



North Shore Beach Property Owners Association

Rules & Regulations

Updated 12/2021

MARKUP #1 ->

BEACH FIRES

The ‘Beach Fire Application’ can be completed online and submitted electronically NSBPOA requires members to provide notice of all beach fires. Without prior notification, NSBPOA Board Members and Security Staff may extinguish your fire, as necessary. NSBPOA understands beach fires may not always be planned in advance so the online form can be used in advance, or for last minute notification of beach fires. Please complete the required sections of the form and you must agree to the following guidelines:

- Beach Fire by Members Only - I agree that beach fires must be always started by and in the presence of a member of NSBPOA. Members must be present with their guests and always have their NSBPOA ID card with them for the duration of the beach fire. Members may not leave beach fires unattended under any circumstances. Beach fires are not permitted in front of any wooden structure like a bulkhead, staircase, kayak rack or any other wooden structure on NSBPOA property.
 - Agree to Beach Fire Location - I agree that beach fires must be small, contained and below the high-water mark or seaweed line.
 - Prohibited Burning - I agree that there will be no burning of garbage. There will be no use of fire starter logs. There will be no use of leaves or dried beach grass to kindle fire. I will use only seasoned firewood. Treated wood is prohibited.
 - Agree to Extinguish - I agree that all beach fires must be extinguished and cleaned up prior to members leaving NSBPOA property.
 - Agree to Guidelines - I agree that any beach fire that is not within these guidelines will be extinguished by the Officers/Directors of NSBPOA and the security personnel.
- Failure = Suspension - I understand that failure to adhere to the above would subject member(s) to a fine and suspension of membership. Proof of a response would be your permit to have the fire. Please visit our website to fill out the Beach Fire Application.

PETS

ISSUE #1

NSBPOA beaches are pet-friendly year-round. The only time pets are not allowed is between Memorial Day and Labor Day on weekends (Saturday and Sunday) between the posted beach hours. All pet waste must be cleaned and removed from the beach. Owners are responsible for any disturbance caused by their animals. Dogs are never allowed on the beach unleashed at any time. BROOKHAVEN TOWN LAW REQUIRES ALL DOGS BE LICENSED AND LEASHED.

MEMBER CONDUCT

Proper etiquette and conduct are ALWAYS expected by all members and guests. Disorderly conduct will not be tolerated. The NSBPOA Board of directors has the authority and responsibility to fine, suspend, or expel, a member whose conduct shall be deemed to be improper or likely to endanger the welfare, safety, harmony, or good reputation of the association.

The use or possession of alcoholic beverages on NSBPOA property is allowed for anyone age 21 or older. For safety reasons, beverages in cans/plastic bottles are preferable to those in glass containers. To avoid the hazard of broken glass on the beach, please take all your

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

BOARD & COUNSEL REVIEW

Sec. 2 (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 (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 NSBPOA beaches are pet-friendly year-round. The only time pets are not allowed is between Memorial Day and Labor Day on weekends (Saturday and Sunday) between the posted beach hours. All pet waste must be cleaned and removed from the beach. Owners are responsible for any disturbance caused by their animals. Dogs are never allowed on the beach unleashed at any time. BROOKHAVEN TOWN LAW REQUIRES ALL DOGS BE LICENSED AND LEASHED.

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).