

Lake Barrington Community Homeowners Association Rules and Regulations

ISSUE #1

MARKUP #1 ->

9. Pets are not allowed at the Marina, Beach or other recreational areas.

10. Private beach parties for groups of 10 or more require a reservation, with a maximum number of 35 people. Only one (1) beach party per day is allowed. Beach parties may use a maximum of one grill and half of the tables. The Resident sponsoring the party must be present at all times and is responsible for cleanup afterwards.

11. Music must cease by 9:00pm.

12. The following are prohibited: smoking, littering, using glass containers, and fishing on the beach. Bonfires are only allowed during events sponsored by LBCHA.

c. Fishing Rules

1. All laws of the State of Illinois pertain to anyone fishing in the LBS Community. Individuals 16 years of age and older need a State of Illinois fishing license. Anglers under 16 years of age and persons declared legally disabled or blind may fish without a license.
2. All game fish (bass, walleye and northern pike) are to be released regardless of size. Pan fish (crappie, perch, blue gill) do not apply to this rule. There are no creel or length limits on pan fish.
3. The use of minnows and/or leeches as bait is not permitted.
4. Fishing gear is limited to two hand-held fishing

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

BOARD & COUNSEL REVIEW

Sec. 9 (p. 43): 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 allowed at the Marina, Beach or other recreational areas.

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).