

Subsequent Offenses: Fine will be raised in \$50 increments

ARTICLE B22. WATERFRONT RULES

A) No playing, jumping, sinking, swimming under or behind the docks/rafts. No throwing of sand or rocks on the beach, into the lake or playground areas. No umbrellas at the waterline. Umbrellas must be behind the lifeguard chair areas.

ISSUE #1

FINE FOR VIOLATION
First Offense: \$100
(A) Subsequent Offenses: Fine will be raised in \$50 increments

ARTICLE B23. UNDERAGE CHILDREN

Children under 12 years of age are not permitted to swim without parental supervision.

FINE FOR VIOLATION
First Offense: \$100
Subsequent Offenses: Fine will be raised in \$50 increments

ARTICLE B24. THUNDER OR LIGHTNING

At the first sign of thunder or lightning all persons must leave the water immediately. All boaters must return to the Gold Key boats to shore/Gold Key Beach area and seek shelter.

FINE FOR VIOLATION
First Offense: \$100
Subsequent Offenses: Fine will be raised in \$50 increments

ARTICLE B25. GLASS CONTAINERS PROHIBITED

Glass containers of any kind are not permitted on the beach, playground, or in the Recreation Center.

FINE FOR VIOLATION
First Offense: \$150.00
Subsequent Offenses: Fine will be raised in \$50 increments

ARTICLE C1. FAILURE TO COMPLY WITH SECURITY OFFICER

- A) A Security Officer is any person employed by Gold Key Country Club who is either full time or part time and whose primary responsibilities are to serve and protect.
- B) The Gold Key Security Department shall solely be empowered by the Board of Directors to issue citations for any violation of the community Rules and Regulations.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. FINE FOR VIOLATION (p. 13): 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:

FINE FOR VIOLATION First Offense: \$100
(A) Subsequent Offenses: Fine will be raised in \$50 increments ARTICLE B23. UNDERAGE CHILDREN Children under 12 years of age are not permitted to swim without parental supervision. FINE FOR VIOLATION First Offense: \$100 Subsequent Offenses: Fine will be raised in \$50 increments ARTICLE B24.

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.