

MT. POCAHONTAS PROPERTY OWNERS ASSOCIATION (MPPOA)
RULES AND REGULATIONS

These rules are based on the Protective Covenant, which shall run with the land and are thus enforceable in a court of law.

The following rules and regulations are approved by the Board of Directors to protect the health, safety and welfare of all property owners. Any violations of these rules and regulations would mean issuance of a citation and could result in a fine and/or a suspension of privileges.

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ARTICLE I
MEMBERSHIP IDENTIFICATION

It is the policy of MPPOA to have all members, their guests and renters properly identified. The reason for this is to control the use of our facilities and limit the use to members in good standing along with their guests and renters. This will provide better security and safety to persons using these facilities (in accordance with our By-Laws).

ARTICLE II
EMERGENCIES

Keep a list of Emergency numbers by your phone. Please note: The numbers listed may have to be updated periodically and are provided here as a convenience only.

State Police/Fire/Ambulance	911
Animal Control Officer	570-325-4828
Carbon Cty. Non-Emergency	1-800-452-1813
Carbon Cty. Communications Center	570-325-9111
Intrepid Detective Agency	570-455-1984 (0) for dispatch

ARTICLE III
SWIMMING POOL RULES

1. The swimming pool shall be open to all association members in good standing and their guests only when a lifeguard or attendant is present.
2. Admittance to pool will be open to members who have current membership badges. Any child under 12 years of age must be with a parent or responsible adult, who will have full responsibility for the child's safety.

3. No food or beverages are allowed within the pool area. The picnic area is provided for this purpose.
4. No wet bathing suits are permitted upstairs in the clubhouse.
5. No running or pushing allowed in the pool area.
6. No disturbing noises, loud radios, etc.
7. No conversations with lifeguards while they are on duty.
8. No diving at any time from sidewalls of pool.
9. All beach and deck chairs must be positioned so that the lifeguards have a clear and unobstructed view at all times.
10. Obscene language is not permitted.
11. No water pistols or water pump guns allowed in pool area.
12. Members and guests are required to sign in, (full name and lot no.), and wear a MPPOA badge.

Violators of these rules will be subject to a fine \$50.00+cost.

ARTICLE IV GUEST POLICY

Control must be exercised in the use of the facilities:

1. Each guest must have a badge that has been issued to a member in good standing.
2. Any member not in good standing shall not be permitted to be a guest of another member.
3. A member or a member of their family over 16 years of age must accompany all guests and invitees.

ARTICLE V RENTAL POLICY

All members of the Association who rent their property must complete a Yearly Tenant Application Form, pay \$125.00 yearly fee and provide \$300.00 deposit before renting their property. This form and fees must be submitted to the MPPOA office **PRIOR** to the rental.

*PLEASE FIND THIS FORM ATTACHED.

Be it resolved that beginning January 1, 2006 any property owner who wishes to lease their property will need to submit a \$300.00 deposit to be held in a non-interest bearing escrow account. At that time please also submit a copy of the Lease Agreement for our records. Once you are no longer renting your property, you must submit a written request to have your \$300.00 deposit returned which will be refunded providing everything is satisfactory.

NO FUNDS WILL BE RETURNED IF PROPERTY OWNER IS DELINQUENT ON THEIR ACCOUNT(S).

ARTICLE VI
MOTOR VEHICLE RULES

1. Motorized vehicles – Any vehicle operated by a motor, including but not limited to automobiles, trucks, recreation vehicles, motorcycles, ATVs, snowmobiles and motorized bikes.
2. The SPEED LIMIT is 15 MPH on all roads in MT. POCAHONTAS. Violators shall be subject to a fine \$25.00+cost. Fines doubled for every 5 miles over the posted limit.
3. All traffic signs posted by MPPOA are to be obeyed. \$50.00+cost fine for first offense; \$75.00+cost for second offense; \$100.00+cost for third offense.
4. Written complaints of any noise disturbance can be made to the Security Enforcement Officer or to the Directors. The owner will be given a written notice of the complaint and may ask for a hearing, or may prove to security what means have been taken to control the noise level of the vehicle. Persons in violation of the noise regulation may be subject to a fine of \$50.00 +cost for the first offense; \$75.00+cost for second offense; \$100.00+cost for third offense.
5. No camping or travel trailers are to be used on any lot at any time as a residence, either temporary or permanent. All vehicles must be registered and inspected per Pa state law when within the Mt Pocahontas community (including your property). Violators will be subject to a fine of \$100.00+cost for first offense; \$150.00+cost for second offense; \$250.00+cost for third offense.
6. Any member inviting a guest with an ATV shall be held responsible for fines associated with infractions in accordance with the rules of MPPOA. See line 9.
7. No unregistered or uninspected motor vehicle may be on any property. Owners of unregistered vehicles or junk cars shall be subject to a fine per vehicle. \$50.00+cost per vehicle .You will have 10 days to comply with this citation. AFTER the 10 days are up if you are still in non-compliance you will be cited \$25.00+cost per day up to \$250.00+cost until you come into compliance.
8. On the street parking of vehicles is prohibited and subject to a fine per vehicle. \$35.00+cost per vehicle for first offense; \$50.00+cost per vehicle for second offense; \$75.00+cost per vehicle for third offense. On the street parking or overnight parking of tractor trailers is prohibited and violators shall be subject to a \$300.00+cost fine for

the first offense; \$500.00+cost for the second offense; \$1000.00+cost for the third offense.

9. Effective midnight, 2/28/09, all ATVs, dirt bikes, snowmobiles, go-carts, golf carts and off road vehicles are banned from all Mt. Pocahontas roads, common areas and swamp areas. Exemptions to this ban may be granted for utilitarian use (business or humanitarian) with prior approval from the Bd. of Directors. Violators of this ban will be subject to fines of \$300.00+cost for first offense; \$500 +cost second offense; \$1000.00+cost for third offense. This does not effect owners use on his/her private property.
10. Snow must not be shoveled or plowed onto any roadway during or after a snowstorm. Fines will be issued for creating a roadway hazard. Nor is it allowed for any vehicle to be parked in such a way that any part of the vehicle extends past the driveway. Violators of this rule will be subject to a fine of \$50.00+cost for first offense; \$75.00 +cost second offense; \$100.00+cost for third offense.
11. Non-Compliance: If Security attempts to stop you for any reason and you ignore the flashing Amber lights you will receive a fine of \$150+cost for the first offense, \$200 +cost for the second offense and \$250+cost for the third and subsequent violations. Must show ID when asked, violators are subject to the above fines.

ARTICLE VII RULES FOR PETS

1. All dogs must have a current license in Pennsylvania at six months of age and every year thereafter. A fine \$25.00+cost will be issued for pets with no license. Please also provide the MPPOA office a list of your animals that reside in your residence. This will help if your animal becomes lost.
2. All dogs and cats must have a current rabies inoculation.
3. All dogs must be confined to the owner's property, or walked on a leash. Violators will be subject to a fine \$25.00+cost.
4. No pets will be allowed in the picnic area, common areas, or any place designated as recreational. Violators will be subject to a fine \$25.00+cost.
5. The pet owner or custodian is responsible for any damage or injury caused by a pet owned or kept in Mt. Pocahontas. Violators will be subject to a fine \$50.00 +cost.
6. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that a dog, cat or other household pet may be kept provided they are not kept, bred or maintained for any commercial purpose. Violators will subject to a fine \$50.00+cost.
7. Owning, possessing, harboring, or controlling any dog or animal, which

makes noise continuously and/or incessantly for a period of ten (10) minutes or makes such noise intermittently for thirty (30) minutes or more to the disturbance of the peace of any person any time of the day or night regardless of whether the animal is physically situated in or upon private property is prohibited. All violators will be subject to a \$50.00+cost fine.

8. It shall also be the duty of the pet owner or custodian to pick up and remove in it's entirety, any excrement from said animal from MPPOA roads, amenities and other member's private property. Violators of pet regulations shall be subject to a fine of \$25.00+cost for first offense; \$50.00+cost for second offense; \$100.00+cost for third offense.

ARTICLE VIII **FIREARMS**

1. No hunting is allowed in Mt. Pocahontas. There is to be no discharge of any firearms in Mt. Pocahontas. All members and their guests are subject to the PA State Constitution and Uniform Firearms Regulations. We are obliged to know these laws and all PA State Laws and are not exempt from them. Violators will be subject to a fine of \$250.00+cost.

ARTICLE IX **FIREWORKS**

1. Fireworks of any and all types, including sparklers, smoke bombs, etc., are prohibited within the boundaries of Mt. Pocahontas. This rule is enacted due to the high probability of resulting brush fires. Violators will be subject to a fine of \$100.00+cost. There will be zero tolerance for violators of this rule.

HEALTH AND SANITATION

1. No lot or other area within the boundaries of MPPOA shall be used as a dumping ground. Anyone found dumping or leaving trash or garbage or littering shall be subject to fines \$300.00+cost for first offense; \$400.00+cost for second offense; \$500.00+cost for third offense. There will be zero tolerance for violators of this rule.
2. Trash, garbage, etc., shall be disposed of by removal to the township dump on Route 903 on Mondays, Wednesdays, Saturdays, and Sundays unless the property owner has contracted a professional sanitation company for waste removal.
3. Trash or garbage may only be stored on a lot between collections or dumping days, and while stored must be kept in a container with a lid, secure from being knocked over and spilled by animals or vehicles. Homeowners are responsible for clean-up and subject to fine.

ARTICLE X
OUTSIDE BURNING

**YOU MUST CALL THE CARBON COUNTY COMMUNICATIONS CENTER PRIOR TO ANY OUTSIDE BURNING. (SEE ARTICLE II FOR PHONE NUMBER).
Leaves and twigs are the only material that may be burned in compliance with Penn Forest Township Ordinance No. 08-05 dated October 6, 2008, Section 3.
Anyone found burning outside during a burn ban or burning material other than leaves or twigs shall be subject to a \$100.00+cost fine.**

ARTICLE XI
PUBLIC ORDER AND DECENCY

1. Persons are prohibited from engaging in any act or undertaking which unreasonably disturbs or harasses or alarms any member or person within the MPPOA community.
2. A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he/she:
 - a. engages in fighting or threatening, or in violent or tumultuous behavior;
 - b. makes unreasonable noise;
 - c. uses obscene language or makes obscene gesture;
 - d. creates a hazardous or physically offensive condition by any act, which serves no legitimate purpose of the actor.
3. Any person who creates any condition (loud, boisterous activity, excessive volume, etc.) shall be guilty of public nuisance when such activity interferes with another person's right to peace, or is capable of interfering with another person's right to peace.

Any person who erects, sets up, establishes, maintains, keeps or continues, or causes to be erected; set-up, established, maintained, kept or continued, any condition (loud, boisterous activity, excessive volume, etc.) shall be guilty of a nuisance when such activity interferes with another person's right to peace, or is capable of interfering with another person's right to peace. With respect to noise, same is a public nuisance if it continues and/or is incessant for a period of ten (10) minutes or makes such noise intermittently for one-half (1/2) hour or more to the disturbance of any person at any time of the day or night regardless of whether the noise is emanating in, from or upon private property. Malfunction of car and home alarm systems also constitutes this policy. Violators of our public order, nuisance and decency regulations shall be subject to fines from \$50.00+cost to \$100.00+cost.

4. No solicitation is permitted within the MPPOA community.

***DEFINITION** – As used in this section the word “public” means affecting or likely to affect persons in a place to which the general membership or a substantial group has access; among the places included are all common areas, as defined in the By-Laws, including by way of explanation and not limitation, roadways, parking lots, pool and pool areas, parks, clubhouse, library, tennis and basketball courts, or any premises which are open to the membership or a substantial group has access.

ARTICLE XII
VIOLATIONS AND PENALTIES

Any violation of these rules could result in a Citation being issued. Citations may be appealed to the appeals committee. This committee will either uphold the citation, accept the appeal or accept mitigating circumstances and give a warning.

Security enforcement officers shall have the authority to stop all violators and enforce the rules and regulations of this Association.

ARTICLE XIII
SIGNS

All homeowners within the jurisdiction of the Mt. Pocahontas Property Owners’ Association shall comply with Penn Forest Township Ordinance #2003-03 dated November 10, 2003, which requires the proper posting of new house addresses within fifteen (15) days of notification. There will be a \$50.00+cost fine for non-compliance. A copy of said ordinance is available to all homeowners at the Penn Forest Township Building located on Rte. 903. Failure to comply with the ordinance may subject homeowners to a fine up to \$600 from Penn Forest Township.

**All Citations issued are plus cost
And
Subjected to 15 day increments.**

REVISED: December 10, 2016