

Community Associations & COVID-19 FAQ



REOPENING POOLS FREQUENTLY ASKED QUESTIONS

When is it permissible to reopen a pool in a community association?

A community association should always comply with federal, state, and local orders when deciding whether to reopen a pool that has been closed due to COVID-19. Some states may have patchwork reopening plan based on different state and local orders found on their website. If this is the case in your jurisdiction, it is recommended to follow the most restrictive order and continue to follow CDC social distancing guidelines.

Does a community association have to open their pool if a stay at home order has been eased?

A board is within its authority to not reopen an association swimming pool. To reopen a community association's pool it is crucial for an association to comply with state and local health department guidelines and mandates. When an association is deciding to reopen a pool they need to ask themselves the following questions:

1. Are we able to follow our state and local health department guidelines and mandates?
 - a. Minimize the number of people swimming in the pool or socializing on the pool deck; consider placing physical barriers to enforce social distancing; clean restrooms the number of mandating times per day; decide what signs need to be placed around the pool deck regarding COVID-19 risks, consider when and where masks need to be worn when outside of the pool.
2. If an association can comply with the new mandates, should they reopen?
 - a. The first consideration should be the health and safety of the residents. With higher costs to reopen and less residents being able to use the facility, a board needs to consider the costs vs. the benefits when deciding to reopen a pool.

If your community does decide to reopen the pool here are tips you should follow to make sure you are following health department mandates:

- All residents that want to use the pool must be in good standing with their association assessments and not be delinquent on any payments.
- Most associations are not allowing guests at the swimming pool, which reduces the number of individuals swimming at a time and slows the spread of the virus.
- An association should encourage residents may bring their own chairs, towels, and pool equipment.
- An association should consider placing "x's" every six feet on the pool deck to help facilitate social distancing.
- An association should mandate that residents wear masks on the pool deck.

- If your association has the financial means, hiring a security guard should be considered to help enforce these rules.
- If your association's pool has a concession stand, many associations are keeping them closed.

If your community association decides to reopen its pool, it is crucial you follow your governor's order and CDC guidelines. Balancing between what residents want and what the law allows is one of the challenges of community association governance. Some state orders will explicitly lift the closing of pools; however, this is ultimately a board decision once the ban has been lifted. It is important for boards to weigh the public health and safety risks of residents when reopening pools. It may be difficult to compel a board to open a pool, this decision is up to a board and their credential professional's discretion. Seasonal markets may need to also be considered when reopening pools in certain regions.

Are there distinctions in reopening certain pools?

Boards should consider based on their regions if a pool needs to be reopened for residential use or if it needs to be reopening simple for maintenance purposes.

Are there risks in not reopening a pool for maintenance purposes?

There are public health risks attached to not reopening certain pools for maintenance purposes. If a pool cannot be reopened for residential use, a board still needs to consider their responsibility to open a pool for maintenance and sanitization purposes.

Q: Can an association reopen a pool and not reopen the pool's bathroom facilities?

A: It is encouraged to reopen bathroom facilities if an association chooses to reopen their pool. Community staff, security guards, lifeguards work long hours and need access to these facilities.

What contracts should be considered when reopening a community pool?

It important to review any life guard company, cleaning company, and insurance company contracts an association may have when reopening a pool.

Should an association have residents sign a waiver to use the pool when they reopen?

Many associations are taking the approach to have a resident sign a waiver to use a pool. However, many associations do not have staff to monitor which residents have signed a waiver. Staffing and enforcement needs to be considered when requiring residents to sign a waiver prior to using the pool. It is difficult to tell if a waiver will fully protect an association from a liability claim.

What procedures should be enforced when a pool has reopened?

It is important to consider CDC social distancing guidelines when reopening a pool. Pool capacity will need to be adjusted to properly abide by these guidelines. Additional cleaning procedures should be considered by boards for the pool area to mitigate the risk of residents contracting COVID-19. It is important for a board to review their current contracts to see what procedures may already be covered.

Q: Is the association responsible for enforcing CDC guidelines upon reopening amenities and common areas?

A: A community association is separate from a government entity. It is important for an association to review CDC guidelines when developing its new guidelines. An association needs to decide whether to implement new rules, update current rules, or follow CDC guidelines directly. It is crucial all rules

implemented are able to be enforced. It is ideal to have support from a security company or staffing company to enforce these guidelines. While an association may consider using its board to enforce new rules, it is not advised. If a resident is disgruntled about having to abide by new policies, it is advised to call the authorities.

Who should enforce these new procedures in a pool facility?

Pool staff will vary between associations and their budgets. Associations should consider what procedures a lifeguard who is already employed can enforce and what procedures additional staff may need to be hired to enforce. It is suggested that furniture is limited to the number of people allowed by federal, state and local orders or to have residents bring their own chair to the pool. Some associations are considering advanced reservation periods of time for residents to enter the pool. When these time periods have ended, the pool deck should be emptied and cleaned before the next set of residents can enter the pool area. It is also suggested that 6-foot markers be placed around a pool.

How should new pool procedures be communicated to residents?

Associations are encouraged to have sufficient signage around a pool with new procedures. A board should consider including a disclaimer on their signs stating they cannot ensure COVID-19 is not present on the pool deck.

What is the role of a lifeguard during the COVID-19 pandemic?

Safety is always the primary responsibility of a lifeguard. When a lifeguard is guarding a pool, it is crucial that is their only responsibility. New procedures cannot be given to a lifeguard, if they cannot protect the pool while completing the task.

What should an association do if a lifeguard or pool staff contracts COVID-19?

If a lifeguard or pool staff member contracts COVID-19 and has been at the community pool within two weeks of diagnosis, the board should consider closing the pool for two-weeks and cleaning the vicinity.

How should a community's budget be adjusted to comply with new pool procedures?

Facilities should be consolidated to ensure the areas that do reopen have the appropriate amount of staff and budget to follow new procedures. A community may also want to consider only having the pool facility opened certain days a week instead of 7 days.

Are residents allowed to bring guests while a pool is following state of emergency orders?

Some association managers are recommending no pool guests during the COVID-19 pandemic.

Are extracurricular activities allow at a reopened community pool?

It depends on the specific activity and if CDC social distancing guidelines can be followed to hold the activity. Water aerobics classes may be able to begin, if participants can be 6 feet apart during the course, where a swim lesson is difficult to hold within social distancing guidelines.

RESOURCES

Now is a good time to remind community association residents, board leaders, and managers of their [Rights & Responsibilities for Better Communities](#) and the [Community Association Civility Pledge](#).

View the latest COVID-19 resources and guidance from CAI by visiting www.caionline.org/coronavirus
Center for Disease Control <https://www.cdc.gov/coronavirus/2019-ncov/php/water.html>

PHTA - Pool & Hot Tub Alliance (Recently Merged NSPF & APSP

<https://nspf.informz.net/nspf/data/images/4900%20PHTA%20Infographic%20viruses-V2.pdf>

<https://nspf.informz.net/nspf/data/images/PHTA%20Public%20Facilities%20Flier.pdf>

Industry Experts on Reopening Pools

- Benjamin Basch, American Pool, New Jersey
- Scott B. Carpenter, Esq., CCAL, Carpenter, Hazlewood, Delgado & Bolen, LLP, Arizona
- M Katherine Bushey, Esq., Kaman & Cusimano, Ohio
- Sandra L. Gottlieb, Esq., CCAL, Swedelson Gottlieb, California
- J. David Ramsey, Esq., CCAL, Becker, New Jersey
- Wendy Taylor, CMCA, AMS, LSM, PCAM, South Riding Proprietary, Inc., Virginia

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