

Section 5.3 - Sample Provision Excerpt (Public Preview)

Pets are not permitted at Lucido Park. Bikes, in-line skates (roller blades), skateboards, roller skates, and razor scooters are prohibited in the park on the walking trail. Small bikes for use by toddlers may be used only in designated areas.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 5.3 (p. 35): Election or voting provision conflicts with California Civil Code §§ 5100 - 5145 requirements for secret ballots, independent Inspector of Elections, non-suspension of member voting rights (§ 5105(g)(1)), or AB 2159 electronic voting safeguards.

Statutory / Legal Reference: Cal. Civ. Code §§ 5100, 5105, 5110 & 5115 (SB 323 / AB 2159)

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 not permitted at Lucido Park. Bikes, in-line skates (roller blades), skateboards, roller skates, and razor scooters are prohibited in the park on the walking trail. Small bikes for use by toddlers may be used only in designated areas.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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