

Sweet Brier Condominium Unit Owners Association

Pond Safety Supervision Rules

Purpose: The Board has adopted these Pond Safety Supervision Rules out of direct concern for the health and safety of Sweet Brier Condominium occupants and guests. The pond is approximately 15-feet deep, and has steep banks in certain areas around the pond.

Authority: The Board has adopted these Rules in accordance with its authority under the Bylaws, and the Ohio Condominium Act.

1. Child Supervision Requirement

Any child age ten (10) years or younger is prohibited within ten (10) feet of the edge of any pond, retention basin, drainage pond, or similar body of water located on Sweet Brier Condominium Property unless under the direct supervision (as later defined) of a responsible adult capable of assistance in the event of injury, emergency, or incapacity.

2. Definition of “Directly Supervised”

“Directly supervised” means active, continuous, and attentive supervision by an adult who is physically present with the child and capable of immediate intervention at all times.

To satisfy the direct supervision requirement, the adult must:

- Remain within unobstructed visual contact of the child at all times;
- Remain close enough to immediately reach and physically assist the child without delay, meaning outside of any building and within 15 feet of the child;
- Continuously monitor the child’s activities and behavior;
- Devote primary attention to supervising the child rather than engaging in distracting activities; and
- Maintain the ability to immediately communicate with and control the child.

Direct supervision is not satisfied if the adult:

- Is inside a residence, garage, vehicle, or other structure while the child is near the pond;
- Is using a phone, tablet, computer, headphones, or other device in a manner that materially distracts from supervision;
- Leaves the child under the care, observation, or control of another minor;
- Is sleeping, impaired, or otherwise unable to immediately respond; or
- Cannot immediately reach the child due to distance, obstructions, or inattention.

The Board may consider all surrounding facts and circumstances in determining whether adequate direct supervision was maintained.

3. Violations and Enforcement

Any Owner, including resident, tenant, guest, invitee, or occupant of Owner, found in violation of this Rule shall be subject to an enforcement assessment (fine) of One Hundred Dollars (\$100.00) per child, per occurrence, following notice and opportunity for hearing to the extent required under applicable Ohio law and the Association's governing documents.

Each separate incident, date of occurrence, or child involved may constitute a separate violation as determined by the Board in its reasonable discretion.

- First occurrence: \$100
- Second occurrence: \$150
- Third and subsequent occurrences: \$200 per occurrence

5. Responsibility of Owners

Owners are responsible for ensuring that their tenants, occupants, family members, guests, and invitees comply with this Rule.

6. Effective Date

This Rule became effective on June 10, 2026 upon adoption by the Board of Directors and distribution to the membership as required by the Association's governing documents and Ohio law.