

**MT POCAHONTAS PROPERTY OWNERS' ASSOCIATION (MPPOA)**  
**RULES AND REGULATIONS**

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

The Board of Directors approves the following rules and regulations 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 people using these facilities (in accordance with our By Laws).

**ARTICLE II**  
**EMERGENCIES**

Keep a list of Emergency numbers by your phone. The numbers provided are for reference purposes and may need periodic updates.

State Police/Fire/Ambulance	911
Animal Control Officer	570-325-4828
Carbon County Non-Emergency	1-800-452-1813
Carbon County Communications Center	570-325-9111
MPPOA Security	570-535-6193

**ARTICLE III**  
**SWIMMING POOL RULES**

Pool badges are given out to members in good standing after April 1<sup>st</sup>. Members in good standing owning a house or lot get six (6) badges. If an additional lot(s) is owned, you receive one (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.

1. The swimming pool shall be open to all association members in good standing and their guests only when a lifeguard is present.
2. Admittance to the 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 drinks in the pool area. The picnic area is available for use.
4. Wet bathing suits are not 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 the sidewalls of pool.
9. Position all beach and deck chairs to ensure lifeguards always have a clear view.
10. The use of inappropriate language is prohibited
11. No water pistols or water pump guns allowed in the pool area.
12. Members and guests should sign in with their full name and lot number and wear an MPPOA badge.

Violators of these rules will be subject to a fine of \$50 + cost.

**ARTICLE IV**  
**GUEST POLICY**

1. Each guest must have a badge or wristband that has been issued to a member in good standing.
2. A member or a member of their family over 16 years of age must accompany all guests.

**ARTICLE V**  
**RENTAL POLICY**

**SHORT TERM RENTAL**

The Mt Pocahontas Property Owners Association seeks to provide all residents who own 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. **The MPPOA Board has capped STRs at 26.** There will be a waiting list for those who choose to go on it if they own their property prior to June 1, 2024. If you have any questions, please contact the office. A \$1000.00 yearly rental fee must be submitted to the MPPOA office by January 1<sup>st</sup> of each year or when the property joins the rental program. If the fee is not received, then a \$1000.00 fine will be assessed to the member. All required forms and fees must be filled out completely and submitted prior to any renters entering MPOOA. 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.

**LONG TERM RENTAL**

The fee of \$550.00 must be paid on or before January 1<sup>st</sup> of each year. A tenant registration form must be on file. A new lease must be submitted annually.

**ARTICLE VI**  
**MOTOR VEHICLES 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 will be subject to a fine.  
1<sup>st</sup> offense - \$50 +cost, 2<sup>nd</sup> offense \$100 +cost and 3<sup>rd</sup> offense \$150 +cost
3. All traffic signs posted by MPPOA are to be obeyed.  
1<sup>st</sup> offense \$25 +cost, 2<sup>nd</sup> offense \$50 +cost and 3<sup>rd</sup> offense \$100 +cost
4. No camping or travel trailers are to be used on any lot at any time as a residence, either temporary or permanent.  
1<sup>st</sup> offense \$100 +cost, 2<sup>nd</sup> offense \$150 +cost and 3<sup>rd</sup> offense \$250 +cost
5. Parking on the street is prohibited and subject to a fine per vehicle.  
1<sup>st</sup> offense \$35 +cost per vehicle, 2<sup>nd</sup> offense \$50 +cost per vehicle and 3<sup>rd</sup> offense \$75 +cost per vehicle  
On street parking or overnight parking of tractor trailers is prohibited and violators shall be subject to a fine.  
1<sup>st</sup> offense \$300 +cost, \$500 +cost and 3<sup>rd</sup> offense \$1000 +cost

6. 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.

1<sup>st</sup> offense \$50 +cost, 2<sup>nd</sup> offense \$75 +cost and 3<sup>rd</sup> offense \$100 +cost

**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 for the first year to receive the initial registration sticker and flag. \$30 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-year-old must be accompanied by an adult. The parent or guardian of a minor, less than 18 years 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 + cost to \$1000 +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. \$30 for the subsequent years to get the new color of the year flag.
- 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 the 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
- You must be 16 years old 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, taillights 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 +cost will be issued for pets with no license.
2. All dogs must be confined to the owner’s property or walked on a leash. Violators will be subject to a fine of \$25 +cost.
3. All cats and dogs must have a current rabies inoculation.
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 of \$25 +cost.

**ARTICLE VIII**  
**FIREARMS**

Hunting is prohibited 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. It is important to be aware of these laws and all PA State Laws, as they apply to everyone. Violators will be subject to a fine of \$250 +cost.

**ARTICLE IX**  
**FIREWORKS**

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 risk of brush fires.

Violators will be subject to a fine with **NO WARNING**. There will be zero tolerance for violators of this rule.

1<sup>st</sup> offense \$500 +cost, 2<sup>nd</sup> offense \$1000 +cost and 3<sup>rd</sup> offense \$1500 +cost.

**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. There will be zero tolerance for violators of this rule.  
1<sup>st</sup> offense \$500 +cost, 2<sup>nd</sup> offense \$700 +cost and 3<sup>rd</sup> offense \$1000 +cost
2. Trash, garbage, etc shall be disposed of by removal to the township transfer station on Route 903 on Monday, Wednesday, Saturday and Sunday unless the property owner has contracted a professional sanitation company for waste removal.
3. Trash or garbage may only be stored on your property. It 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 – 570-325-9111**

**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.**

**1<sup>st</sup> offense \$150 +cost, 2<sup>nd</sup> offense \$250 +cost and 3<sup>rd</sup> offense \$300 +cost**

**Anyone found burning outside during a BURN BAN shall be subject to a fine.**

**1<sup>st</sup> offense \$500 +cost, 2<sup>nd</sup> offense \$1000 +cost and 3<sup>rd</sup> offense \$1500 +cost**

**ARTICLE XII**  
**PUBLIC ORDER AND DECENCY**

**1. Mt. Pocahontas Homeowners Association Zero Tolerance Policy for Harassment, Threats, and Intimidation**

The purpose of this Zero Tolerance Policy is to ensure a safe, respectful, and harmonious environment within the Mt. Pocahontas community. The Association is committed to maintaining the well-being of all its members, employees, and Board Members and will not tolerate any behavior that undermines these efforts.

## Policy Statement:

Mt. Pocahontas Homeowners Association enforces a zero-tolerance policy regarding harassment, threats, and any form of intimidation toward any Board Member, Association Employee, or any other member of the Association. This includes, but is not limited to, verbal, physical, and psychological forms of abuse that are aimed at creating fear, discomfort, or harm to individuals performing their official duties or acting within the scope of the governing rules, regulations, Bylaws, and other Association documents.

This policy applies to all individuals within the Mt. Pocahontas planned community, including but not limited to homeowners, tenants, contractors, vendors, visitors, and anyone interacting with Association representatives.

## Prohibited Conduct:

- **Harassment:** Unwelcome or offensive behavior, including but not limited to repeated, unwelcome communication, spreading malicious rumors, or making derogatory comments.
- **Threats:** Any statement, gesture, or action that implies or suggests harm or danger to a person or property.
- **Intimidation:** Actions that attempt to coerce or manipulate another individual through fear, threats, or pressure, whether physical, verbal, or psychological.

If you witness or experience any violation of this policy, it should be immediately reported to the Mt. Pocahontas Homeowners Association. Reports can be made to the Association's designated contact (e.g., Board President, Property Manager, or another appointed representative). All complaints will be taken seriously and investigated in a timely and confidential manner.

Any individual found to have engaged in harassment, threats, or intimidation will be subject to disciplinary action, which may include:

- Written warnings
- Suspension of privileges within the community (e.g., access to Association facilities or events)
- Fines: 1<sup>st</sup> offense warning, 2<sup>nd</sup> offense \$100 +cost and 3<sup>rd</sup> offense \$250 +cost
- Legal action, if applicable

Mt. Pocahontas Homeowners Association reserves the right to take immediate and appropriate action to protect the safety and well-being of its members, employees, and Board members. In serious cases, local law enforcement may be contacted.

## Commitment to a Respectful Community:

By enforcing this policy, Mt. Pocahontas Homeowners Association aims to ensure that all individuals are treated with respect and dignity, free from any form of abuse or intimidation. The Association is committed to fostering a community where all residents and personnel can live and work together in a peaceful, cooperative, and safe environment.

## 2. NOISE and PUBLIC NUISANCE

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 public nuisance, if it continues and/or incessant for a period of ten (10) minutes or makes such noise intermittently for thirty (30) minutes or more to the disturbance of any person at any time of the day or night regardless of whether the noise is emanating from or upon private property. Malfunction of car and home alarm systems also constitutes this policy. Violators shall be subject to fines.

1<sup>st</sup> offense – Warning, 2<sup>nd</sup> offense \$100 +cost and 3<sup>rd</sup> offense \$150 +cost

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

### **3. 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 areas, parks, clubhouse, tennis and basketball courts, or any premises which are open to the membership, for a substantial group 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 Owners Association shall comply with Penn Forest Township Ordinance #2003-03 dated November 10, 2003. This ordinance requires the proper posting of new house addresses within fifteen (15) days of notification. There will be a \$50 +cost fine for non-compliance. A copy of said ordinance is available to all homeowners at the Penn Forest Township Building located on Route 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 COSTS AND ARE SUBJECT TO 15 DAY INCREMENTS**

**REVISED: MARCH 10, 2025**