

SECTION II - PAVILION REGULATIONS

The pavilion is available for use by all Secret Cove Association Members and their guests during the posted hours of operation. The pavilion, the pool, the common grounds, tennis courts and the bathhouse are posted with warning signs “For Members Use Only”. Anyone who is not a member or guest of a member is trespassing and is subject to arrest if found on the property.

Any association member may question persons using the pavilion relative to their residency in Secret Cove and their membership in the association.

For safety and security reasons, direct access to Secret Cove Civic Association’s Common Areas, Park and Pavilion is NOT allowed from residences adjacent to the City of Jacksonville drainage route. This type of access is strictly forbidden.

PAVILION RULES

All Secret Cove Civic Association membership dues must be paid in full, prior to using the pavilion.

The pavilion area is a family friendly venue and as such it is expected that the personal conduct of association members and their guests will be well mannered. NO PROFANITY will be allowed.

ISSUE #1

- Pets are not allowed within the pavilion or the bathhouse.
- The Association will not be responsible for any money or personal property losses sustained by members or their guests.
- No conduct affecting the safety of others is permitted within the pavilion.
- Cups, wrappers, and refuse must be placed in trash containers provided. Each resident or guest is responsible for their own cleanup.

PAVILION GUEST RULES

The pavilion is to be used only by Secret Cove Civic Association (SCCA) Members, their families and their guests. Secret Cove residents who are not SCCA Members are not eligible to use the pavilion as guests of other SCCA members. The sponsoring SCCA Member is responsible for obtaining approval to use the facility and for the behavior of all of his/her guests.

The Association has limited the number of guests, who may accompany an Association Membership to five (5). Each guest or group of guests must be accompanied by the member host while they use the pavilion. If there are more than five guests accompanying the member, the event will be considered a party and the rules pertaining to a party will apply. Any request for other arrangements must be made through the Secret Cove Civic Association Board of Directors.

Children under the age of twelve (12) must be under the supervision of a baby sitter responsible for the care of the children or other responsible adult over the age of 18 years old. Children ignoring this rule will be requested to leave the area.

MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. PAVILION RULES (p. 3): 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; HUD Notice 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 allowed within the pavilion or the bathhouse. The Association will not be responsible for any money or personal property losses sustained by members or their guests. No conduct affecting the safety of others is permitted within the pavilion. Cups, wrappers, and refuse must be placed in trash containers provided. Each resident or guest is responsible for their own cleanup.

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).