center and any other recreational facilities of the Association shall be suspended effective thirty (30) days from the date of said notice. Such suspension of privileges shall include, but shall not be limited to:
 - a. The suspension of the privilege of using the Recreation Center or any other recreational facilities of the Association;
 - b. The suspension of the privilege of renting or reserving any portion of the Recreation Center or any other recreational facilities of the Association;
 - c. The suspension of the privilege of enrolling and/or participating in classes and/or programs offered or made available at the Recreation Center or any other recreational facilities of the Association;
 - d. The suspension of the privilege of attending free movies or other events at the Recreation Center or any other recreational facilities of the Association that requires the use of a Villages of Kapolei I.D. card for entry.

3. The suspension of privileges shall apply to the delinquent owner and to all others who may enjoy privileges by, through, or under the delinquent owner including, but not limited to, family members, invitees, licensees, and lessees of the delinquent owner (hereinafter a person whose privileges are suspended shall be referred to as a “Person Subject to Suspension”).
4. Any suspended privilege shall be restored once the Association has received and processed full payment of all delinquent Assessments, all outstanding late fees, fines, and interest, and all attorneys’ fees and costs incurred in connection with the delinquency and/or the collection of sums due and owing.
5. If a Person Subject to Suspension has rented or reserved all or any portion of the Recreation Center or all or any portion of any other recreational facility of the Association prior to the suspension of privileges, the reservation will be automatically canceled as of the date of the suspension of privileges without further notice or action. Once a reservation is canceled pursuant to a suspension of privileges, the Association will have no obligation to reassign the same date and/or restore the reservation even if the delinquency is thereafter cured. For purposes of the return of any fee and/or deposit paid in connection with a reservation, the termination of a reservation hereunder shall be treated in the same fashion as a cancellation by the Person Subject to Suspension and the refund of fees and/or deposits shall be handled according to the existing policy on cancellations.
6. Enrollment by a Person Subject to Suspension in a class or program offered or made available at the Recreation Center or any other recreational facilities of the Association will be terminated effective as of the date of the suspension of privileges and the Person Subject to Suspension will not be allowed to complete such class or program. For purposes of the return of any fee and/or deposit paid in connection with a class or program, the termination of the Person Subject to Suspension’s enrollment in a class or program shall be treated in the same fashion as a cancellation by the Person Subject to Suspension and the refund of fees and/or deposits shall be handled according to the existing policy on cancellations.
7. All Villages of Kapolei I.D. cards issued to a Person Subject to Suspension must be surrendered to the Association until the suspension of privileges is lifted by written notice from the Association. No Villages of Kapolei I.D. cards will be renewed or issued to any Person Subject to Suspension. The reference to Villages of Kapolei I.D. cards herein shall mean and include, membership, guest, and renter I.D cards issued by the Villages of Kapolei Association.
8. The period for which a Villages of Kapolei I.D. card is effective will not be extended upon the restoration of privileges to make up for any loss of use during the period of suspension nor will any payments be pro-rated due to the suspension of privileges.

C. Membership Card Policy

C.1 Homeowner Card Policy

1. The homeowner must submit a signed “Homeowner Member Card Request” form listing the individuals for which cards are being requested.

a. Natural Person Homeowners

Homeowner membership I.D. cards will be issued to homeowners who are residing at the Villages of Kapolei on a lot owned by the homeowners and to all persons residing with the homeowners on the lots. Homeowners who are not residing in the Villages of Kapolei and who have not relinquished their rights to a renter residing on their lot will be issued homeowner membership I.D. cards. Homeowner membership I.D. cards will be issued to these nonresident homeowners and the members of their families residing with them. The reference to “families” in this paragraph shall have the same meaning as the term family in the DCC&R, except that the term “residence” as used in the DCC&R definition of “family” shall mean the nonresident homeowner’s residence for purposes of this paragraph. This provision will not be enforced in any manner that will violate the provisions of the Federal Fair Housing Act or Chapter 515, Hawaii Revised Statutes. The foregoing policy applies to homeowners who are considered “natural persons.”

b. Homeowners – Other Than Natural Persons

In the case of homeowners who are not natural persons, such as corporations and/or partnerships, if an officer of the corporation or partner of the partnership is residing on the lot, homeowner I.D. cards will be issued to the resident officer or partner and the persons residing with the resident officer or partner on the lot. If none of the officers or partners reside on the lot and the recreation center privileges have not been relinquished to a renter, then homeowner I.D. cards will be issued to the officers of the corporation or partners in the partnership. If a trust is the owner of a lot, the trustees shall be considered the owners. If the trustees are natural persons, they shall be treated as natural person homeowners. If the trustees are corporations or partnerships, they shall be treated as corporate or partnership owners.

2. Each homeowner membership I.D. card shall be valid for one (1) year or until the homeowner ceases to be a homeowner or relinquishes his/her privileges to a renter, whichever occurs first.

C.2 Renter Card Policy

1. The homeowner or homeowner's agent must submit a completed "Renter Card Request" form with a copy of the lease agreement evidencing that the persons for whom renter membership I.D. cards are being requested are lessees under a lease for the lot owned by the homeowner and are residing on the lot. In the event that there is no written lease, the homeowner must submit an affidavit attesting to the fact that the persons for whom renter membership I.D. cards are being sought are lessees under a verbal lease for the lot owned by the homeowner and are residing on the lot.

2. Renter membership I.D. cards will be issued to the renters as designated by the homeowner of the VOK lot or the homeowner's agent, and all persons residing on the lot with the renter under the lease agreement.

3. If homeowner I.D. cards or renter I.D. cards have previously been issued for the lot, the homeowner or agent must return all previously issued homeowner or renter membership I.D. cards issued for the lot being leased. By doing so, the homeowner relinquishes all membership privileges to the recreation center and transfers said privileges to the designated renter(s). Renter membership I.D. cards will not be issued until all outstanding homeowner cards and previously issued renter membership I.D. cards have been returned to VOK.

4. Each renter membership I.D. card shall be valid for one (1) year or the term of the lease agreement, whichever is shorter. All renter membership I.D. cards must be returned immediately upon expiration or upon termination of the lease agreement, whichever takes place first.

C.3 Guest Card Policy

1. A homeowner or renter of a VOK lot may submit a completed "Guest Card Request" form evidencing that the persons for whom guest membership I.D. cards are being requested are guests of the homeowner or renter and actually residing on the lot with the homeowner or renter for a specified period of time. No more than two (2) guest membership I.D. cards shall be in effect for any lot at any given time.

2. Each guest membership I.D. card shall be valid for 30 days or until the guest ceases to reside on the lot, whichever occurs first. All guest membership I.D. cards must be returned immediately upon expiration of the 30-day term or when the guest ceases to reside on the lot in question.

C.4 Visitors

1. Adults who have been issued valid homeowner, renter, or guest membership I.D. cards will be permitted to bring visitors with them to the recreation center as their guests for the day. No more than six (6) visitors shall be permitted per lot on any given day, with the exception of visitors attending a private function held in a room or area reserved by the homeowner or renter. The visitors will not be issued membership I.D. cards, but will be permitted to use and enjoy the recreation center as the guest of the person holding the valid membership I.D. card so long as the person holding the valid membership I.D. card is present at the recreation center at all times during such use.

D. Rules and Regulations Regarding the Use of the Recreation Center Facilities

1. The hours of operation of the recreation center will be posted on the recreation center bulletin boards and published in the VOK newsletter periodically. The hours of operation are subject to change from time to time.
2. Only those persons who have been issued VOK membership I.D. cards may use the VOK Recreation Center. Each person wishing to use the recreation center shall present his/her issued VOK membership I.D. card before entering the VOK Recreation Center.
3. Any person using the VOK Recreation Center agrees to abide by these VOK Recreation Center Rules and legitimate instructions of the VOK staff members as a condition of remaining at the recreation center.
4. Any person entering the recreation center does so at his/her own risk to his/her safety and to his/her personal property.
5. Any person entering the recreation center agrees not to hold VOK responsible for any loss or damage to any personal property brought on the recreation center premises, including property stored in any storage area or left in the possession of VOK staff members.
6. Homeowners will be held financially liable for any VOK property they, their renter, guest, or visitor damage, misplace, abuse or render unusable, except for damage due to normally anticipated wear and tear. No VOK property may be removed from the recreation center without the prior approval of the Recreation Director or his/her designee.
7. No pets, other than seeing-eye dogs, signal dogs, and service dogs, needed by visually impaired, hearing impaired, and physically impaired persons, respectively, shall be permitted in the recreation center; provided, however, that no such animal shall be allowed to cause a nuisance or create an unreasonable disturbance.
8. Persons using the recreation center shall not threaten, intimidate, or abuse any other person or use any profane language. Any person engaging in such conduct will be immediately ejected by the Recreation Director or his/her designee from the recreation center. Minor infractions (leaving guests unattended, extended arguing, etc.) will result in revocation of sponsor's card for pickup with management during office hours. Major infractions (threat of bodily harm, extended verbal abuse, etc.) will result in revocation of all privileges for the entire lot for a minimum of thirty (30) days. In severe cases, suspension times may be increased or made indefinite until an appeal is made to the Board of Directors, only by the owner of the lot.
9. Food and beverages will be allowed in the pool area provided the following rules are adhered to:
 - a. Food must be consumed at the picnic tables in designated areas only, away from the water's edge.
 - b. These areas are for eating only. All food should be prepared before coming to the pool. Tables may not be reserved.
 - c. After consuming your food you must clean up the area, deposit trash in the garbage cans, then go back to the chairs around the pool. Please be considerate of the next person who wishes to utilize the picnic area.
 - d. Showers must be taken after eating.
 - e. Alcohol is not permitted in the pool area.
 - f. Glass containers are not permitted in pool area.
 - g. It is recommended that a rest period be taken, particularly by children, before entering the pool.
10. All persons using the recreation center, including the recreation center parking area, must comply with the provisions of the Association's DCC&R, Association Rules, these Recreation Center Rules, and all applicable laws, rules, ordinances, and statutes.
11. The recreation center shall be subject to use in strict accordance with its intended purpose, and no vehicles, wheeled devices such as skateboards, roller-skates, roller blades, bicycles (other than to and from the recreation center), shall be

driven or ridden on the recreation center premises, except wheelchairs or other motorized devices used by handicapped persons. Any activity or use of such equipment which the Recreation Director or his/her designee deems injurious to the member(s) or damaging to property is prohibited.

12. Smoking is prohibited in the recreation center, including the pool and pool vicinity, except in the designated area.

13. Commercial activity and soliciting on the Kapolei Recreation Center premises is prohibited unless prior written approval has been obtained from the VOK Board of Directors.

14. Loitering in the Kapolei Recreation Center is prohibited.

15. Radios and other sound equipment are permitted provided the volume is controlled and not a nuisance to other persons as determined by the Recreation Director or his/her designee. For the comfort and convenience of other persons using the recreation center, ear phones are recommended.

16. Any member or guest will be allowed to use the restroom and shower facility with which they identify. If there is a complaint regarding inappropriate behavior in the restrooms and shower areas, staff will call HPD for immediate assistance.

17. Fees may be assessed to students or participants for certain classes and special activities. All fees, if any, are payable in advance.

18. Specific areas of the facilities may be closed for maintenance or repairs; pre-notice will be given when applicable (except in cases of emergencies).

19. Outdoor areas may be closed at the Recreation Director or his/her designee's discretion due to inclement weather.

20. The Recreation Director may waive any part of these rules for any supervised class or activity, provided all members are treated in a fair and equitable manner.

21. Restrictions:

a. The capacity of any room or the pools shall be established by the Association and shall not exceed the capacity restrictions established by the City and County of Honolulu.

b. No cooking except in the kitchen. Food warmers will be allowed in the reserved rooms, but not in the pool area. Gas stoves or burners are not permitted. Exceptions will be permitted with written approval by the Recreation Director or his/her designee.

c. Publicity related to the reservation of the VOK Recreation Center must not imply endorsement of the event by VOK. Advertisements posted on the recreation center premises must receive prior written approval by the Recreation Director.

d. Admission fees and/or solicitation of donations are not allowed unless prior written approval has been obtained from the Recreation Director.

E. Swimming Pool & Wading Pool Rules

1. No one is allowed to use the swimming pool if a lifeguard is not on duty. The recreation center's swimming pool is closed unless a certified lifeguard authorized by the Recreation Director or his/her designee is on-duty.

2. Only those persons who have been issued VOK membership I.D. cards may enter into the pool deck area and use the swimming pool and wading pool. VOK membership cards must be in the bearer's name. All others must be accompanied by a responsible adult who will remain in attendance with his or her visitor(s) at all times. No more than six (6) visitors shall be permitted per lot on any given day.

3. All children under 7 years of age must be supervised by an adult other than the recreation center's lifeguard at all times.

4. Any person using or entering into the swimming pool and wading pool area does so at his/her own risk. VOK will not be responsible for any injury to persons or loss of property.
5. Swimming the length of the pool is the only activity permitted during the designated “Lap Swim” hours; “fun” swim is prohibited during that time.
6. A ten (10) minute break will be taken each hour on the hour during “Lifeguard on Duty” hours. Lap swim will be allowed during this time if a lifeguard is on deck. If the “Warning – No lifeguard on Duty” sign is posted, the pool is closed and swimming is not permitted. Swimmers are encouraged to use the rest rooms at this time, as well as before entering the pool.
7. Complete showering is REQUIRED before swimming.
8. Persons having a skin disease, sore or inflamed eyes, nasal or ear discharges of any diseases generally accepted by the medical community as being communicable through casual contact are NOT permitted to use the pool. This rule will not be enforced in any manner that will violate the Federal Fair Housing Act or Chapter 515, Hawaii Revised Statutes.
9. Any child who is not potty-trained must wear secure, plastic pants over his/her swimsuit to aid in the prevention of fecal accidents.
10. No running, roughhousing, shoving, or unreasonable noise is allowed in the pool area, showers, or dressing rooms.
11. Spitting, spouting of water, blowing the nose, urinating, etc., are unsanitary and therefore NOT allowed in the swimming pool or wading pool.
12. Face masks, fins, balls, toys, recreation equipment, inflatable and other flotation devices are not permitted in the pool except: a) under the supervision of a qualified instructor who has been approved by the Recreation Director; b) with written permission from the Recreation Director or his/her designee; or c) where necessary to afford a handicapped person an equal opportunity to use and enjoy the pool. VOK issued equipment will be available for use during specified times only (see lifeguard for schedule).
13. Street clothes, walking shorts, cutoff shorts, pants, or hats are not permitted in the pool as substitutes for normal swimming suit apparel.
14. “Bombing”, back dives, front dives, running, somersaults and twists into the pool are not permitted.

F. Equipment Use

1. General Rules

- a. Equipment may be checked out or reserved only by persons with current membership I.D. cards. Membership I.D. cards must be exchanged for the equipment being checked out or reserved.
- b. Reservations for equipment is done at the front desk. No player may sign up for any play time consecutively unless his allocated playing time has completely lapsed.
- c. Each set of players is responsible for ensuring the equipment being used is complete and undamaged before commencing play and verifying this again before returning the equipment or turning it over to the next set of players. Any discrepancies must be reported immediately to the front desk before commencing play.
- d. The member checking out the equipment will be held liable for missing or damaged equipment.
- e. Food and drinks are not permitted on or near the equipment.
- f. Member’s I.D. card will be exchanged when equipment is returned.

g. Equipment is not to be removed from the recreation center without permission from the Recreation Director or his/her designee.

2. Ping Pong Table – ping pong paddles and net may be checked out.

a. Playing time is limited to one (1) hour including warm-up. Players must surrender the table at the end of the one hour period (or sooner if so desired) regardless of the stage of the match. A match can continue if there is no one on the waiting list to use the table.

b. No person may sign up for or use any table consecutively unless his allocated playing time has completely lapsed and no other tables have been reserved.

c. Yelling, profane language, spitting, smashing balls, and hitting or banging on the ping pong table is not allowed.

d. Players must be cautious of other individuals within the playing area at all times.

G. Meeting Rooms and Facility Reservations

1. Rooms used for meetings and activities are reserved on a priority basis for the VOK Board of Directors, its Committees and Subcommittees, VOK conducted activities, and VOK sponsored groups, in that order.

2. Meetings are to be conducted within the normal operating hours unless exception is made by the Recreation Director or his/her designee.

3. Only homeowners and renters who have been issued VOK membership I.D. cards may reserve the facilities for meetings or private functions. Information regarding the facilities available for reservation, days/hours, rates, etc., may be obtained by contacting the Recreation Director or his/her designee.

4. Members may make a reservation up to thirteen (13) months in advance but not less than ten (10) business days from the desired date.

5. VOK Reservation Agreements for private functions are available at the recreation center. Reservations are confirmed only upon signature by the Recreation Director or his/her designee evidencing approval of the Reservation Agreement.

6. Reservations for Community Meetings – Homeowners and renters wishing to reserve a room for the purpose of holding a meeting related to community issues affecting the Association members may be required to attend an orientation session given by the Recreation Director or his/her designee regarding the use of the room and the recreation center and to sign an agreement regarding the use of the meeting room and recreation center. The person making such reservation and attending the orientation session shall be responsible for ensuring that the conduct of those persons attending the meeting is in conformance with the DCC&R, these Recreation Center Rules, and other applicable laws, rules, ordinances, and statutes. The person making such reservation may be required to take appropriate measures to secure the recreation center upon leaving the building and to ensure that no unauthorized persons remain in the recreation center at the time the building is secured. Reservations for community meetings shall require a \$250.00 deposit to be used to pay for any damages, cleaning costs, or other charges arising out of the use of the meeting room. Homeowners may request that their \$250.00 deposit be debited against their maintenance assessment account with the Association.

7. Reservations for Private Functions – Reservations for any room or the pool for private functions shall require a deposit in such amounts as the VOK Board of Directors shall establish from time to time and shall be subject to additional rules and fees to be adopted by the VOK Board of Directors.

8. An H.P.D. off-duty officer is required for private functions if liquor is to be served, attendance is anticipated to be seventy-five (75) people or more, amplified music and/or dancing is part of the activities, or the Recreation Director deems the activities planned for the private function exposes the VOK to additional liability risks.

9. The fee for an off-duty officer is required to be paid at the time the room deposit is paid. Information regarding current reservation fees and H.P.D. fees are available at the Kapolei Recreation Center.

10. Specific current requirements for reserving the VOK facility is included in the VOK Reservation Agreement.

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