



ISSUE #1

MARKUP #1 ->

8. No pets allowed on beaches at any time. Dogs can be walked on a leash along Lakeshore grass but are NOT allowed in the beach areas. Dogs can swim anywhere along the lakeshore from Acacia to Canary except beach areas. Clean-up after dogs is REQUIRED.
9. All bicycles, scooters and skateboards must be placed along the railing at the beach areas.
10. No fishing in swim areas.
11. No foul language, abusive or illegal behavior is allowed.
12. No glass or fires allowed on beaches or along Lakeshore property.
13. At the Main Beach boats and wave runners must be anchored at least 25 feet beyond designated swim areas. No boats or wave runners are allowed between the swim area and West of & to 10 feet from the Town boat launch.
14. No golfing on Beaches or on Lakeshore.
15. No throwing rocks in swim areas.
16. No boats, canoes, jet skis, kayaks or paddle boats are allowed inside the designated swimming areas. Playground equipment is for use by children 14 and under and parent/guardian accompanying children.

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

BOARD & COUNSEL REVIEW

Sec. 6 (p. 9): 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 allowed on beaches at any time. Dogs can be walked on a leash along Lakeshore grass but are NOT allowed in the beach areas. Dogs can swim anywhere along the lakeshore from Acacia to Canary except beach areas. Clean-up after dogs is REQUIRED. 9. All bicycles, scooters and skateboards must be placed along the railing at the beach areas.

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).