

ISSUE #1

4. Reasonable and proper conduct is expected at the beaches.
5. No children under 12 years of age will be admitted unless accompanied by a parent, other responsible adult, or other family member over 12 years of age.
6. Persons under the age of 16 must be accompanied by a responsible person 16 years of age or older, unless a lifeguard is present.
7. Beach areas are closed to children under 18 years of age after 9 PM unless accompanied by parents.
8. Beach areas are closed to all use from 11 PM to 5 AM year round. Village police are authorized to arrest trespassers.
9. Vehicles or boat trailers must not be parked on the beach area or in front of gates. Large gates are posted for emergency vehicle use.
10. Absolutely no glass beverage containers are allowed in the swimming area, including sand, pier, and rafts.
11. No alcoholic beverages will be allowed in the actual swimming area. This includes the swimming pier, rafts, and designated swimming area.
12. Smoking Policy – Smoking at the South Beach is only allowed on the East end of the beach in between the dumpster fence and basketball court. No smoking is allowed in any other part of the beach. Please make sure all spent smoking materials are placed in a garbage container, all flames extinguished, and ashes cool. Use water if necessary.
13. No open fires are allowed in the picnic areas. BBQ grills are provided. Members' portable grills may also be used.
14. No pets are allowed inside the fenced area at South beaches except leashed service animals on the far east side of the beach, on the grass only. Dogs are allowed at North beach anytime.
15. No hard objects may be thrown, only soft balls or those appropriate and not harmful to others on the beach at the time. No stone throwing in the beach or creek areas.
16. Admittance to beaches is through gates only. Climbing fences will be considered trespassing.
17. Proper attire is required when swimming.
18. Park bicycles in racks provided when possible.
19. No water balloons or fireworks are allowed on LLPOA property at any time.
20. AT NO TIME ARE FIREARMS PERMITTED ON LLPOA PROPERTY.
21. Inflatables (bounce houses, obstacle courses, etc.) are not permitted on LLPOA property.

Swimming

1. Every swimmer should be familiar with the Illinois Department of Public Rules as they apply to the usage of our swimming beach. Those mandated health-based IDPH rules are posted at the beach on blue and white sign(s) and are for everyone's safety.
2. No running or horseplay on rafts or piers.
3. No diving off piers.
4. No Playing under piers.
5. No swimming under rafts.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 1 (p. 2): Occupancy or amenity restriction discriminates based on familial status / disability or imposes an overbroad age restriction under the Fair Housing Act and HOPA.

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: The Fair Housing Act (42 U.S.C. § 3604(b)) prohibits familial-status discrimination against families with children - including adult-only rental age floors (e.g., 24+), mandatory hourly pool exclusions targeting all minors under 18, blanket Common Area parental-escort rules for children, and caps on grandchildren - unless the community actively qualifies as 55+ Housing for Older Persons under 42 U.S.C. § 3607(b)(2) and 24 C.F.R. §§ 100.304 - 100.307 (which regulates occupancy rather than fee-simple title ownership and does not authorize intrusive medical/disability disclosures for live-in caregivers under 42 U.S.C. § 3604(f)).

CURRENT WORDING IN DOCUMENT:

of 3 4. Reasonable and proper conduct is expected at the beaches. 5. No children under 12 years of age will be admitted unless accompanied by a parent, other responsible adult, or other family member over 12 years of age. 6. Persons under the age of 16 must be accompanied by a responsible person 16 years of age or older, unless a lifeguard is present.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Any age-based occupancy restriction shall be enforceable only while the Association actively qualifies as "Housing for Older Persons" pursuant to 42 U.S.C. § 3607(b)(2)(C) and 24 C.F.R. §§ 100.304 - 100.307, including maintaining at least 80% occupancy of units by at least one person 55 years of age or older and conducting mandatory biennial age-verification surveys. Absent active HOPA qualification, no restriction shall discriminate on the basis of familial status.