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|--------------|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| MARKUP #1 -> | Section 4<br>Health Consideration | 1. All bathers must shower before entering the pool. <b>(State Law)</b><br>2. Admission may be refused to anyone with skin abrasions, colds, coughs, inflamed eyes, infections, or wearing bandages.<br>3. Expectorating and blowing of nose in pool is prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Moved to Pool Committee |
|              | Section 5<br>Activities           | 1. No running, pushing, wrestling, or causing undue disturbance in the pool area is permitted.<br>2. Only one person shall be allowed on the diving board and sliding boards at any time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Moved to Pool Committee |
|              | Section 6<br>Pool Area            | 1. Only flotation devices built into swim suits will be permitted in the main pool. Small inflatable rubber or plastic toys will be permitted in the kiddy pool.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Moved to Pool Committee |
|              | Section 7<br>Restrictions         | 1. Lake Heritage Swim Club is not responsible for loss or damage to personal property.<br>2. No alcoholic beverages will be permitted within the pool area.<br>3. No smoking on the pool apron - please butt all cigarettes in the containers provided.<br>4. No abusive language shall be used by any member or guest.<br>5. No gum chewing in the pool area.<br>6. No glass containers of any kind will be allowed in the dressing rooms or pool area.<br>7. No pets allowed within pool area                                                                                                                                                                                                                                                 | Moved to Pool Committee |
|              | Section 8<br>Guests               | 1. Members shall be responsible for the conduct of their guests at all times and every Guest must be accompanied by a member, their spouse or members of their immediate family residing at the same address as the dues paying members. Children under ten (10) years of age are not permitted to bring Guests unless accompanied by an adult.<br>2. All guests must register at the bath house and submit their Guests ticket.<br>3. People who wish to purchase Guest tickets will find them available at the pool office whenever the pool is open.<br>4. Books containing ten (10) admittances may be purchased.<br>5. Members wishing to sponsor use of pool facilities must make arrangements with the Pool Manager or Community Manager | Moved to Pool Committee |

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

BOARD & COUNSEL REVIEW

Sec. 7 (p. 12): 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:**  
Restrictions Lake Heritage Swim Club is not responsible for loss or damage to personal property. No alcoholic beverages will be permitted within the pool area. No smoking on the pool apron - please butt all cigarettes in the containers provided. No abusive language shall be used by any member or guest. No gum chewing in the pool area. No glass containers of any kind will be allowed in the dressing rooms or pool area. No pets allowed within pool area

**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).