

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 for 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. Pool badges are given out to members in good standing after April 1st. All members in good standing who own a house or just a lot, receive 6 badges. If an additional lot(s) is owned, you receive 1 more badge for each lot. Additional guest wristbands are available for \$1.00 a day or \$5.00 for the week. The dates will be written on the wristbands.
3. 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.
4. No food or beverages are allowed within the pool area. The picnic area is provided for this purpose.
5. No wet bathing suits are permitted upstairs in the clubhouse.
6. No running or pushing allowed in the pool area.
7. No disturbing noises, loud radios, etc.
8. No conversations with lifeguards while they are on duty.
9. No diving at any time from the sidewalls of pool.
10. All beach and deck chairs must be positioned so that the lifeguards have a clear and unobstructed view always.
11. Obscene language is not permitted.
12. No water pistols or water pump guns allowed in the pool area.
13. 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 of \$50.00+cost.

ARTICLE IV **GUEST POLICY**

Control must be exercised in the use of the facilities:

- Each guest must have a badge that has been issued to a member in good standing.
- Any member not in good standing shall not be permitted to be a guest of another member.
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- 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 either yearly or seasonally must complete a Landlord Registration Form, a Full-time or Part-time Tenant Registration Form before renting their property. **Only Property Owners with property acquired on or before June 1, 2024 are permitted to Short Term Rent within the community.** Mt Pocahontas POA seeks to provide all residents owning property on or before June 1, 2024 with the freedom to leverage their property for all legal purposes while maintaining respect for their neighbors, the community and the environment. A \$550.00 yearly rental administration fee must be submitted to the MPPOA office by January 1st of each year or when the property joins the rental program. If the fee is not received, then a **\$1,000.00** fine will be assessed to the member. All required forms and fee(s) must be filled out completely and submitted prior to any renters entering MPPOA. Written Authorization is required for any changes to forms. MPPOA is a Private Community, all Property Owners/Renters/Tenants, etc. are required to read the Rules and Regulations. If you decide to remove your property(s) from the Rental Program, please contact the office to obtain a No Longer Renting Form. If at any time within the year you choose to return to the Rental Program, there will be an additional administrative fee of \$50.00.

ARTICLE VI
MOTOR VEHICLE RULES

1. Motorized vehicles – Any vehicle operated by a motor, including but not limited to automobiles, trucks, motorcycles, golf carts and motorized bikes.
2. The SPEED LIMIT is 15 MPH on all roads in MT. POCAHONTAS. Violators shall be subject to a fine of \$50.00+ cost, 2nd \$100 + cost & 3rd \$150 + cost.
3. All traffic signs posted by MPPOA are to be obeyed. 1st Offense \$25 +cost, 2nd Offense \$50 +cost & 3rd Offense \$100.00 +cost.
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; \$150.00cost for second offense; \$250.00+cost for third offense.

6. 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 and will receive a warning. You will have 10 days to correct the issue. AFTER the 10 days are up if you are still in non-compliance, you will be cited \$25 +cost per day up to \$100 per day + cost until you come into compliance.
7. 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.
8. 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 +cost second offense; \$100.00+cost for third offense.
9. 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 VI (1)
RULES FOR GOLF CARTS

Golf Carts are allowed to be driven on MPPOA property.

.The following regulations MUST be followed:

- Must be a Member in Good Standing.
- All State Laws MUST be followed. It is your responsibility to know them.
- Registration Fee: \$40.00 for the first year to receive the flag and flag holder. \$30.00 for the subsequent years to get the new color of the year flag.
- Proof of Liability Insurance must be provided, maintained, and always carried with vehicle. Owners of golf carts are responsible for all Fines issued and take responsibility for all liability.
- Speed Limit: 15 mph.
- Age: 12-17 yr. old must be accompanied by an adult. The parent or guardian of a minor, less than 18 yrs. of age, must accept and sign a mandatory Acceptance of Responsibility Form. No minor may drive a golf cart after dark.
- No more passengers than the seats provided may ride in the golf cart.
- Golf carts must maintain satisfactory headlights and taillights.
- Must Park golf carts in designated parking areas when on the common grounds.
- Violators are subject to fines from \$100.00+cost to \$1,000.00 + cost and/or will be banned from Mt. Pocahontas community roads.

ARTICLE VI (2)
ATV/UTV RULES

ATV/UTVs are allowed to be driven on MPPOA property.

The following regulations **MUST** be followed:

- Must be a Member in Good Standing
- Registration Fee: \$40 for the initial registration sticker and flag. Then a yearly \$30 registration fee for a new, different colored flag must be purchased at the MPPOA office. Current registration and insurance must be provided yearly.
- All State Laws **MUST** be followed. It is your responsibility to know them.
- Proof of Liability Insurance must be provided, maintained, and always carried with a vehicle. Owners of ATV/UTVs are responsible for all fines issued and take responsibility for liability.
- A PA registration plate **MUST** be always attached to the back of the machine.
- Speed Limit: 15 MPH. All Stop signs must be obeyed.
- You must be 16 years of age to operate the ATV/UTV without supervision. The parent or guardian of a minor 16-17 must accept and sign a mandatory **Acceptance of Responsibility Form**.
- No more passengers than the seats provided may ride on the ATV/UTV.
- ATV/UTVs must maintain satisfactory headlights, tail lights, and have a muffler.
- ATV/UTVs must park in designated parking areas when on common grounds.
- Violators are subject to fines from \$100 - \$1000 + costs and/or will be banned from Mt Pocahontas roads.
- Please adhere to the quiet hours: Sunday- Thursday 10 PM – 8 AM and Friday – Saturday 11 PM – 8 AM.

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 of \$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 its 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 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 with no warning - 1st offense \$500.00, 2nd offense \$1000.00 and 3rd offense \$1500.00. There will be zero tolerance for violators of this rule.

ARTICLE X **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 \$500.00+cost for first offense; \$700.00+cost for second offense; \$1000.00+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 transfer station 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 fines.

ARTICLE XI **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.
A person must always be present with a hose or fire extinguisher.
1st Offense \$150 +cost, 2nd Offense \$250 +cost & \$300 +cost
Anyone found burning outside during a burn ban shall be subject to a fine: 1st Offense \$500 +cost, 2nd Offense \$1000 +cost & 3rd Offense \$1500 + cost.

ARTICLE XII **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. This includes fighting of a physical nature towards any Board Member or Employee
 - 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 actor1st Offense \$50 +cost, 2nd Offense \$100 + cost & 3rd Offense \$250 + cost.
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.

With respect to noise, same as 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: First – Warning, 2nd Offense \$100 + cost and 3rd Offense \$150 + cost.

The Noise Ordinance Hours are: Sunday – Thursday 10 PM – 8 AM & Friday – Saturday 11 PM – 8 AM

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, tennis and basketball courts, or any premises which are open to the membership, for a substantial group has access.

ARTICLE XIII **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 XIV **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 fines plus fees
And
Subjected to 15-day increments**

REVISED: May 23, 2024