

MARKUP #1 ->

POOL RULES

ISSUE #1

1. The pool is restricted for use by the owners and renters of Coast Cottages and The Villas. Any guests of the owners or renters must be accompanied by that owner or renter.
2. No parking of vehicles at the pools
3. No pets are allowed in the pool areas EXCEPT to pass through to get to the beach and back.
4. Towels, robes, etc. should not be hung on the fences.
5. All gates are to be kept closed and locked except for entering and leaving--the gates should not be propped open.
6. All children under the age of 16 should have a parent or responsible adult on the premises of Coast Cottages or The Villas. Any child under the age of 10 and any child who does not know how to swim must have a parent or responsible adult present at the pools with that child.
7. The code for the gates is not to be given out except to those persons authorized to use the pools.
8. Pool furniture should not be removed from the fenced pool areas.
9. Glass containers are not allowed at the pools.
10. Water toys and floats should be kept at a minimum in order for all swimmers to enjoy using the pools.
11. No diving.
12. Each swimmer is responsible for his/her own safety. There is no lifeguard at the pools.
13. Private parties are not allowed at the pools and pavilion. This area must be available for all authorized persons to use at all times.
14. Swimmers are required to follow Georgia law regarding use of the pools. The provisions of the law are posted at the pool area.
15. At times, there is a “pool host” or “pool hostess” present at the pools. These individuals are not lifeguards. These individuals have the St. Simons Coast Cottages Neighborhood Association, Inc.’s authority to monitor who is using the pools.

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

BOARD & COUNSEL REVIEW

Sec. 2 (p. 14): 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:
No parking of vehicles at the pools 3. No pets are allowed in the pool areas EXCEPT to pass through to get to the beach and back.

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).