

**AUTUMN MOUNTAIN WOODLANDS  
PROPERTY OWNERS ASSOCIATION  
BYLAWS**

**ARTICLE I: DUTIES OF OFFICERS AND BOARD OF DIRECTORS**

**SECTION 1** The board is made up of four Officers and three Directors. The Officers consist of President, Vice-President, Secretary, and Treasurer.

**SECTION 2** President - shall exercise the duties usually devolving upon that office and shall be ex-officio a member of all committees.

**SECTION 3** Vice-President - shall act for the President when he or she is unable to serve.

**SECTION 4** Secretary - shall keep minutes and attendance roll of all meetings and handle all correspondence.

**SECTION 5** Treasurer - shall collect all monies due, and keep a record of all monies received and distributed by the Association.

**SECTION 6** The President and Treasurer together shall be responsible for the disbursement of the funds of the Association as authorized by the budget approved by the majority of the members at the regular July meeting. Expenditures not included in the approved budget may be made, with approval of the majority of the members of the Board of Directors.

**SECTION 7** The Board of Directors and Officers shall meet quarterly and shall act on all matters of general policy, and audit the books at the end of the fiscal year.

**ARTICLE II: COMPENSATION**

No Officer or Director shall draw any salary or any other form of compensation whatsoever. Officers and Directors may be reimbursed for out of pocket expenses.

**ARTICLE III: TERMS OF OFFICE**

**SECTION 1** The President, Vice-President, Secretary and Treasurer shall serve a one-year term.

**SECTION 2** The Directors shall serve a three-year term.

**SECTION 3** The maximum number of consecutive terms for an elected President is four terms.

**SECTION 4** There shall be no restriction on the number of terms for other officers.

**SECTION 5** Any lot owner in good standing may be voted to an elective position. If a lot is owned by more than one person, only one owner may be eligible for election. Owners who are eligible for election are also limited to adult individuals.

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**ARTICLE IV: ELECTION OF OFFICERS AND BOARD OF DIRECTORS**

**SECTION 1** The election of all Officers and two Directors shall be held annually at the regular October meeting.

**SECTION 2** Ballots with a slate of Officers and Directors eligible for election will be mailed to each member at least one month prior to the October meeting. The ballots are to be filled out by the members with their nominations and mailed back before the October meeting. The ballots will then be used for the election.

**SECTION 3** In addition to the slate of officers proposed by the Nominating Committee, members may make nominations from the floor prior to the elections at the October meeting.

**SECTION 4** Vacancy in any office shall be filled by appointment of the Board of Directors. Such appointee shall serve for the unexpired term, except that in case of a vacancy in the office of President, the Vice-President shall succeed for the unexpired term. A vacancy may occur if any board member misses three consecutive meetings.

**ARTICLE V: MEETINGS**

**SECTION 1** Notice of the date, time and place of the regular January, April, July and October meeting shall be mailed to all members in good standing not less than 20 days prior to the meeting.

**SECTION 2** Special meetings of The Association may be at any convenient time, upon call by the President, or upon call signed by (10%) of the members in good standing, provided that any such call shall name the purpose, time and place of such meeting and shall be issued at least 20 days in advance of the date set.

**SECTION 3** Emergency meetings may be called at the discretion of the Board of Directors or Officers of The Association.

**ARTICLE VI: QUORUM**

**SECTION 1** At any Association meeting a quorum shall be total representation of the Board Members.

**SECTION 2** At any Board of Directors meeting a quorum shall be two out of three Directors or sixty six percent (66%) of the total Board of Directors.

**ARTICLE VII: VOTING**

**SECTION 1** Each lot/property owner who holds a membership in good standing shall be entitled to one vote. If the lot is owned by more than one person, said owners shall have a single active membership and shall be counted for all purposes as one member having one vote.

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SECTION 2 Affirmative votes by a majority of those present constituting a quorum shall constitute "pass" on any motion. Officers and Directors will also be elected upon a majority vote of the quorum present at the October meeting.

SECTION 3 Voting shall be by voice vote except when the question is such that members may wish to call for a secret ballot.

SECTION 4 Absentee and/or proxy ballots will be permitted for votes on special assessments or at meetings where votes are to be taken on amendments to the Constitution or Bylaws. Ballots must be received by the President prior to the start of the meeting where the vote is to occur. A ballot shall contain the signature of the member. All absentee or proxy ballots shall be validated by the Treasurer.

SECTION 5 The voting at the meeting of the Board of Directors shall be restricted to Board members, except in the case of a tie, in which case the President or in his or her absence the Vice-President of the Association shall have the deciding vote.

**ARTICLE VIII: REGULAR BUSINESS**

All regular business affairs and enterprises conducted by The Association shall be managed by the Officers and Board of Directors of The Association. Any member in good standing can propose a rule or an amendment to a rule, in writing to the board of directors 20 days prior to any regular quarter meeting. The rule will be discussed at the quarterly meeting. Affirmative votes by a majority of those present constituting a membership quorum shall constitute forward action by the board. The board will draft a copy to the membership with a date time and place the rule will be voted in or out by the membership.

**ARTICLE IX: DUES AND FEES**

SECTION 1 The annual membership dues shall be recommended by the Officers and Directors at the January meeting and be subject to the approval of the majority of the quorum present at that meeting.

SECTION 2 Annual dues are due and payable by the 1st of July.

SECTION 3 Failure to pay dues or assessments within 30 days after bills have become due will result in automatic suspension and/or termination of membership privileges. Until said member is restored to good standing, members, their families and guest will not be permitted the use of any Autumn Mountain Woodlands Association property and facilities, or in any other manner to enjoy any other privileges of an Association member.

SECTION 4 To regain good membership standing, and the privileges it carries, a member not in good standing after the adoption of these Bylaws may be required to pay any back dues or assessments owed including accrued interest on the unpaid dues or assessments. The annual interest rate shall be recommended by Board of Directors at the regular January membership meeting. Said rate shall be based on the prevailing prime interest rate.

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SECTION 5 Failure to pay dues or assessments does not relieve members from the obligation outlined in the Membership Agreement.

SECTION 6 No special assessment shall be levied upon The Association membership at any time except by vote of the membership as a whole, and then only upon approval of 2/3 of the entire voting membership. Thirty days notice shall be given for any meeting where votes on special assessments occur.

SECTION 7 No property owner of Autumn Mountain Woodlands may be hired by, or contracted with, the Association to do any work for the Association of any monetary value. Property owners may be reimbursed for out of pocket expenses used for the Association.

SECTION 8 Any adjacent lots purchased after July 1st 2016 will be billed as two lots unless the properties are surveyed and taxed by Luzerne County as one property.

**ARTICLE X: SPECIAL FUNDS**

The Treasurer of The Association is authorized to receive contributions or specially-obtained funds from any individual or institution to be applied to the operating expenses of The Association.

**ARTICLE XI: COMMITTEES**

The President shall have the power to appoint such committees as from time to time seem desirable.

**ARTICLE XII: AMENDMENTS**

Amendments may be made to these Bylaws at any regular Quarterly meeting provided that a copy of the proposed amendment be sent to each member at least 30 days prior to the date of the meeting and provided that at least 2/3 approval of those present or ballot and membership is in good standing.

**ARTICLE XIII: RULES AND REGULATIONS**

SECTION 1 Association Property and work roads are restricted to members in good standing and their guests. All other persons shall be considered trespassers. Yearly leasing is permitted. The lease must be presented and approved by the Board of Autumn Mountain. No weekend or monthly rentals or leases are permitted.

- A. First Offense – Written Warning.
- B. Second Offense - \$100.00 Fine.
- C. Third Offense - \$500.00 Fine and Criminal Complaint.

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**SECTION 2** Any member sponsoring a group outing at an Association facility must remain with his or her group in a general supervisory capacity.

- A. First Offense – Written Warning
- B. Second Offense – Loss of Privilege.
- C. Third Offense – Signed Complaint.

**SECTION 3** Supervision of young children should be provided at all times. Children shall respect the property of others. Pranks or vandalism will not be tolerated. Property owners will be held responsible for cost of damages incurred by the acts of their children or guests.

- A. First Offense – Signed Complaint and Pay for Damages.

**SECTION 4** To help preserve our roads, cars must be driven within the posted mile per hour speed limit (15mph). When inclement weather prevails during winter months, Autumn Drive limit may be exceeded in order to make the grade. All Pennsylvania State laws apply to AMW roads.

- A. First Offense – Written Warning.
- B. Second Offense - \$100.00 Fine.
- C. Third Offense – Loss of Privilege/Signed Complaint.

**SECTION 5** Members and/or guests must keep pets controlled on their property and shall not permit them to be loose on roads and Association property.

- A. First Offense – Written Warning/SPCA Notification.
- B. Second Offense - \$100.00 Fine.
- C. Third Offense - \$500.00 Fine/Signed Complaint.

**SECTION 6** All hazards, incidents, and/or complaints regarding Association property and facilities should immediately be reported to the Association officers so that effective action may be taken.

**SECTION 7** No materials or liquids shall be introduced onto the roadways or into ditches excluding those from natural sources (e.g. surface rain, water runoff, etc.). Restrictive materials and liquids include, but are not limited to: grass clippings, leaves, toxic chemicals, fertilizers, insecticides, and sewage. This excludes certain substances used for road maintenance.

- A. First Offense – Written Warning.
- B. Second Offense - \$100.00 Fine.
- C. Third Offense - \$200.00 fine/Signed Complaint.

**SECTION 8** There shall be no foul/abusive language, horseplay, or littering on roads and other Association property by members or their guests.

- A. First Offense – Written Warning.
- B. Second Offense - \$100.00 Fine.
- C. Third Offense - \$500.00 Fine/Signed Complaint.

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SECTION 9 Members gaining access to their property must comply with a minimum diameter 15 inch pipe in the Autumn Mt. roadway ditches. The pipe must be exposed one foot beyond each side of the driveway.

- A. First Offense – Written Warning.
- B. Second Offense - \$100.00 Fine.
- C. Third Offense - \$500.00 Fine/Signed Complaint.

SECTION 10 The Association reserves the right and privilege to maintain roadway, ditches and all other Association property and facilities for the Association's own use and the use of members and their guests.

SECTION 11 A non-refundable road maintenance fee of \$500.00, payable to Autumn Mountain Woodlands Property Owners Association, is required before any new construction is to begin.

- A. No exceptions.

SECTION 12 All types of trailer, mobile, shanty, modular, prefabricated or manufactured homes are prohibited. Homes must be built a minimum of 1500 sq. ft living space, not less than 21 ft wide on a full masonry foundation.

- A. No exceptions and all building proposals must have Board approval.
- B. All homes must contain running water, indoor plumbing, and township approved septic system.

SECTION 13 Property Owners will keep their property neat and tidy and free of trash. In the case of abandoned property (12 months), after two written notices, the association may have the trash cleaned up or removed at the owner's expense.

- A. First Offense – Written Warning.
- B. Second Offense – Written Warning and \$100.00 Fine.
- C. Third Offense - \$500.00 Fine/Signed Complaint plus expense of trash removal.

SECTION 14 The use of ATV's and Dirt Bikes is strictly prohibited on Autumn Mountain Woodlands Roads.

- A. First Offense – Written Warning.
- B. Second Offense - \$100.00 Fine.
- C. Third Offense - \$500.00 Fine/Signed Complaint

SECTION 15 The dumpster is for use by Autumn Mountain residents only and is only to be used for household trash. Residents must make their own arrangements for bulk items to be disposed of. Homeowners are required to provide their own dumpster for all construction/renovation debris and if excessive amounts of trash require disposal due to moving in or out. Burning of construction/renovation debris is prohibited.

- A. There is a \$300.00 fine imposed for illegal dumping or burning of construction debris.

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SECTION 16 All of the above Standing Rules and Regulations in no way modify or supersede the laws of Foster Township, Luzerne County and the state of Pennsylvania. All the Association Bylaws are in compliance with chapter 53, Title 68 of the PA State Planned Communities Act which regulate the management of Associations within communities.

**ARTICLE XIV: DISSOLUTION OF THE ASSOCIATION**

In the event that circumstances dictate the dissolution of The Association, the assets of the organization shall be distributed among members who are currently in uninterrupted good standing and that property has been in uninterrupted good standing for 6 previous calendar years. Good standing in this article means that any previous owners must have been in uninterrupted good standing in the 6 year period.

The undersigned, as President and Treasurer of Autumn Mountain Woodlands Property Owners Association, do hereby certify that the above is true and correct copy of the Bylaws of the Autumn Mountain Woodlands Property Owners Association. We affirm that these Bylaws were duly adopted by the members of the Association at a meeting held on March 1, 1997, and that they are now in full force and effect.

**SIGNED**

\_\_\_\_\_  
President

\_\_\_\_\_  
Treasurer

**PRINTED NAME**

John Campano  
President

Bruce Johnson  
Treasurer