

Section	000 Board Procedures
Title	Board Policy/Management Regulations
Code	001
Status	Active
Adopted	February 14, 2024

Purpose

The policies adopted by the Board are intended to establish the general and overall rules within which the daily operations of the pool are to be governed. Regulations for carrying out and implementing Board policies are to be developed and implemented by the management, under the direction of the Board. As applicable, members of the community are expected to comply with both Board policy and management regulations, subject to the limitations and exceptions set forth. However, the failure of the Board or the management to comply with policy shall not invalidate any lawful action taken.

Contents

Policies of the Board shall consist of the following separate documents:

1. Policies contained in the adopted Policy Manual.
2. Contents of the job descriptions adopted by the Board.
3. Code of Patron Conduct

Limitations of Policy/Administrative Regulations

Board policies and management regulations are not intended and shall not be construed to supersede or preempt any applicable law. Consequently, all Board policies and management regulations shall be given both an interpretation and application that is lawful. The Board shall determine the final interpretation of its policies, and the management shall determine the final interpretation of its regulations.

Board policies and management regulations are limited by legal constraints, as are the rights of those to whom Board policies and management regulations apply and are not intended to give an individual a cause of action not independently established in law.

Board policies and management regulations shall not preempt, create, supplant, expand or restrict the rights or liabilities of patrons, employees, others within the community beyond those established in law, and are not intended to restrict or limit individuals in the community from pursuing any claims or defenses available under applicable law. Board policies and management regulations are not intended to be interpreted as influencing the disposition of a particular civil action.

Exceptions

Exceptions to any policy or the application of any policy may be made if requested or recommended in accordance with the established Board procedure.

Rules of Construction

In ascertaining the intent of the Board in adopting a policy or of the administration in establishing a regulation, the following presumptions, among other legally applicable presumptions, may be used:

1. That neither the Board nor the administration intends a result that is absurd, impossible of execution or unreasonable.
2. That neither the Board nor the administration intends to violate the federal or state Constitutions or any other applicable law.

If any policy or administrative regulation can be given multiple interpretations, both constitutional and unconstitutional, or both lawful and unlawful, the Board and the administration intend that only the constitutional and the lawful interpretations shall be valid, and that neither an unconstitutional nor an unlawful interpretation was intended.