

SUMMER 2020

- 6. No glass containers in the pool area.
- 7. No diving in shallow area.
- 8. No hanging on the swim lane ropes.
- 9. No unnecessary conversation with lifeguards on duty.
- 10. No loud radios, etc. in pool area.

POOL REGULATIONS

- 1. Lifeguards have control of all activities in the Pool Area (*inside the fence*) and their instructions must be obeyed.
- 2. Everyone must check-in for their scheduled time-slot for swimming and have a signed Waiver form on File or presented at check-in.
- 3. Everyone must enter the Pool Area through the East gate and Exit through the South gate.
- 4. No person having an infectious / communicable disease or open wound is permitted in the Pool.
- 5. Pets are not permitted in Pool Area.
- 6. Guests are not permitted at the pool for the 2020 season.
- 7. Children ages 12+ may use the pool without adult supervision.
- 8. Children ages 9 to 11 must pass a swim test and have a signed waiver on file to swim without an adult (*please see a lifeguard for the waiver form*).
- 9. Children under the age of 9 need supervision by a caregiver aged 15+.
- 10. Proper swimming attire is required at all times while in the Pool. NO STREET CLOTHES.
- 11. Pool privileges may be suspended for violations of Pool Rules or Regulations.
- 12. During regular Pool hours, the Pool will be cleared out completely at 45 minutes past the hour for cleaning. There is NO adult swim during this time and everyone must leave the pool deck completely.
- 13. No chairs will be provided for the Pool deck. You may bring your own chairs to sit on and they must be removed at the end of your session.
- 14. The Association is not responsible for any loss or damage to personal property.

ISSUE #1

MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. 10 (p. 2): 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 not permitted in Pool Area. 6. Guests are not permitted at the pool for the 2020 season. 7. Children ages 12+ may use the pool without adult supervision. 8. Children ages 9 to 11 must pass a swim test and have a signed waiver on file to swim without an adult (please see a lifeguard for the waiver form).

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).