



STANDARD 38: HOT TUBS (EXTERIOR)

RESOLUTION 01-17-80

1.0 DEFINITIONS

- 1.1 For the purpose of this Standard, a Hot Tub shall be defined as a large tub that can accommodate two or more persons, and is filled with hot aerated water and used for recreation and/or physical therapy.

2.0 OBLIGATIONS

- 2.1 The member is hereby noticed that the Mutual may need to perform repairs and maintenance to the manor and patio walls, and any damage that could result to the hot tub, during any such repairs or maintenance, absent negligence or willful misconduct by United Mutual or VMS, would be the responsibility of the Member, and not United Mutual.
- 2.2 Further, the member is responsible to move and/or remove the hot tub as necessary to facilitate the performance of any needed maintenance and repairs to Mutual property.
- 2.3 The member is required to provide proof of personal liability insurance with limits of at least \$200,000 per occurrence with an insurer with an AM Best rating of A-VIII or higher and to name United Laguna Woods Mutual and VMS, Inc. as an additional insurer with written proof to be forwarded to the Village Management Services Risk Management Division annually. Limits may be a combination of homeowners and/or umbrella or excess liability insurance.
- 2.4 Installation must be performed by a California licensed contractor of the appropriate trade.

3.0 APPLICATIONS

- 3.1 A hot tub may only be installed on top of a concrete patio slab surrounded by patio walls at least five feet in height, and at ground level with no adjacent common walls. A hot tub must be portable and may not be permanently installed in any fashion.
- 3.2 Hot tubs on balconies, atriums with adjacent common walls, or raised platforms are prohibited.

- 3.3** A Mutual Consent for Manor Alterations is required for the hot tub and, if required, the member must obtain a City of Laguna Woods building permit for electrical or plumbing modifications made to accommodate the hot tub.
- 3.4** A hot tub may only drain into the sanitary sewer system, and not into the street, the storm drains, or adjacent landscaped areas.
- 3.5** A hot tub must be covered and should be locked when not in use, subject to the California Building Code.
- 3.6** Hot tubs and the use of hot tubs shall not create a nuisance or otherwise create an unreasonable interference with another resident's use and enjoyment of their Manor. The determination of a nuisance or unreasonable interference pursuant to this section shall be at the Board's sole discretion, based on a reasonable investigation.

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Hot Tub Standard

WHEREAS, in United Mutual, no standard exists for exterior hot tub; and

WHEREAS, the City of Laguna Woods has no standards for the installation and use of exterior hot tubs; and

WHEREAS, it is in the best interests of United Mutual and its members to adopt standards regulating the installation and use of exterior hot tubs; and

WHEREAS, the Board of Directors has consulted with staff, the Governing Document Review Committee and legal counsel to develop a standard for the installation and use of hot tubs;

WHEREAS, the standard specifically prohibits hot tubs in atriums with common walls and on balconies. Additionally the standard requires that hot tubs be portable, drain only in the sanitary sewer, not create a nuisance or otherwise create an unreasonable interference with another resident's use and enjoyment of their Manor, and obtain a Mutual Consent for Manor Alterations; and

WHEREAS, the requesting member is required to provide proof of personal liability insurance with limits of at least \$200,000 per occurrence with an insurer with an AM Best rating of A-VIII or higher and to name United Laguna Woods Mutual and VMS, Inc. as additionally named insured; and

WHEREAS, a hot tub must be covered and may require a lock when not in use, subject to the California Building Code; and

NOW THEREFORE BE IT RESOLVED, that on September 12, 2017, the Board of Directors of this Corporation hereby approves a Hot Tub Standard; and

RESOLVED FURTHER, that the officers and agents of this corporation are hereby authorized on behalf of the corporation to carry out the purpose of this resolution.