

House and bathing rules for the Schätzlerbad Weiden

The management of the Schätzlerbad Weiden gemeinnützige GmbH issue the following house and bathing rules for the Schätzlerbad Weiden.

1. General

The management of the Schätzlerbad Weiden gemeinnützige GmbH operates and maintains the Schätzlerbad as a public institution whose use serves for relaxation and health as well as for body care and physical exercise. Our goal is to make your stay with us as comfortable as possible. We would like to point out that the contract of use is concluded using our general terms and conditions and we are pleased that you support us by observing the following points:

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§ 1 Purpose of the house and bathing rules

1. The house and bathing rules apply to the Schätzlerbad Weiden gemeinnützige GmbH and serve the safety, order and cleanliness in all areas of the Schätzlerbad.

§ 2 Obligation to the house and bathing rules

1. The regulations of the house and bathing rules of the Schätzlerbad as well as all other regulations are binding for all bathers. With the acquisition of the access authorization, each bather recognizes the house and bathing rules posted in the entrance area in front of the cash desk as well as all other regulations valid for a safe and orderly operational sequence. They are also displayed and can be viewed at the cash desk. At special events, exceptions may be allowed when using the Schätzlerbad, however, without cancelling these rules.
2. The staff or other persons in charge of the Schätzlerbad exercise the domiciliary right. The instructions of the staff or other representatives of the Schätzlerbad are to be followed without any restrictions. Visitors who violate the house and bathing rules and other regulations can be excluded from visiting the Schätzlerbad by the supervisory staff. In such cases, any fees already paid will not be reimbursed. Furthermore, in case of serious or repeated violations, the management of the Schätzlerbad Weiden gemeinnützige GmbH may impose long-term or permanent bans on the premises.
3. If the swimming pool is used by schools, clubs or groups, the pool is operated on their own authority. The teachers, club or group leaders ensure that the house and bathing rules are observed by pupils, club or group members. The powers of the pool staff remain unchanged.
4. Political acts, events, demonstrations, publication of printed materials, affixing of posters or bulletins, collections of signatures and the use of the Schätzlerbad for any commercial or non-customary purposes are only permitted after being approved by the management of the Schätzlerbad Weiden gemeinnützige GmbH.

§ 3 Opening hours, admission and entrance fees

1. The opening hours, the latest admission time and the valid price lists are determined with the consent of the management board of the swimming club Weiden and are either visible by a notice affixed or at the cash register as well as on the homepage of the Schätzlerbad and are an integral part of the house and bathing rules.
2. During operating hours, the Schätzlerbad is available to everyone for appropriate use in accordance with these house and bathing rules, other regulations and the relevant statutory provisions. Special admission and usage requirements as well as opening hours apply for any events and special offers (e.g. courses).
3. If the Schätzlerbad needs to be closed during operation, restricts the operation of individual pool facilities or any offers for reasons such as overcrowding, operational disruption or thunderstorm, there is no entitlement to a reduction or refund of the entrance fee. Purchased access authorisations will not be reimbursed.
4. The Schätzlerbad also serves associations, schools and closed groups for dedicated teaching, practice and competition. The use is only possible after prior notification and only at those times and conditions specified by the management, as this may result in restrictions of use for the remaining bathers. There is no entitlement for the use of specific facilities at certain times.
5. The access authorization received at the cash desk must be retained until you leave the swimming pool. It must be kept in such a way that loss is avoided. In particular, they are not to be left unattended. They may not be passed on to third parties. Redeemed admission tickets will not be taken back, and the admission fee will not be refunded. No replacement will be provided for lost admission tickets, season tickets and tickets of ten.
6. The single admission ticket received is only valid on the day of issue and entitles the holder to enter the swimming pool facilities only once.
7. Admission tickets for the access authorisation are issued only up until one hour prior to the end of business hours.
8. At the request of the supervisory staff, the access authorization handed over as proof of payment of the fee may be checked for presence and validity with the bather.

9. If the bather uses a locker, it is his/her own responsibility to lock it properly and to check whether the locker is securely locked. The key should always be clearly visible on the wrist or ankle during the visit of the facility and should not be stored unattended.
10. If the key is lost due to culpable behavior, a lump sum of **25.00 €** is to be paid. If the key is found again and fully functional, the amount will be refunded. The bather is expressly permitted to prove that no damage at all has occurred or that the damage is considerably lower than the lump sum.
11. In the event of a dispute, the burden of proof in terms of the aforementioned appropriate safekeeping shall be borne by the bather.
12. If the key is lost, the contents of the locker will be handed over only after verifying the authorization.
13. For children up to the age of 7, access and stay is only permitted if accompanied by a suitable accompanying person. Further regulations and age and/or use restrictions for the facilities and equipment of the pool are possible. In this regard, reference is made in particular to § 4 numbers 12 p. 5, 13, 14 and 35.
14. For children who have completed the age of 7, we refer to the duties of parental care in accordance with §§ 1626 ff BGB and the "Taschengeldparagraph" ("pocket money section"), § 110 BGB. Children under the age of three must wear a swim diaper suitable for their size.
15. Persons who are unable to move safely due to physical, mental or emotional impairments or even endanger themselves and/or other individuals, are only permitted to use the Schätzerbad if accompanied by a suitable accompanying person due to reasons of liability.
16. Admission is not granted to persons who, for instance:
 - are under the influence of intoxicating agents (drugs, alcohol).
 - carry animals with them.
 - have open wounds or suffer from any notifiable, transmissible diseases or pathogens pursuant to the Infection Protection Law and the laws and regulations issued in the Federal State of Bavaria (In case of doubt, the submission of a medical certificate may be required.) or suffer from skin lesions in which, for

instance, dandruff or scab become detached and dissolve in the water.

- * intend to use the Schätzlerbad for any commercial or other non-customary purposes. Exceptions are only permitted after being approved by the management of the Schätzlerbad Weiden gemeinnützige GmbH.
 - * are banned from entering the Schätzlerbad on a permanent or temporary basis.
17. Vehicles must be parked in the designated places outside the buildings. We refer to the road traffic regulations (StVO). The parking regulations and the road traffic regulations must be observed.

§ 4 Provisions for the operation of the public swimming pool “Schätzlerbad” General rules of conduct

1. The bathers have to refrain from anything that is contrary to accepted principles of morality, maintenance of safety, peace and order.
2. The facilities of the entire Schätzlerbad, including the rental items, are to be treated with care. The bather is liable for any damage in the case of improper use. For culpable contamination that exceeds the extent of intended use, a special cleaning fee may be charged, the amount of which is determined on a case-by-case basis according to actual expenditure.
3. Please report grossly contaminated or damaged rooms or equipment to the staff immediately. Subsequent complaints or objections cannot be accepted.
4. Barefoot areas, such as showers, may not be entered with outdoor footwear or be driven on with strollers. Brought-along assistive devices, such as wheelchairs or rollators, as well as trolley bags must be cleaned by the user or his accompanying person before entering the barefoot area.
5. Bathers are not permitted to make any noise, sing, make music, whistle and use any musical instruments, sound or image reproduction devices and other media, if this could disturb other bathers.
6. Taking photographs and videos (also underwater) of unknown individuals and groups without their consent is not permitted! Photography and filming for any commercial

purposes and for the press requires the prior approval of the management of the Schätzerbad Weiden.

7. For hygienic reasons, a thorough body cleansing with soap, shampoo or similar must be done before entering the swimming pool. Shower rooms are available for this purpose.
8. Manicure, pedicure, shaving, coloring or cutting hair, nail cutting and the like are prohibited.
9. The use of soap and other washing products outside the shower rooms is not permitted.
10. The use of liniments of any kind, e.g. sun cream, ointments, etc. before entering the swimming pools is prohibited.
11. The usage or utilization of hairdryers or other electrical appliances for hair and body care is prohibited.
12. Every bather has to cope with any typical hazards of a swimming pool and therefore, increased caution is necessary. The use of water attractions, such as freefall and wide water slide and water slide in the non-swimmer pool, wave pool and the like requires particular attention and consideration towards other bathers. Using the attractions goes beyond the typical hazards of swimming and therefore, every bather needs to adjust his/her behavior accordingly. Special instructions for use and loudspeaker announcements must be observed, even if the system has been released for use by the supervisory staff.
13. There are also additional information signs in specific areas of the swimming pool, such as the swimming and non-swimmer pool, wave pool, water slide, children's world, gastronomy, beach volleyball fields and sand playgrounds and the specified provisions as well as these information signs also have to be observed.
14. Bathing and boating in the rear pond are prohibited. There is no supervision by rescue personnel. Swimming at the bathing area of the natural pond is permitted. The bathing operations there are supervised. The information signs and the specified provisions have to be observed and the instructions of the Schätzerbad staff must be obeyed.
15. In the event of imminent danger to life, limb and health due to weather

conditions, especially in case of thunderstorms, all bathers have to leave the swimming pool area, including the freefall and wide water slide and water slide in the non-swimmer pool immediately and the use of all specific areas of the swimming pool (please see item # 13) must be stopped. The instructions of the swimming pool staff must be followed. Any loudspeaker announcements must be strictly observed.

16. The use of any water toys and water sports equipment (e.g. swim fins, aqua lungs, snorkels, swim rings, etc.) and swimming aids is only permitted with the approval of the supervisory staff. The use of safety goggles (swimming goggles) is at your own risk.
17. The use of drinking glasses made of glass or porcelain is not permitted in the Schätzlerbad, with the exception of the restaurant and kiosk area.
18. All waste must be put into the designated garbage bins.
19. Smoking or using electric cigarettes in the Schätzlerbad is only permitted outside the changing area, sanitary facilities and swimming pool area. The sunbathing lawns must be kept free of any cigarette residues. In this context, we refer to the Health Protection Act in the respective applicable version.
20. Any lost property must be handed over to the staff immediately and is treated in accordance with the relevant legal provisions.
21. Any clothing and objects that have been left behind are kept by the staff of the Schätzlerbad as lost and found items. Locked lockers are opened by the staff after official hours and any contents left behind are also kept as lost and found items. In this context, §§ 965 et seq. BGB (German Civil Code) apply.
22. The reservation of sun loungers and deck chairs by means of towels, bags, etc. must be omitted.
23. Appropriate clothing or proper swimwear must be worn throughout the entire swimming pool area of the Schätzlerbad. This applies when entering the water as well as during sunbathing and when strolling through the area. Whether a swimwear meets these requirements is solely determined by the supervisory staff.
24. Ankle-length swimming trunks or wearing several swimming shorts on top of each other

are not permitted in the Schätzlerbad.

25. It is prohibited to wear bathing shoes in the swimming pools.
26. It is neither prohibited to wash the swimwear in the swimming pool nor wrung it out. For this purpose, the facilities provided are to be used.
27. The bathers have to refrain from anything that breaches good manners and the maintenance of security, peace and order. Any sexual acts and representations in this context are prohibited.
28. Jumping into the water from the side and pushing or throwing other bathers into the water of the swimming pools is prohibited.
29. Jumping from the starting blocks in the Schätzlerbad is at your own risk and is only permitted after being approved by the supervisory personnel. Prior to the jump, it must be ensured that the jumping area is clear. It is prohibited to swim underneath the starting blocks. The jumping area may only be entered by one person at a time. Remaining in the jumping area is prohibited after the starting blocks have been released. After the jump has been completed, the jumping area must be left immediately.
30. Ball games may only be played in the designated areas.
31. Climbing trees, fences and balustrades is prohibited.
32. Leather balls and similar hard balls are prohibited in all areas of the swimming pool.
33. Spitting on the ground or into the pool water is not permitted.
34. Carrying knives (switchblade knives), brass knuckles or the like (weapons) is absolutely prohibited in the entire area of the Schätzlerbad.
35. Infants and babies may only use the pools with swimwear (aqua swim diaper or disposable swim diaper, etc.).

§ 5 Liability in case of damage

1. The Schätzlerbad Weiden gemeinnützige GmbH as operator is generally not liable

for damages to bathers and other visitors. However, this does not apply to the liability due to the violation of an essential contractual obligation and liability for any damage resulting from an injury to life, limb or health. Likewise, Schätzlerbad Weiden gemeinnützige GmbH is not liable for damages suffered by the bathers or other visitors due to an intentional or grossly negligent breach of duty by the operator, its legal representatives or vicarious agents of the operator.

Essential contractual obligations are those whose fulfilment is essential for the proper execution of the contract and on whose observance the user can regularly rely. These include in particular but not exclusively the use of the bathing facilities, unless these are partially blocked for compelling operational reasons, as well as participation in the events offered and included in the admission price.

2. No liability is assumed for the destruction, damage or loss of any objects by third parties, which are brought along by the swimming pool visitors (in particular valuables, cash and clothing). The provision of a locker does not constitute an obligation of safekeeping. It is the bather's responsibility to lock the locker properly, to ensure that it is locked securely and to keep the key in a safe place.
3. The limitation of liability in accordance with Para 1 also applies to the parking spaces used by the visitors of the Schätzlerbad.
4. Wishes, suggestions and complaints are either accepted by the supervisory or cashier station staff or the management. If possible, remedy is provided immediately.

§ 6 Dispute resolution

The management of the Schätzlerbad Weiden gemeinnützige GmbH is not prepared and obligated to participate in a dispute resolution procedure before a consumer arbitration board.

§ 7 Video surveillance

For safety reasons, the Schätzlerbad is partially monitored with optoelectronic devices (video surveillance). The use of video technology serves exclusively for the prevention of danger and the protection of the householder's rights, i.e. security. The monitored areas are marked or identified as such. The requirements of the Federal Data Protection Act,

in particular § 4, are observed. Stored data will be deleted immediately if they are no longer required or if the interests of the persons concerned are worthy of protection and prevent further storage.

§ 8 Entry into force

The house and bathing rules come into force on 01 May, 2020.

Weiden, 01 May, 2020.

Kurt Seggewiß,
Management of the
Schätzerbad Weiden
gemeinnützige GmbH

