

MARKUP #1 ->

- and proper operation must be adhered to. In addition, such vehicles, including dirt bikes, must be insured. Proof of insurance on such vehicles will be required at the time of registration with the TWPOA office.
- This is for all ATV's, dirt bikes, snowmobiles, go-carts.
1. All vehicles of these types must be registered with the TWPOA office (Violation is 100.00).
 2. For any vehicle of these types, proof of insurance is required for registration.
 3. Speed limits on all roadways shall not exceed 25 mph.
 4. ATV's:
 - a. Must be registered and insured in accordance with State law.
 - b. Riders under the age of 10 are not permitted to ride on any road, private or otherwise, except the property owner's/renter's property.
 - c. Riders age 10 to 15 are required to have taken and successfully passed an approved rider safety course. Upon completion of an approved safety course, a certificate will be received for verification that the rider is certified.
 - d. Riders must wear a helmet.
 5. When registered with the TWPOA, an identification plate will be issued for each vehicle. A fee will be charged to the property owner/renter for the plate cost.
 6. Dirt bike/Off road motorcycles:
 - a. Helmets are required for anyone under the age of 18.
 - b. Upon registration with the TWPOA, a registration number will be issued for each dirt bike/off-road motorcycle.
 - c. The number must be displayed on the fron of the vehicle.
 7. Go-carts
 - a. A TWPOA registration number must be displayed.
 8. Snowmobiles
 - a. Snowmobiles shall be driven on the shoulders of the roads and not used on TWPOA Common Property including TWPOA streets and shoulders except as defined by Pennsylvania law relative to the use of streets.
 9. Violations
 - a. After a one-time warning, a fifty-dollar violation will be assessed to the property owner/renter for violating and of these rules except where otherwise specified.

Property owners requiring more information about the All-Terrain Vehicle or Snowmobile law should contact the PA department of Conservation and Environmental Resources, snowmobile/ATV unit. PO Box 1467 Harrisburg, PA 17120 or call 717-785-9227.

ISSUE #1

- (i) Snowmobiles shall be driven only on the shoulders of the roads.
- (j) Property owners/renters are responsible for the actions of their pets. Dogs belonging to the property owners/renters, or their guests must be licensed and are not allowed to roam within the property, except under their supervision. Dogs on Tink Wig roads must be on a leash, the owner in control of the leash, and cleaned up after (Violation - \$25.00 penalty per violation)
- (k) No Pets are allowed in the pool area, inside the clubhouse, Mallard Room, office or common area. Pets are allowed in the boast area for actively loading and unloading and

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

BOARD & COUNSEL REVIEW

Sec. 9 (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:

(j) Property owners/renters are responsible for the actions of their pets. Dogs belonging to the property owners/renters, or their guests must be licensed and are not allowed to roam within the property, except under their supervision. Dogs on Tink Wig roads must be on a leash, the owner in control of the leash, and cleaned up after (Violation - \$25.

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).