

# 2024 Frog Falls Membership Terms & Conditions

## Picatinny Arsenal, New Jersey

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### REFUND POLICY

Memberships are non-refundable and non-transferrable. Failure to utilize membership during the season does not constitute grounds for a refund. Members who are unsatisfied with their pool membership experience will not be offered a refund at any time regardless of circumstances.

Failure to adhere to Frog Falls Park Policies, Rules and Guidelines may result in expulsion from the Park and barring from the Picatinny Arsenal and/or Frog Falls. No refunds will be issued as a result.

Customers who fail to complete the registration process or do not retrieve membership badges are not be eligible for a refund

Procedures, guidelines, polices and rules may change during the season, especially those specifically crafted in response to the COVID-19 pandemic. Facility policies to include capacity guidelines, guest access, pool seating, food services, lessons, feature access and hours of operation are subject to change without notice. Changes in these policies will not constitute grounds for refunds of membership fees.

In the instance that the facility is closed due to mechanical issues or unforeseen circumstances, refunds will be issued based on management's discretion

Final determination of any unique qualifying events that may result in a full or partial refund are at the sole and absolute discretion of the Director of Family and MWR.

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### HEALTH POLICY

All members agree to abide by established park procedures for health, safety and sanitation. Park policies and procedures are published at the park and subject to change based on local health condition and Department of Defense mandates.

**ENTRY:** Membership cards are required for entry into the park. All members must be scanned in. This is crucial to allow for accountability of all visitors. Please remember to bring your card at each visit, as you will not be admitted into the park without it. No exceptions.

**HEALTH CHECKS & SCREENING MEMBERS:** Customers experiencing any signs of illness including fever, chills, cough, shortness of breath, difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion, runny nose, nausea, vomiting or diarrhea should refrain from entering the pool. Anyone exhibiting symptoms will not be permitted into the pool and will be asked to leave if symptoms become evident after park admittance.

## **LEGAL STATEMENT**

**BY SIGNING UP FOR A MEMBERSHIP:** I understand and EXPRESSLY AGREE that swimming in its various forms is an inherently hazardous sport that has many dangers and risks. I realize that injuries are a common and ordinary occurrence of this sport. As a condition of being permitted to use any and all of the facilities of the aquatics park, I FULLY RELEASE FROG FALLS AND AGREE TO EXPRESSLY ASSUME ALL RISKS of personal injury, death or loss or damage to any of my property. I release FROG FALLS from any and all claims related to (1) the inherent risks of the sport; (2) abrupt changes in weather conditions;(3) the use of man-made facilities and equipment necessary for the ordinary operation of the water park, such as water slides, pools entries, lap lanes, lazy river features, tubes, fencing, pool decking, sidewalks, walkways, bath facilities, water features, or any other object or piece of equipment utilized in connection with the maintenance of pools, buildings or other facilities used in connection with swimming.

I EXPRESSLY AGREE, as a condition of being allowed to use the pool facility and premises, that I do freely accept and voluntarily assume ALL RISKS of personal injury or death or property damage, and FULLY RELEASE FROG FALLS to the greatest extent permitted by law FROM ANY AND ALL LIABILITY for personal injury, death or property damage arising out of or resulting

from my participation in this sport; and/or from my use of the pool premises including the parking lots and related facilities.

As in any activity, there are inherent risks and injuries that may occur. I hereby release and discharge Non Appropriated Fund Instrumentalities, Picatinny Arsenal, and the US ARMY, its agents, employees, appointed officials, volunteers, commissions or associations from any and all actions for losses, damages, for personal injuries to myself, or members of my family membership or sponsored guests which may occur or arise out of our participation in activities at Frog Falls Water Park.

To the fullest extent permitted by law, I agree to DEFEND, INDEMNIFY AND HOLD HARMLESS Frog Falls from any and all claims, suits, costs and expenses including attorneys' fees asserted against Frog Falls by me or third parties arising or allegedly arising out of or resulting from my conduct while utilizing Frog Falls' facilities whether or not FROG FALLS' NEGLIGENCE contributed thereto in whole or in part.

### **MEMBERSHIP POLICY**

A Family Member as defined by Army Regulation 215-1:

1. Spouse of a Sponsor.
2. Un-remarried widow or widower of a member or former member of a uniformed service.
3. Unmarried child of a sponsor, including an adopted child, stepchild, foster child, or ward, who either:

A. Has not passed his/her 21st birthday.

B. Is incapable of self-support because of a mental or physical incapacity that existed before that birthday and is dependent on the sponsor for over one-half of his/her support.

C. Has not passed his/her 23rd birthday, is enrolled in a full-time course of study in an institution of higher learning approved by a Secretary of an executive department specified in 10 USC Section 1073, and is, in fact dependent on the sponsor for over one half of his/her support.

4. A parent or parent-in-law of a sponsor who is, in fact, dependent on the sponsor for one-half of his/her support and living in the sponsor's household.

## **ADMISSION POLICY**

1. For admission to the aquatic park, a pool identification card must be shown to the attendant in the admissions window at the main entrance.
2. There will be a \$20 charge for lost badges during the summer months. Please bring your badge each time you visit Frog Falls as it will be scanned at the gate which allows us to track visits.
3. If an ID card is used by a person other than the member to whom it was issued, it will be confiscated and Members are subject to having their membership revoked without refund
4. If an ID card is obtained by fraudulent statement in the application, the membership will be canceled without refund.

## **PHOTO RELEASE**

By accepting and using your membership pass, you authorize Family & MWR to record and reproduce your image and/or performance for use in company promotional materials including but not limited to commercials, travel videos, brochures, flyers, etc. Additionally, you agree that Family & MWR maintains the right to distribute these materials to any outlet they see fit, and that they retain sole ownership of said materials and footage.