

14. No pets are allowed in the pool area with the exception of guide dogs.
15. Members must wear bathing suits or bathing trunks in the pool. Cutoffs or shorts are not permitted in the pool.
16. Running, pushing, acrobatics, wrestling, fighting, ball playing, splashing, dunking, spitting, horseplay, or causing undue disturbances are not allowed in the pool or pool area and will not be tolerated. The pool attendants have the authority to suspend the pool privileges of any individual for the remainder of the day.
17. **Disciplinary Policy**

*1st Offense ----- Warning by **Pool Attendant**.

*2nd Offense ----- Sitting out of pool for 1 hour.

*3rd Offense ----- Ejection from pool area for remainder of the day and possible revocation of pool privileges. The member will be denied access to the pool until the matter is resolved to the satisfaction of the pool attendant and/or Pool Director.
18. Pool Attendants are responsible for enforcing the rules of the Community Association pool and pool area. All members are required to abide by these rules. Parents are responsible for instructing their child or children to observe all rules and obey the instructions of the pool attendants.
Members are ultimately responsible for the conduct of their children at the pool.
19. Non-compliance with the rules of the pool will result in suspension of pool privileges.
20. The pool attendants have the authority to suspend an individual's pool privileges for the day for any infraction of these rules. Subsequent action may be taken by the Board of Directors, which may revoke an individual's pool privileges for any length of time, including the remainder of the swimming season, and may assess monetary charges if appropriate.
21. Use of the pool is prohibited unless it is officially open and the pool attendants are on duty. Unauthorized use of the pool after hours will constitute a trespass of private Community Association property and all violators will be prosecuted.
22. Members who damage pool furniture or equipment or trespass on pool property after hours will be automatically suspended, charged for any expense incurred, and police/court action may be taken.
23. Members are **not permitted** to lounge or loiter near the pool attendants or talk with pool attendants while they are on duty. This will be enforced.
24. **Badges are not transferable.** If a member (or registered as a member of household or children or the member) lends or transfers their badge, the member in good standing will be subject to fines and other sanctions. All Members must have their own badges from their household.
25. The pool attendants are in charge of the daily safe operation of the pool and the pool area. Any dispute with the pool attendant's decision should be presented to the Office or Pool Director
26. These rules have been developed for the operation of the pool in the best interest of the resident members of the community and can be changed or amended, as necessary.
27. For security purposes, the pool is subject to 24-hour video monitoring.
28. For the 2025 season there will not be a lifeguard on duty. Therefore, all members, their family members will swim at their own risk.
29. All recommendations from the CDC regarding Covid19 apply.

ISSUE #1

MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. 14 (p. 2): 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:

No pets are allowed in the pool area with the exception of guide dogs. 15. Members must wear bathing suits or bathing trunks in the pool. Cutoffs or shorts are not permitted in the pool.

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).