

**West Market Community Association Policy Concerning
Reservation and General Use of the West Market Clubhouse**

Defined Terms

As used in this Policy the following initially capitalized terms shall have the following meanings:

1. "Clubhouse" means the WMCA clubhouse located at 1901 Logan Manor Drive.
2. "Community Organization" means: (a) the WMCA Board of Directors and any of its committees; (b) the Lincoln Park or Madison Park Condominium Board of Directors or any of its committees; (c) the governing body of any community organization of which the WMCA is a member (which, at the time of adopting this Policy, includes the Reston Town Center Association, the Alliance of Reston Clusters and Homeowners (ARCH), and the Working Alliance of Town Center Homeowners (WATCH)); and (d) any officially approved West Market Club.
3. "General Conditions for Use" means the terms and conditions for use of the Clubhouse set forth in this Policy under the heading so entitled.
4. "Main Hall" means the Clubhouse great and side rooms adjacent the kitchen.
5. "Policy" means this WMCA Policy Concerning Reservation and General Use of the West Market Clubhouse.
6. "Rented Premises" means the Main Hall, kitchen, and the enclosed outside patio of the WMCA Clubhouse, together with all of the furniture, appliances, and appurtenances thereto.
7. "West Market Club" means any WMCA club officially recognized by the WMCA Board of Directors.
8. "WMCA" means the West Market Community Association.
9. "WMCA Management" means the managing agent WMCA retains to manage the WMCA property.

Reserved Private Use

1. Any owner or resident may specially reserve and lease the Rented Premises for that owner's or resident's private use pursuant to the provisions of this Policy. In no event may such a lessee rent, nor may lessee or any of lessee's guests/invitees use during the course of the reservation, the office, gym, sauna, or pool.
2. The reservation must be made through WMCA Management pursuant to the then current rental agreement the Board of Directors has approved (which may include rental and other fees). Reservations should be made at least one week in advance, and in no event less than three days in advance absent exigent circumstances.
3. The lessee must be: (a) at least eighteen (18) years of age and of legal capacity to enter into the rental agreement, and (b) a West Market owner or resident in good standing (reserved use may be denied to anyone who is not current on any and all financial obligations owed the WMCA (including without limitation the regular assessment) or who is in violation of WMCA's existing covenants, rules, or regulations).
4. The Rented Premises may not be reserved more than four times during any twelve (12) month period: (a) by any owner or resident; (b) by any one WMCA address (regardless of how many different individuals reside at that address); or (c) on behalf of any corporation, organization, or group other than a Community Organization.

Prior written permission from the WMCA Board of Directors or Management, which may be withheld for any reason, must be obtained if the reservation at issue does not comply with this limitation.

5. No rental of the Main Hall shall occur during the following holidays of the summer: 1) Memorial Day weekend; 2) Independence Day weekend and 3) Labor Day weekend. This includes Friday, Saturday, Sunday and Monday. Independence Day may vary each year, please verify availability with the West Market On-site Manager for details.
6. In addition to the terms and conditions of the then current rental agreement, all reserved private uses shall be subject to this Policy's General Conditions for Use.

Reserved Use by Community Organizations

1. Community Organizations may specially reserve the Rented Premises through WMCA Management for no fee and without need of entering into the then current rental agreement. In no event may the office, gym, sauna, or pool be specially reserved.
2. Whenever possible such reservations shall be made with WMCA management at least one week in advance, and in no event less than three days in advance absent exigent circumstances.
3. WMCA Management, in its sole discretion, shall determine if an individual request for reservation is appropriate or if any conditions (in addition to those set forth in this Policy) shall be placed on that reservation. Appeal may be made to the West Market Board of Directors for reversal or modification of any such WMCA Management decision.
4. In all events any such reserved use shall comply with this Policy and its General Conditions for Use.
5. **If alcoholic beverages will be made available on premises during any such reserved use:** (a) the person making the reservation must be at least twenty-one (21) years of age (alcoholic beverages may not be present, served, or made available on the Rented Premises if the person making the reservation is under the age of twenty-one), (b) selling or separately charging for alcoholic beverages on West Market property (including the Clubhouse and Rented Premises) is prohibited, (c) no one under the age of twenty-one (21) may be served or may consume alcoholic beverages during the reservation, (d) service of alcoholic beverages will be ended at least one hour prior to the scheduled end of the event; and (e) any Community Organization outside West Market must provide WMCA Management prior to the event with proof of a Virginia ABC license for the event or confirmation that a representative of the Community Organization has spoken with ABC and been advised that a license is not required for the event. **The Community Organization further agrees that it is indemnifying and holding West Market harmless in the event an ABC license is required to be obtained and is not.**
6. A Community Organization may charge general admission to the event at the door.
7. With respect to forming West Market Clubs:
 - a. It must be a club the WMCA Board of Directors has recognized. Recognition is obtained by filing an Application for Recognition substantially in the form annexed hereto that the Board approves.
 - b. The club must: (1) serve a legitimate community purpose; and (2) be open to and be solely comprised of WMCA owners and residents; and (3) not be politically partisan, religiously affiliated (or advocate on behalf of a religious affiliation), or

- be for profit (reflecting WMCA Board of Directors' policy not to use community assets to subsidize any such activity).
- c. Only the Chair so named on the Application for Recognition may reserve the Rented Premises on behalf of the West Market club at issue. The Chair must have a good-faith belief at the time of making the reservation that those attending the club event on the day of the reservation will be predominantly West Market owners or residents (approximately three-quarters or more).
 - d. The Chair is responsible for making sure the club members and their invitees/guests are aware of the provisions of this Policy.
 - e. Any club that violates this Policy may have its reservation privileges and/or recognition revoked.
 - f. By way of example of the kinds of clubs the WMCA Board of Directors would be interested in approving for recognition: a West Market Social Club; Book Club; Cooking Club; Bridge (or other card-playing) Club; Bicycling Club; Garden Club.

Unreserved General Community Use

1. When not otherwise reserved pursuant to this Policy, and subject to this Policy's General Conditions for Use, the Clubhouse (other than the pool and WMCA Management office) shall be available for unreserved, general community use during whatever hours the WMCA Board of Directors may permit; provided, however, that no one under the age of eighteen (18) shall be allowed to use the Clubhouse unless chaperoned by someone the age of eighteen (18) or older.
2. West Market owners/residents should check the community calendar to confirm whether the premises are reserved. Interfering with a reserved event is a violation of this Policy.
3. The Clubhouse shall at all times remain locked, and entrance shall be via card key at the appropriate door (each resident must swipe his/her card key before entering).
4. Clubhouse assets (such as the TVs, kitchen appliances, grill, seating, etc.) will be available on a first come-first served basis.
5. Individuals are reminded that during unreserved general community use one does not have exclusive access and use of the space. It is a shared space and anyone accessing the space must be respectful of others who are quietly enjoying the space for its intended uses. Those intended uses include quietly watching the television, reading, or using the kitchen area. Uses that unreasonably interfere with other's quiet enjoyment of the space will constitute a violation of this Policy.
6. In addition, organized events (such as dinner parties, organized dance, or other organized events that dominate the space) are prohibited during unreserved general community use. Individuals wishing to hold this kind of organized event at the Clubhouse must reserve the space for that purpose.
7. No resident (or any one unit, regardless of how many residents reside there) may have more than four (4) guests accompany them at the Clubhouse during unreserved general community use.

General Conditions for Use (applicable to all uses)

1. Anyone accessing the Clubhouse (whether through a reserved or unreserved use) shall at all times adhere to the West Market legal documents and comply with all applicable Federal, State, and local law. Without limiting the generality of the foregoing, individuals will be respectful of the residents' right to quietly enjoy their property, and no activity shall be undertaken that will violate the West Market quiet enjoyment covenant (see guidelines at <http://westmarket.net/docs/GovGoodRepairQuietEnjoyment07.pdf>).
2. In no event after the hour of 11 p.m.: (a) may amplified sound of any kind be used, provided, however, this shall not apply to use of the television or stereo equipment that is in the Clubhouse; (b) may external sound amplifying equipment or microphones be plugged into or utilize the WMCA television or stereo equipment that is in the Clubhouse. Should the Fairfax County Police respond to a noise violation complaint during and related to the event, the rental deposit will be forfeited.
3. Maximum occupancy of the Main Hall is seventy (70) persons.
4. Anyone causing damage to any WMCA property shall be liable for such damage. Without limiting the generality of the foregoing, special mention is made of the hardwood floors in the Main Hall. Damage to those floors will be especially expensive to repair, so all are cautioned to ensure that the floors are not scratched or damaged. All footwear should have proper heels and soles such that no nails or other sharp objects are exposed. Shoes with stiletto heels are prohibited (per the recommendation of the floor manufacturer).
5. Furniture in the Main Hall may not be pushed or slid along the floor but always lifted if any is to be moved. In no event may interior furniture be moved to the outside nor may furniture outside be moved inside. Anyone moving any furniture must return that furniture to its original location before leaving the premises.
6. Under no circumstances shall furniture, appliances, or other equipment or appurtenances belonging to WMCA be removed from the Clubhouse.
7. Activity that presents an unreasonable risk of damage to the Clubhouse is prohibited. Without limiting the generality of the foregoing, throwing of balls or athletic activity (including organized exercise and weightlifting) in the Main Hall is prohibited; jumping on the furniture is prohibited; no one in a wet bathing suit is allowed in the Main Hall; and use of paints, acids, and all other supplies or materials that present a reasonable potential for damage are prohibited.
8. No animals or pets of any kind are permitted in the Clubhouse.
9. The use of decorations, auxiliary lights, or sound equipment is subject to WMCA Management's prior approval, which may be withheld for any or no reason. WMCA management must be notified sufficiently in advance of such use to permit it the opportunity (should it so choose) to have the Fairfax County Fire Department and/or a licensed Fairfax County electrician conduct an inspection (which will be done at the cost of the individual wishing to use such decorations or equipment). Any and all decorations permitted for use shall be fireproof and shall be removed immediately following the use of the premises.
10. In no event may alcoholic beverages be sold on the premises or be consumed by anyone under the age of twenty-one (21). Additional restrictions apply in the case of organized or specially reserved uses (see this Policy and the rental agreement).
11. In no event may anything be nailed or tacked to any surface (other than a bulletin board intended for that purpose) nor taped to any painted surface.
12. Smoking is not permitted inside the Clubhouse.

13. Lit candles, pyrotechnics, personal grills, fire pits, and anything of that nature are prohibited in or around the Clubhouse.
14. The Clubhouse may not be used for sleeping (whether napping or overnight) or for any unlawful purpose, including gambling.
15. If folding chairs or tables stored in the closet are used, the dolly may be rolled only down to the tiled foyer area and in no event rolled onto the hardwood floor of the Main Hall.
16. Use of the grill(s) in the patio area must comply with the Fairfax County permit posted in the patio area. Use of the outdoor grill(s) after the hour of 11 p.m. and before the hour of 9 a.m. is prohibited, as is use of the patio area for socializing after and before those hours. In no event will the grill area be available for general unreserved use if the Main Hall has been specially reserved.
17. The Clubhouse cameras are not safety cameras in that they generally are not monitored live or real time. They are there to create a visual digital archive that can be retrieved and viewed by management or the Police in the event of property damage, vandalism, or violations of the Clubhouse Policy. In case of medical or safety emergency call 911. No one other than WMCA Management or the Police (including without limitation WMCA Board Members) will be allowed access to this digital archive unless such access is allowed by majority vote of the WMCA Board.
18. Violation of this Policy, in addition to whatever other remedies may be available to the WMCA, shall be subject to charge or other sanction pursuant to a Notice of Violation issued by WMCA Management (see the summary of the community's rules and processes that apply in the event of non-compliance with community rules and regulations at <http://westmarket.net/docs/guide.pdf>).

**Application for Recognition as a
West Market Club**

Club Name:

Chair:

Club Purpose:

Members (all must be West Market owners or residents):

General Requirements (applicable to all West Market Clubs)

1. Club membership must be open to all West Market owners and residents.
2. The benefits of West Market recognition are that: (a) the Club may reserve the Main Hall and kitchen in the Clubhouse for no charge and without need of entering into the rental agreement otherwise required of reservations; and (b) club activities may be promoted (in WMCA management's discretion) through the regular West Market communication tools (such as the newsletter, web site, and community calendar).
3. When reserving the Main Hall or kitchen at the Clubhouse the club must comply with the West Market Policy Concerning Reservation and General Use of the West Market Clubhouse (the "Policy"), including without limitation its limitations on the service of alcoholic beverages applicable to Community Organizations.
4. The Chair is responsible for making the club members and their invitees/guests aware of the provisions of the Policy and for obtaining from every person participating in club activities signed copies of the Waiver of Liability Form for WM Clubs and providing those to WMCA management.
5. Only the Chair named on this Application for Recognition may make a reservation on behalf of the club. The Chair must have a good-faith belief at the time of making the reservation that those attending the club event on the day of the reservation will be predominantly (three-quarters or more) West Market owners or residents. Following each reservation the Chair shall promptly advise WMCA management how many people attended the club's reserved event and approximately how many were West Market owners/residents.

APPROVED AS OF _____, 20_____

WEST MARKET BOARD OF DIRECTORS
