

Gate Code: _____

Montclair Pool Registration
Pool Regulations (revised 2026)

MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. 5 (p. 1): 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 pets will be allowed in the pool enclosure. 6. No alcoholic beverages will be consumed on the premises.

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).

THE POOL AREA IS UNDER 24-HOUR RECORDED SURVEILLANCE. DURING TIMES WHEN NO LIFEGUARDS ARE ON DUTY IT IS SWIM AT YOUR OWN RISK. GUESTS ARE ALLOWED ONLY WHEN LIFEGUARDS ARE ON DUTY.

As a condition of membership, each member agrees that the Montclair Association, Inc., is absolved of all liability for any cause for action where it can be shown that there has been failure to comply with regulations stated herein.

The lifeguards are authorized to evict anyone violating or failing to comply with the regulations and to enforce such additional rule or regulations as may be referred to the Board of Governors, which may suspend pool privileges, at their discretion, for the violator and his entire family.

Pool Phone: 762-994-0636

A. Age Restrictions:

- Children 5 years and younger ONLY are allowed to use the baby/wading pool, with an adult.
- Children under 6 years of age must be accompanied by an adult to the pool or when using the restroom.
- During busy hours, children (10 and over) should play in the four (4) foot area and remain clear of the three (3) foot area.
- Children under 12 years of age must be accompanied and supervised by their parents or designated chaperone (16 and over) appointed by their parents at all times.

B. General

- Members must show their identification upon request and must register via the sign-in process upon entering the pool. The plus+ one rule is still valid for every membership and any other guests, beyond the plus+ one, must pay the required guest fee upon entering the pool.
- Parents, whether present or not, are responsible for the conduct of their children and guests using Association facilities. Members will be asked to leave the pool if they do not adhere to the rules. **Lifeguard or Pool Manager issues a 1st warning and 2nd warning (child will sit out of the pool), the 3rd warning the member will be asked to leave the pool and parents will be contacted.**
- Resident members delinquent in their assessments shall not be allowed to join the pool.
- ~~No pool membership refunds after July 4th (mid-season).~~
- No pets will be allowed in the pool enclosure.
- No alcoholic beverages will be consumed on the premises.
- ~~No smoking, Vaping, E cigarettes inside the pool enclosure at any time.~~
- The Association will not be responsible for loss or damage to personal property. Personal items will not be held at the concession stand.
- Pool user fees are not transferable.
- Pool user fees are not refundable after the pool season opens, except upon moving from Montclair.
- Only employees are allowed in concession stand, pump house and on the lifeguard stands
- NO members or guest will be allowed on top of the pump house.
- Proper swimming attire must be worn in the pool. No thongs, street clothes or inappropriate swim attire will be allowed at the Montclair Pool. Members will be asked to leave if the attire is not appropriate.
- No profanity on the premises.
- A ten-minute break (“**adult swim**”) will be called 10 minutes before each hour. Children should not be sitting on the edge or side of the pool during breaktime.
- Only adults 18 and over and children 6 years and younger accompanied by an adult, may be in pool at this time.**

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