

X. BEACH CLUB:

**Persons under 14 years of age shall not be in the Beach Club unless personally, accompanied and supervised by an adult.*

MARKUP #1 ->

1. The Beach Club is for the use of Residents and their invited Guests who are accompanied by the Resident. Guests are required to have Paper Guest Passes and to sign the guest log. The Beach Club staff has been directed to refuse service to unauthorized persons, as this is a PRIVATE CLUB, operating with a Type 51 Club liquor license.
2. **Alcoholic beverages** must not be purchased for or by or consumed by persons younger than 21 years of age.
3. **Small Special Parties** of 32 or fewer persons may be held within the Beach Club **with advance reservations only**. Finger food appetizers are **only allowed** at these parties. Cleanup is the responsibility of the group. A Fee may be charged for each event.
4. **Organized Small Group Activities** shall respect the activities of other users in the Beach Club and shall behave in a cordial and responsible manner (they shall not monopolize the use of the facility or infringe on the enjoyment of the facility by other users). **Organized Small Group Activities must meet criteria established by the L&R Policies.**
5. The Beach Club may be closed for the purpose of a Special Event sponsored by L&R.
6. **No gambling is allowed** in the Beach Club.
7. **No smoking of any kind including e-cigarettes and vaping is permitted in the Beach Club, on the decks of the Beach Club or in the Beach Club Pool, Spa or Barbecue Areas.**

ISSUE #1

Pets are prohibited inside the Beach Club, or on its outside Deck Areas, including the Pool, Spa and Barbecue Areas, with the exception of Trained Service Dogs. (See III. PETS #2)

9. L&R sponsored Special Events (including Dinners, Musical Events) will have a proper dress code.
10. The telephone is for business calls only. Personal calls are not allowed. Urgent calls of an emergency type are permitted.
11. **Bare feet, wet clothing and bathing suits without cover-ups are not permitted any time.** Please remove sand and dry off water before entering the Beach Club.
12. **Alcoholic beverages purchased from the bar must be consumed within the Beach Club Facility and Pool Area. Alcoholic beverages NOT PURCHASED FROM THE BAR ARE NOT PERMITTED in the Beach Club or any of the Deck Areas, including the Pool, Spa and Barbecue Areas.**
13. Residents and guests who appear to be intoxicated or who behave inappropriately will not be served and will be asked to leave the facility.
14. **Glass containers are not permitted outside of the Beach Club.** This includes on the decks, on the bar counter of the front deck or in the Pool, Spa or Barbecue Areas.

MARKUP #1 · FAIR HOUSING ACT (FHA) LIABILITY RISK

BOARD & COUNSEL REVIEW

Sec. X (p. 13): Pet restriction clause lacks mandatory statutory carveout for assistance and emotional support animals.

Statutory / Legal Reference: 42 U.S.C. § 3604(f)(3)(B) & 24 C.F.R. § 100.204 (Fair Housing Act - Assistance Animals) & HUD FHEO-2020-01

Statutory Comparison: Under federal Fair Housing Act regulations (42 U.S.C. § 3604(f)(3)(B), 24 C.F.R. § 100.204, and HUD Notice FHEO-2020-01), associations cannot apply pet restrictions, breed bans, weight limits, or pet fees/deposits to an individual with a disability who requires a service animal or emotional support animal.

CURRENT WORDING IN DOCUMENT:

Pets are prohibited inside the Beach Club, or on its outside Deck Areas, including the Pool, Spa and Barbecue Areas, with the exception of Trained Service Dogs. (See

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided, however, that these pet restrictions, breed prohibitions, weight limitations, and pet fees shall not apply to verified assistance animals, including service animals and emotional support animals required as a reasonable accommodation under the Fair Housing Act (42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204; HUD Notice FHEO-2020-01).