



## RULES & REGULATIONS

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## Rules and Regulations

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## **INTRODUCTION**

1. Emerald Lakes is a private, patrolled, recreational, residential Community. All real property within the Community is privately-owned by the Association Members, either individually as residential building lots or collectively through the Association as Common Areas and Community Recreational Facilities. The Association is a Pennsylvania Non-Profit Corporation chartered for the purpose of performing all of the duties as administrator of the Community. In accordance with its By-Laws, the Association and the Community are governed by a Board of Directors elected by the Association Members and this Board has all of the powers and duties required to perform the purposes for which the Association was formed.

2. The Board of Directors has approved these Rules & Regulations to
- a) provide a healthful and harmonious environment for community living;
  - b) to protect and preserve property values;
  - c) to enable such action to be taken as may be necessary to prevent or abate conditions which may be inconsistent with the governing documents of the Association and/or with all applicable laws;
  - d) to protect the health, safety and general welfare of all Property Owners (Association Members) in the Emerald Lakes Community.

3. These Rules and Regulations supplement all applicable Federal, State and Municipal law; the Covenants, Restrictions and Limitations (CR&L's) contained in the individual private property deeds (and as recited in Schedule A forming an integral part of the Association By-Laws); the Association By-Laws; and the Association Operating Policies and Procedures.

## **AUTHORITY**

1. These Rules & Regulations have been adopted by appropriate resolutions of the Board of Directors in accordance with its specified duty as set forth in the By-Laws, Article V, Section 1, paragraph (I), reading as follows: "to adopt and publish rules and regulations governing the use of the Common Areas and Community Recreational Facilities and the personal conduct of the Members of the Association and their guests thereon, and for the health, comfort, safety, and general welfare of the members within the Community, including but not limited to regulation of parking, storing, or standing of vehicles, machinery, equipment, trailers, and/or components thereof, and to amend the same from time to time as when approved by appropriate resolutions."

2. Authority to enforce these Rules and Regulations is established by Article XI of the Association By-Laws.

3. By written contract the Board of Directors has delegated to a Security Contractor the authority to patrol our Community Areas and Community Recreational Facilities, to "maintain the peace" in our private Community, to assist our Members and Staff as may be appropriate during emergencies or when such assistance is required, to administer compliance with these Rules and Regulations by all persons while in the

Emerald Lakes Community and to issue warnings and/or citations as may be appropriate for infractions of these Rules and Regulations.

## **APPLICATION**

1. These Rules and Regulations shall apply to all persons while they are on the private property of the Emerald Lakes Community.

## **GENERAL**

1. The Association Common Areas and Community recreational facilities are privately-owned, restricted and are reserved solely for the use, benefit and enjoyment of the Association Members, Family Members, Renters, Guests, and Visitors, providing all such persons are in good standing of the Association.

2. The Association, through its Board of Directors or a duly established designee, shall have the power to suspend, discipline or otherwise take action against any Association Member, for conduct which in its sole judgment may endanger the welfare, interest or character of the Association or its members, or for any conduct representing violations of the Covenants, By-Laws, Rules & Regulations and Policies and Procedures of the Association.

3. The obligation of membership shall include, but not be limited to:

- a) compliance at all times with the Covenants, By-Laws, Rules and Regulations, and Policies and Procedures of the Association, including the responsibility for like compliance by Family Members, Renters, Guests and/or visitors;
- b) payment of all financial obligations due the Association as provided for in the By-Laws;
- c) responsibility for all damages attributed to the Member, his/her Family Members, Renters, Guests and/or visitors.

4. A Member who has been declared "not in good standing of the Association" for violation of the Covenants, By-Laws, Rules and Regulations, Policies and Procedures, or for any other reason:

- a) shall be barred from exercising his/her privileges of membership, regardless of the number of lots owned by the Member;
- b) may not use or enter the Common Areas and Community Recreational Facilities (except for ingress/egress to his/her place of residence), otherwise he/she will be considered a trespasser as defined by the Crimes Code of Pennsylvania, Chapter 35, subsection 3503, titled DEFIANT TRESPASS. Such offenders will be prosecuted through the Commonwealth of Pennsylvania courts.
- c) the restrictions of a) and b) above shall apply to the Member directly involved as well as all other Members, Family Members, Renters, Guests and/or Visitors from the same property.

## **BUILDING PROCEDURES & REGULATIONS**

In order to assure the continued maintenance of the desired character of the Emerald Lakes Community, all construction plans must be submitted for review and be approved by the Emerald Lakes Association, Inc. acting through its Architectural Review Committee (ARC). Decisions of ARC will be based upon such factors as compatibility, the general design, exterior materials, colors, textures, finish and environmental impact. Although these architectural controls will be administered in a flexible manner to accommodate individual tastes and desires, the Association retains the right to disapprove any design which is considered inappropriate for the Community.

More specific information regarding these architectural standards is set forth in the Association's official document entitled Building Procedures and Regulations which can be obtained from the Administration Office.

The Association's building inspector will issue a Certificate of Occupancy, or a Certificate of Compliance, when the stipulations set forth in the construction agreement between the property owner, the builder and the Association have been satisfied.

Major alterations and/or renovations are regarded in the same manner as new construction and, therefore, are subject to the same Procedures and Regulations. Minor changes in existing structures must conform to the established standards of the Association. All Association Member/homeowners are required to inform the Association whenever a change in their property is planned.

## **RULES**

### **ALARM RULES**

1. All residential alarm systems shall be registered with the appropriate Township Authority and the Association.

2. All existing alarm systems shall be modified (if necessary) and all new alarm systems shall be installed in such a way that the audible alarm will shut off after no more than ten (10) minutes of operation.

3. Any Association Member or Associate Member who, after receiving written notice from the Association or Security Department that an emergency department (ambulance, fire, or police) and/or a Security Department Officer has responded to two (2) false and/or nuisance alarms during any twelve (12) month period, shall thereafter pay a fine for each false and/or nuisance alarm (see Schedule of Fines). (This fine imposed by the Association is in addition to any penalties imposed by the Township Authority).

### **Definitions**

"False Alarm" – shall mean the activation of an alarm system caused by other than the intended purpose for which the alarm system is designed.

“Nuisance Alarm” – shall mean an audible alarm at the site of installation of an alarm system which fails to automatically shut off its audible alarm within ten (10) minutes after the activation of such audible alarm.

NOTE – Activation of an alarm system caused by a malfunction, which in turn is caused by violent natural catastrophic conditions including electrical storms and power outages, shall not constitute a false alarm or nuisance alarm.

## **BOATING RULES**

1. Association boat racks are assigned for use by Association Members in good standing. Assignments are seasonal and may be secured from the Association office upon payment of the appropriate fee.

2. Children, until they have reached their twelfth (12<sup>th</sup>) birthday, are not permitted to use boats at the lakes unless accompanied by an adult who shall be responsible for the child’s behavior and conformance to all lake and beach rules and regulations.

3. Coast Guard Approved Personal Flotation Devices are required for each occupant on all types of water craft on all waters in the Commonwealth of Pennsylvania (from the Fish and Boat Code of the Pennsylvania Fish & Boat Commission).

4. Do not overload (overcrowd) any boat.

5. Boating during inclement weather and thunderstorms is dangerous – Boats should be docked at the first sign of a storm.

6. Boats may be powered by small electric motors. All such boats must have a current valid Pennsylvania registration and display proper registration numbers on the hull of the boat.

7. Boats may NOT be powered by an internal combustion engine (motor). Even though such engines may be mounted on a boat, they may NOT be turned on or utilized for power while on Emerald Lakes Community lakes.

8. All boats must stay clear of designated swimming areas. Diving and/or swimming off boats and bridges is prohibited.

9. The owner of a boat shall be held responsible for the actions of the operators and occupants of the boat.

10. Any use of the lakes for navigation shall be at the risk of the owner or operator of the boat.

11. Violations of these boating rules may result in loss of privileges and/or Association imposed fines. Violations may also subject the Member to prosecution by State Authorities.

12. Even though the lakes are privately owned by the Association, the use of the lakes for fishing and boating is subject to the Fish and Boat Code and regulations of the Pennsylvania Fish and Boat Commission.

13. Association issued identification should be worn or be available to be shown when requested by authorized personnel, while using the lakes, beaches and picnic areas.

### **BURNING, GARBAGE, TRASH, UNSIGHTLY PROPERTY RULES**

Rules #1 and #2 below are based upon a deed restriction contained in Association Members property deeds. See By-Laws Schedule A, item 4.

1. No burning is permitted within the boundaries of the Emerald Lakes Community.

2. All garbage and rubbish shall be disposed of off the premises and no garbage or rubbish may be buried on owner's property or within the Emerald Lakes Community.

3. The Association maintains a trash compactor for the disposal of normal household waste and garbage. Please contact the ELA office for days and hours of operation.

4. Currently valid Member (or Associate Member) badges must be shown to the compactor attendant to receive trash disposal privileges.

5. No part of any lot or property shall be used or maintained as a dumping ground, disposal area or storage area for **tree limbs, cuttings, chips and tree debris**: for household garbage and trash, contractor or building materials, broken or abandoned items such as bicycles, refrigerators, cars, etc. or for any other type of disposal. **Exception:** cuttings intended for fire starting may be neatly arranged on the owner's property.

6. Normal household garbage and trash should be removed to the Association's compactor in a timely fashion. (If located outdoors pending transfer to the compactor, the waste shall be kept in containers with a lid that can be securely closed to discourage wild animals).

7. All other items referred to in paragraph 5 shall be promptly disposed of outside of the Emerald Lakes Community, by the property owner and at the property owner's expense.

8. The exterior of all structures located on any private lot and the surrounding private property shall be kept in good repair and appearance by the owner and if the owner shall fail to do so, the Association will give written notice to the owner. If not corrected within thirty (30) days, the property shall be considered to be "unsightly" and a fine may be imposed. (See Schedule of Fines).

9. All propane tanks must be hidden from public view. This may be accomplished by a lattice or similar fencing, or plantings. The property shall be considered unsightly if the tanks are exposed to public view. If this violation is not corrected within 30 days a fine may be imposed.

## **COMMUNITY CENTER RULES**

### **General**

1. Persons who are members of a household in which the owner Member or Tenant Associate Member is not in good standing will not be permitted to use the Center. Such use will also be denied if that person is presented as a Guest of another Member who is in good standing. Members in good standing who host Members not in good standing will be subject to such disciplinary action as the Board may deem appropriate.

2. Upon entering the Center all persons must display their identification issued to them by the Association. In addition each person must be identified by name, ID number and anticipated activity which shall be entered into the log book at the reception desk.

3. CHILDREN, until they have reached their twelfth (12<sup>th</sup>) birthday, must be accompanied by an adult, parent or guardian while in the Community Center, at all times.

4. All persons utilizing the Community Center (hereinafter referred to as "Center") must obey all rules of the Pennsylvania Liquor Control Board, Pennsylvania Food Laws and Emerald Lakes Association, including but not limited to the following:

5. The Community Manager, the Asst. Community Manager, or assignee (i.e., Manager on Duty) is in charge of the Center and is responsible to cause the enforcement of all Association Rules and Regulations at the Center. The Manager on Duty (MOD) also has the responsibility to maintain the activities and conditions at the Center in such a way as to maximize the safety, well-being and good order of all persons using the Center. The MOD's decisions and actions relative to the functioning and/or closing of the Center or any disciplinary action taken against any person or persons shall be considered to be final at the time imposed. Persons who believe that they have been unfairly treated may file a formal written complaint in accordance with standard Association procedures.

6. By way of definitions, the Center shall be considered as the Common Area and the Community Recreational Facility bounded by Clearview Drive, Glade Drive, Doe Drive and Lot Numbers 5387 and 5405, including but not limited to: Community Center/Indoor Pool structure, parking lot, lawn areas, playground areas, tennis courts, basketball courts, driveways, sidewalks and uncleared Common Area land.

7. Use of the Center is reserved exclusively for the following persons, providing all such persons are in good standing of the Association:

- a) Association Members (Emerald Lakes property owners of record);
- b) their Family Members;
- c) their Guests;
- d) their Tenants, who have been approved for and have purchased Associate Member identification from the Association; and
- e) Associate Member Guests

8. The owner of rental property must be a Member in good standing as a prerequisite for the Tenants to be considered eligible for Associate Membership. Should a rental property owner lose his/her good standing status, the Associate Membership of Tenants will be terminated.

9. Guests must be accompanied by a host Member or Associate Member in good standing.

10. Members or Associate Members in good standing who do not have their Association Identification with them must have their status verified and be issued a temporary ID at a nominal fee.

11. Members who have entered the Center and have been logged in will not be required to log in on subsequent visits the same day providing they are recognized by the reception desk attendant who originally registered these entrances. Should another desk attendant be on duty, a new log will be opened and all persons must register on the new log, even if the Member had been logged in on a prior shift that same day.

12. Food, snacks or beverages may not be brought into the Center without the permission of the Manager on Duty. Any clean-up necessary as a result of items brought into the Center will be the responsibility of persons bringing the items in.

13. Appropriate attire is required of all persons using the Center. Bathing attire is only permitted in the pool and locker room area. The use of any other part of the Center will be denied to persons who are shirtless or shoeless.

14. For safety reasons persons are not permitted to cause the tile floors to become wet from dripping bathing suits, wet feet or any other reason. Should a Member or a Member's Guest cause the floor to become wet it is the Members responsibility to dry the floor. The Center employees will provide the necessary mops or other equipment required.

15. With the exception of guide dogs, pets are not allowed in the Center.

16. The use of or persons under the influence of any controlled substance are not permitted in the Center.

17. The use of skateboards or roller blades is not permitted in the Center.

18. Curfew for all persons under the age of 18 is 10:00 p.m.

19. Any person causing, performing or connected with a prohibited act may receive a warning or may have his/her privileges of amenity use suspended. Such

suspension may be initiated by the Manager on Duty, may take effect immediately and shall remain in effect for the period of time specified by the MOD or until such a time as the Board of Directors may meet, review and modify the length of time of such suspension.

20. Anyone vandalizing or stealing any property and/or the parent or host of any one vandalizing or stealing property will be immediately suspended from all amenity areas for no less than 90 days. Restitution will be required and the Emerald Lakes Association reserves the right to prosecute any such person.

21. Vehicles are required to park in the parking lot or the handicapped parking spaces provided. Vehicles (other than emergency vehicles) are not permitted to be parked in the driveway at the Center entrance. Vehicles may stop for the purpose of loading or unloading. Should a driver leave a vehicle in the driveway, the headlights must be turned on.

22. Vehicles may not be parked on the walkways leading to the Center. This shall also apply to bicycles or any such similar conveyance.

23. The speed and acceleration of vehicles shall be reasonable. Drivers who operate their vehicle with excessive speed or acceleration that causes flying gravel or sliding of the vehicle on dry, wet or snow and ice covered surface shall be subject to severe disciplinary action. This behavior causes an extreme safety hazard and potential property damage. Persons found to be engaged in such activity will be subject to 90 days loss of amenity use and/or criminal prosecution and restitution for any property damage.

24. Drivers may not use vehicles for the purpose of "cruising" on Center property or for repeated passing of Center property. Excessive noise from amplified music or engine exhaust is prohibited.

25. Loitering is not permitted on Center property.

### **Bar Area**

1. Only Members and Associate Members 21 years of age and older may purchase alcoholic beverages. Guests may not purchase alcoholic beverages. (This is a requirement of our Pennsylvania club license).

2. Only persons 21 years of age and older may consumer alcoholic beverages on the premises. Pennsylvania L.C.B. or photo driver's license ID will be accepted as proof of age.

3. Persons under the age of 21 are not permitted in the Bar Area or the Adult room.

4. All persons are expected to return their glasses and bottles to the bar and any disposable placed in the container provided.

5. Smoking is permitted in the Bar Area.

### **Adult Room**

1. The Adult Room is the room adjacent to the Bar Area.
2. Smoking is not permitted in the Adult Room.

### **Game Room**

1. The Game Room is the room located on the west wing of the Center.
2. The following ARE NOT PERMITTED in the Game Room:
  - a) alcoholic beverages;
  - b) smoking;
  - c) disorderly conduct;
  - d) running; and
  - e) standing or climbing on tables, chairs or any other equipment.

### **Pre-Teen Room**

1. The Pre-teen Room is located off of the front hallway.
2. It is an unsupervised play area, to be used at a person's own risk and accompanying adults are responsible for the safety and supervision of their own children.
3. Children, until they have reached their twelfth (12<sup>th</sup>) birthday, must be accompanied by an adult, parent or guardian at all times.
4. Community Center staff members will not supervise the children; parents will be notified of a child's unruly behavior.
5. Food or drinks are not permitted.
6. Parents are responsible for cleaning up after their children.

### **Lounge Area**

1. The Lounge Area is identified as that area in front of the fire place from the Bar Area portion to the Entertainment Center.
2. The Entertainment Center houses the large TV and stereo system. This equipment may be operated only by the staff or persons designated by the Manager on Duty.
3. Only videos of the proper classification for the persons in attendance may be played on the TV.

## **Sauna**

1. Caution – The Sauna should be used at Your Own Risk.
2. Persons with the following conditions should consult their physician before entering the sauna:
  - a) High Blood Pressure
  - b) Heart Disease
  - c) Respiratory Problems
  - d) Pregnancy
3. Sauna should not be used during consumption of alcohol or drugs.
4. No one under the age of 16 years is allowed in the sauna.
5. Do not exceed 25 minutes in the sauna.
6. Drink plenty of fluids before and after.
7. Allow 5 minutes after exercise to cool down.
8. Please shower before entering.
9. Use a towel or mat to avoid moisture getting into the wood.
10. Swimsuits or a towel must be worn.
11. Warning: To reduce the risk of overheating please do the following:
  - a) Exit immediately if uncomfortable, dizzy or sleepy. Staying too long in a heated area is capable of overheating.
  - b) Supervise children at all times.
  - c) Check with doctor before use if pregnant, in poor health, or under medical care.
  - d) Breathing heated air in conjunction with consumption of alcohol, drugs or medication is capable of causing unconsciousness.

## **CURFEW RULE**

1. Children under 18 years of age are restricted from the Common Areas and Community Recreational Facilities (which include the roads, Community Center, pools, lakes, beaches, tennis courts and picnic areas) after the hour of 10:00 p.m.

This curfew is in effect as of January 2, 1999.

## **FENCE RULE**

1. No fence shall be erected on any lot without express written consent of the Grantor, its successors or assigns (Emerald Lakes Association, Inc.).

This rule is based upon a deed restriction contained in Association Members' property deeds. See By-Laws Schedule A, item 12.

## **HUNTING AND FISHING RULES**

1. Hunting, that is the taking or killing of wild birds and wild animals within the Emerald Lakes community is strictly forbidden, except Association approved pest control programs.

2. Wildlife is not to be harassed or molested (it should be noted that the killing or injuring, of a deer by a dog is a punishable offense in accordance with the rules and regulations of the Pennsylvania Game Commission).

3. Even though all land in the Community is privately owned, either by private property owners or by the Association, the wildlife in the Community is under the control and within the jurisdiction of the Pennsylvania Game Commission.

4. Fishing in the lakes within the Emerald Lakes Community by Association Members, Family Members, Tenants and their Guests is permitted.

5. All persons, age 16 and older, must display a valid Pennsylvania fishing license and Association issued identification while fishing in the community lakes.

6. Even though the lakes are privately owned by the Association, the use of the lakes for fishing and boating is subject to the Fish and Boat Code and Regulations of the Pennsylvania Fish and Boat Commission.

## **LAKE, BEACH AND PICNIC AREA RULES**

1. The primary responsibility of the lifeguards is the safety of the swimmers. Lifeguards have the authority to order any offender of the rules out of the water for any portion of the day they deem appropriate at their sole discretion. Chronic offenders lose their right to use the Community recreational facilities.

2. Socializing with or distracting lifeguards while they are on duty is prohibited. No loitering or congregating will be allowed.

3. Swimming in the Association-owned lakes at all times shall be at your own risk. Diving and/or swimming off boats and/or off bridges are prohibited.

4. Signage at each designated swimming area shall indicate whether or not a lifeguard is on duty. When on duty, the lifeguard shall:

- a) Maintain order.

- b) Enforce the posted beach rules.
  - c) Assist swimmers in case of an emergency.
- NOTE: Lifeguards are not permitted to perform “babysitting duties”.

5. Rules posted at the designated swimming areas shall be adhered to at all times, including but not limited to:

- a) Swimming is always at your own risk.
- b) No swimming is permitted outside of buoy lines.
- c) Containers and/or objects made of glass except for prescription eyeglasses are prohibited in the beach areas.
- d) Pets are not permitted in the lakes, swim or beach areas.
- e) Water toys may be used in designated swim areas unless the area is too crowded as determined by the lifeguard on duty.
- f) Running, pushing or other horseplay is not permitted.
- g) Children, until they have reached their twelfth (12<sup>th</sup>) birthday, must be accompanied by an adult, parent or guardian at all times.

6. Picnicking is limited to the designated areas and all trash shall be placed in the provided containers. Household trash/garbage is not to be deposited in these containers.

7. Cooking devices and open fires shall be supervised at all times by an adult [at least twenty-one (21) years of age]. Open fires must be completely extinguished and wet down before leaving.

8. Damage to trees and shrubs is prohibited.

9. Picnic areas and beaches must be left clean and uncluttered.

10. Association-issued identification shall be worn or available to be shown when requested by authorized personnel while using the lakes, beaches and picnic areas.

### **MOTOR VEHICLE RULES**

1. Motor Vehicles which are State-licensed for use on the public highways may be operated on the roads and vehicle parking areas of the Emerald Lakes Community. Such vehicles must:

- a) have a valid registration issued by the owner’s State of residency,
- b) display a current license plate, inspection sticker, and, if required, emissions test certificate, and
- c) be covered by at least the minimum liability and property damage insurance required by the State of registry.

2. Motor vehicles which are not licensable by the State of Pennsylvania for use on the public roadways are expressly prohibited and may not be operated within the Emerald Lakes Community. Such vehicles shall include, but not be limited to “off-road”

recreational vehicles, mini-bikes, dirt-bikes, all terrain vehicles, snowmobiles and go-carts. (Exception to this rule is electric powered vehicles such as golf carts).

3. Electric powered vehicles such as golf carts may be used on Emerald Lakes roads and must be registered with the Association office.

4. Motor vehicles operated, parked or stored within the Emerald Lakes Community by Association Members, Family Members and Tenants are required to be currently registered, licensed, display a current vehicle inspection sticker and Association issued identification

5. All operators of motor vehicles must have a valid driver's license, which has not been revoked or suspended, issued by the operator's State of residency. Any person possessing a junior license shall not drive after midnight.

6. While in the Emerald Lakes Community, operators of motor vehicles are required to abide by all Pennsylvania State, County, Municipal and Emerald Lakes Community special motor vehicle rules and regulations. All posted traffic signs must be obeyed.

7. Emerald Lakes Community special motor vehicle rules are as follows:

- a) Security personnel are authorized to control the use of vehicles in the community with respect to the registration and safety of the vehicle and the obedience of the driver to traffic rules.
- b) The speed limit on Emerald Lakes roads is as posted throughout the Community, with a maximum of 20 miles per hour.
- c) Vehicles without a current registration, license, and/or current inspection sticker, and may not be operated parked or stored in the community.
- d) Unlicensed drivers may NOT operate any motor vehicle in the community.
- e) Vehicles are NOT permitted on any Community property except the roads and designated parking areas.
- f) Motor Vehicles may not be parked overnight (12:00 a.m. midnight to 6:00 a.m.) on or along Community roads. Motor vehicles and/or trailers may not be parked on or along Community roads at any time of day or night during the snow season (November 1 to April 30). (All roads within Emerald Lakes must be kept free of obstructions to emergency vehicles and snowplowing equipment at all times). Vehicles violating these rules shall be considered illegally parked and may be towed away at the vehicle owner's expense.
- g) Abandoned or inoperable motor vehicles are NOT permitted within the Community, whether on Common Areas or private property. Such vehicles will be removed immediately from the Common Areas or private property at the vehicle owner's expense. (For clarification of this rule, an abandoned or inoperable motor vehicle is a vehicle that is inoperable or does not display a current valid license plate and/or a current, valid inspection sticker.

- h) The owner of a motorized vehicle, as well as the operator, shall be held responsible for any property damage or personal injury arising out of the operation of that vehicle as provided by law.
- i) It shall be a chargeable offense if a driver of any motorized vehicle should refuse to bring the vehicle to a stop or should flee when given a visual or audible signal by security personnel to bring the vehicle to a stop. The signal may be by hand, voice, emergency lights or siren.
- j) There shall be no passing on any Association road. **No vehicle shall be operated in such a manner that shall constitute reckless endangerment or endangering the life of others.**

### **PERSONAL EQUIPMENT/PROPERTY ON COMMUNITY ROADS**

1. The installation and/or use of personal property (including but not limited to athletic equipment such as portable roadside basketball hoops and skateboard ramps, as well as garbage receptacles and permanent structures) within the Association's road right-of-way is prohibited. The Association's road right-of-way is at least 50 feet (+/\_ 15 feet on each side of the road surface.)

### **PET RULES**

1. The keeping of poultry or animals other than those classified as family pets including dogs, cats and caged birds, shall be prohibited. No more than two dogs or two cats, or one dog and one cat shall be allowed per dwelling. This rule is based upon a deed restriction contained in Association Members' property deeds. See By-Laws Schedule A, item 5.

2. The Community Recreational Facilities are for the use of all Members and their guests, therefore, for health reasons, pets are NOT permitted in these areas, including, but not limited to Community Center, pools, pool areas, swim areas of the lakes, beaches, tennis courts and picnic areas. Guide dogs are exempt from this rule and may guide their owner to any area.

3. Pets must be licensed and vaccinated against rabies as required by law in their State of Residency and while at Emerald Lakes, pets are subject to Pennsylvania State, County and Local laws, rules and regulations.

4. In Pennsylvania it is unlawful:

- a) To keep or harbor any dog six months of age or older without a current Pennsylvania dog license (due on or before January 1<sup>st</sup> if a Pennsylvania resident).
- b) To allow your dog to run at large. All dogs must be kept under control. Owners are responsible for all damages caused by their animals.
- c) To mistreat or abuse any animal. Report violations to your local humane organization or police.

- d) To place any poison or harmful substance in any place, on your property or elsewhere, where it may be easily found and eaten by domestic pets and/or wildlife.
- e) To abandon or attempt to abandon any dog. Fines for abandonment range from \$300 to \$1,000 plus court costs.
- f) To barter, trade, sell or transfer any dog under seven weeks old.

5. Pet owners must:

- a) Confine pets to owner's property.
- b) Walk pets on a leash when off owner's property. (For the protection of your pet while at Emerald Lakes, it is recommended that they wear an identification tag giving owner's name, local address and local telephone number).

6. Disturbance of the Peace – It shall be a fineable offense to own, harbor or keep in custody any animal, which disturbs the peace by barking, howling or making other loud noises to the annoyance and discomfort of any person in Emerald Lakes. Continuous barking, howling, or the making of other loud noises by such animal for more than thirty (30) minutes shall be deemed to be disturbance of the peace.

7. Injury to Persons – It shall be unlawful for the owner of any dog to permit said animal to injure any person by biting, jumping on, knocking down or attacking said person.

8. Nuisances – No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to soil, defile, defecate on or commit any nuisance on any common thoroughfare, passageway, by-path, play area, park, beach or any place where people congregate or walk or on any public property whatsoever, including common roadways:

- a) The person who so curbs such dog shall immediately remove all feces deposited by the dog;
- b) The feces removed shall be disposed of in a sanitary manner by the person owning, harboring, keeping or in charge of such a dog.

9. Property owners (Association Members) shall be held responsible for pets belonging to their Guests and/or Tenants.

## **POOL RULES**

1. The primary responsibility of the lifeguards is the safety of the swimmers. Lifeguards have the authority to order any offender of the rules out of the pool for any portion of the day they deem appropriate at their sole discretion. Chronic offenders may lose their right to use the Community Recreational Facilities.

2. Socializing with or distracting lifeguards while they are on duty is prohibited. No loitering or congregating will be allowed.

3. Swimming in the pool without supervision by Association personnel is prohibited, and if done, will be at your own risk.

4. Posted rules shall be adhered to at all times, including but not limited to:

- a) No one is permitted in the pool enclosure except during scheduled hours and only when a lifeguard is on duty.
- b) The Association may close the pool during scheduled hours for reasons of safety, weather or maintenance.
- c) No running, dunking, pushing or other horseplay will be permitted. Always enter the pool with caution.
- d) With the exception of corrective eyewear, no china, ceramics, glass objects, food, smoking or beverage of any kind is permitted in the pool enclosure.
- e) Children, until they have reached their twelfth (12<sup>th</sup>) birthday, must be accompanied by a responsible person 18 years or older who shall be responsible for the child's behavior and conformance to all pool rules while in the pool area.
- f) Children and adults who require protective undergarments must wear waterproof coverage over same.
- g) No diving is permitted in the pools.
- h) Only bathing suits may be worn in the pool. Cut-offs are not allowed.
- i) No sitting or hanging on ropes and no swings on ladders.
- j) No radios are allowed in the pool enclosure except when played through headphones.
- k) Flotation devices and skin diving equipment are prohibited in the pool unless permission has been granted by the Association staff.
- l) Persons having infections, open wounds or bandages are not permitted in the pool.
- m) With the exception of guide dogs, pets are not permitted in the pool or pool area.

5. Association-issued identification should be worn or available to be shown when requested by authorized personnel, while in the pool area.

6. These Pool Rules apply to the Indoor Pool at the Community Center and to the Outdoor Pool on Cedar Drive.

### **PUBLIC NUISANCE RULE**

Any condition which "disturbs the peace," such as loud, boisterous activity, excessive volume, etc. shall be deemed to be a public nuisance and may result in a fine being imposed. (See Schedule of Fines).

### **RENTAL RULES**

Association Members who own a residence in the Emerald Lakes Community may rent, lease or make available to others such residence. To protect the rights and well-being of all Association Members, and for the good of the Community-at-large, the Association requests that Members, who choose to rent their residences, either directly or through a

rental agency, carefully screen their prospective Tenants as to character, responsibility and legal age.

### **Member/Landlord**

1. Member/Landlord, or his/her rental agent, shall complete a MEMBER'S INTENT TO RENT form prior to any and all new rentals of their property and place same on file with the Association's Administration Office. The Association reserves the right to charge a registration fee as determined by the Board of Directors.

2. Member/Landlord must fill out MEMBER'S INTENT TO RENT form. Failure to do so will result in a fine as determined by the Board of Directors. (See Schedule of Fines).

3. Member/Landlord shall NOT lend his/her own Association-issued identification for use by the Tenants, but may purchase Association-issued Tenant identification, if desired.

4. Member/Landlord shall be held legally and financially responsible to the Association for any and all damages caused to the Common Areas and Community Recreational Facilities by the actions of the Tenants and Tenant's Guests, as well as for violations of the Association's Rules and Regulations by the Tenants, to the extent that such damages or violation fines are not collected directly from the Tenants.

### **Tenant**

1. Each Tenant (renting party) shall complete a RENTER'S REGISTRATION FORM, and place same on file with the Association's Administration Office prior to the commencement of the rental period. The Association reserves the right to charge a registration fee as determined by the Board of Directors.

2. Each registered Tenant (renting party) will be given a TENANT'S IDENTIFICATION CARD, a copy of the Association's Rules and Regulations, maps and other documents to make their stay in the Community more enjoyable.

3. Each registered Tenant (renting party) shall obtain Association-issued identification for each person in the renting party age 6 or older (providing the Member/Landlord, or his/her rental agent has not furnished same) by paying an administration fee established by the Board of Directors. (This ID is required to use the Community's private roads and gain access to other Common Areas and Community Recreational Facilities).

4. Tenants (renting parties) shall abide by the Association's Rules and Regulations and shall be held legally and financially responsible to the Association for any and all violations thereof as well as for any damages caused to the Common Areas and Community Recreational Facilities.

5. Tenants may not sublet the property as a unit or any part thereof.

6. The lease agreement should grant the Association the power to evict a Tenant by amicable confession of ejectment should the Tenant violate the Rules and Regulations of the Association.

7. Any home that is rented must be rented in its entirety and may not be occupied in any part by the Property Owner during the rental period.

8. Association-issued identification should be worn by the Tenants, or be available to be shown when requested by authorized personnel at all times while using the Community Recreational Facilities.

### **SIGN RULES**

1. No signs, including "For Sale" or "For Rent", or any other advertisements, shall be placed or displayed on any lot without specific permission of Emerald Lakes Association. This rule is based upon a deed restriction contained in Association Members' property deeds. See By-Laws Schedule A, Item 11.

2. To facilitate locating an address in Emerald Lakes, especially in the event of an emergency, i.e., ambulance, fire, police and/or in-house security patrol, the Emerald Lakes Association is providing and installing a standardized address sign located on Association common property at the driveway entrance area of each and every improved (with a house) private property in Emerald Lakes.

These signs are the property of the Emerald Lakes Association and may not be removed, altered or defaced in any way and the care, protection and maintenance of the signs posted in front of an improved lot shall be the responsibility of the owner(s) of that property. Violations of this rule are subject to the current Schedule of Fines.

3. The Association will permit homeowners to display an alarm system notification sign on their property providing same is no larger than 12" x 18" in size and is placed no less than 15 feet back from the property line.

4. Any member, in good standing, who requests a "for sale" sign for his/her property, will be given a sign "free of charge." However, if the member wishes to put up his/her own sign, then approval must be obtained from the ELA office.

5. No unauthorized signs shall be permitted on common community property. Authorized signs may be permitted by applying to the Emerald Lakes Association office. Unauthorized signs will be removed and subject to the fine identified in the fine schedule.

### **TENNIS COURT RULES**

1. Tennis shoes, proper attire and proper conduct are required.
2. Courts may be reserved only on day of play.

3. Time limit: 1 hour.
4. Courts may be closed for lessons and tournaments by the ELCA Committee and/or Recreation Director. Posting of notice of closing must be 2 days in advance of closing.
5. Keys to gain entry to Courts may be purchased at Association Offices.
6. Children, until they have reached their twelfth (12<sup>th</sup>) birthday, must be accompanied by an adult.
7. Pets are not permitted on the tennis courts or in the tennis court area.
8. Eating, smoking and alcoholic beverages are prohibited on the tennis courts.
9. Profane and/or abusive language and the throwing of tennis rackets will not be tolerated.
10. Association-issued identification should be worn or available to be shown when requested by authorized personnel while using the tennis courts.

**TRAILER PARKING RULES (this rule adopted 4/22/06 - effective 8/1/06)**

1. In no event will such apparatus be erected, and/or used, as a habitation.
2. One mobile home or one currently licensed motor home or travel trailer or other type of private (non-commercial) trailer may be parked on any lot or tract having a principal building, provided that no living quarters shall be maintained or any business conducted in connection therewith while such vehicle or trailer is so parked. (This is in keeping with Tobyhanna Zoning regulations). Also, the mobile home or trailer must be screened from view of the road as best as possible. NOTE: [This will limit the parking to **ONE** of any of these types of vehicles on a property; unless a parking fee is paid for additional vehicles].
3. Keeping of additional Campers, Motor Homes (RV 's) or Camper (RV) trailers will be subject to "parking fees" relating to their overall length. All Campers, Motor Homes (RV's) and Camper (RV) Trailers **MUST** be registered with the Emerald Lakes Administration and display the current Emerald Lakes vehicle sticker. Vehicles that are not registered with or do not exhibit the current Emerald Lakes vehicle sticker are PROHIBITED within the Emerald Lakes Community and subject to citation and fine. It is recommended that Campers, Motor Homes (RV's) and Camper (RV) Trailers be identified by overall length, as follows:

SMALL	Less than 20 feet in overall length
MEDIUM	20 feet to 30 feet in overall length
LARGE	Greater than 30 feet in overall length

4. That PARKING FEE be implemented for the parking of more than one vehicle described above on a lot or property.

That the PARKING FEES be as follows:

Less than 20 feet overall length: \$10/day, \$150/month  
20 feet to 30 feet overall length; \$25/day, \$375/month  
Greater than 30 feet overall length; \$40/day, \$600/month

ALL PARKING FEES must be paid **in advance** for either the daily or monthly rate.

Definitions: **DAY:** Midnight to 11:59 p.m., or any part thereof. **Month:** midnight on the first day of a calendar month to 11:59 p.m. on the last day of that calendar month.

5. **ALL** vehicles registered as **truck, commercial or apportioned**; or any vehicle with a **registered vehicle weight** of 10,000 pounds (5 tons) or more are **PROHIBITED** from use within or from being housed within the Emerald Lakes Community.

This provision **SHALL NOT** apply to Emerald Lakes' vehicles, EMERGENCY vehicles, contractor's equipment and vehicles or to moving vans and other delivery trucks or utility vehicles while in the performance of their intended function.

6. That the 5 ton weight restrictions on Emerald Lakes bridges be made known to area builders and that the builders are responsible for notifying their subcontractors of this weight limit and to make every effort to avoid our bridges whenever possible. Builders and subcontractors shall be held liable for fines and damages caused by violating this section.

That the violation of this weight limit carry a fine of \$5,000 (FIVE THOUSAND DOLLARS), and to bear the cost for any damages caused by its use.

The standard appeals process shall be in effect for violators.

7. The fines for any violation not specifically listed are set at \$250.00 for EACH VIOLATION.

"EACH VIOLATION" shall mean each day or part thereof; as defined above and the standard appeals process shall remain in effect for any violations.

## **WEAPONS RULES**

1. **Carrying a weapon including but not limited to a** loaded firearm (pistol, rifle, shotgun, air gun, flintlock, black powder), **cross bow, pellet gun**, B.B. gun, bow and arrow, **sling shot**, or any device capable of propelling a projectile of any kind, within the

confines of Emerald Lakes is prohibited. **Exception: those persons who have a Government permit to carry a weapon.**

2. Discharging any weapon within the confines of Emerald Lakes is strictly prohibited.

3. Any persons in possession of any firearms must be in compliance with the laws of the Commonwealth of Pennsylvania.

4. Violations will result in disciplinary action by the Association and shall be reported to the appropriate Municipal Authorities as may be required. (See Schedule of Fines).

**5. The killing or attempting to harm any animal within Emerald Lakes is strictly prohibited**

### **ENFORCEMENT OF RULES**

1. Security Officers and authorized Association Staff personnel, including lifeguards on duty, are responsible for the enforcement of all Rules and Regulations for all persons utilizing the Common Areas and Community Recreational facilities.

2. Any violation could result in a suspension of privileges, a fine, or both, as well as the institution of a Civil Action to recover sums due for damages or injunctive relief, Criminal Action, or other appropriate action under the circumstances.

3. Violations can and should be reported by any person, whether Association Member, Family Member, Tenant, or Guest to Security with as much information as can be obtained.

4. Security will complete a written Complaint Record on any and all violations or reports of alleged violations and undertake appropriate action.

5. All State, County and Municipal law enforcement agencies have authority to enforce all applicable State, County and Municipal Statutes, Laws, Ordinances and Regulations within the Emerald Lakes Community.

6. A member who wishes to appeal a disciplinary action imposed or authorized by the Board of Directors, that is, suspension of Member privileges or a fine for a breach of the By-Laws or of the Rules and Regulations, may request a hearing before the Board and such disciplinary action will be suspended until after the hearing.

- a) Such request for a hearing must be made in writing to the Board of Directors, c/o General Manager, within ten (10) days after receipt of notice of disciplinary action or receipt of the citation.
- b) The requested hearing shall take place at the next regularly scheduled Board meeting following the mailing to the Member of written notice of the time and place thereof and also stating the nature of the breach charged against said Member.
- c) The Member shall have the right to be represented by counsel.

- d) Within ten (10) days after the hearing the Board shall render its decision in writing to the Member involved, setting forth the determination of the Board and the disciplinary action to be imposed, if applicable.

**SCHEDULE OF FINES FOLLOWS**

# EMERALD LAKES ASSOCIATION, INC

Approved: 24 March 2007, Effective: 1 April 2007

## SCHEDULE OF FINES

### Alarm Rules

False House Alarm \$25.00 per alarm after 2 warnings during 12 month period

### Burning, Garbage, Trash, Unightly Property Rules

Dumping or burning \$100.00  
Contractor Dumping \$250.00  
Unightly Property \$ 50.00 first offense / \$200.00 subsequent offenses

### Motor Vehicle Rules

Use of Prohibited or Unregistered Vehicles in ELA:

- off-road recreational vehicles
- mini bikes, dirt bikes
- all terrain vehicles
- snowmobiles
- go carts \$750.00

Any currently unlicensed vehicle operated, stored or parked within Emerald Lakes \$100.00/per vehicle

Any Vehicle not displaying the ELA Issued identification specified in Motor Vehicle Rules Item 4 \$75.00/per vehicle

Covering any vehicle or any violation with a tarp or other material for the purpose of hiding any violation \$150.00/per unit

Dangerous Passing \$100.00  
Failing to Stop \$ 50.00  
Illegal Parking \$ 50.00  
Speeding \$ 50.00 (21-40 mph per radar)  
\$100.00 (over 40 mph per radar)

Failure to yield right-of-way to emergency or security vehicles \$100.00

Reckless endangerments/  
Endangering the life of others \$500.00



persons associated with cited party's lot until all financial obligations to the Association are satisfied).

5. If there is any conflict between the fines, and charges specified herein, and those specified in the ARC Procedures and Regulations, the higher fine and charges will be applied.

**SCHEDULE A FOLLOWS**

## **EMERALD LAKES ASSOCIATION, INC RULES AND REGULATIONS**

### **SCHEDULE A**

#### Declaration of Covenants, Restrictions and Limitations

Under and subject to the following covenants, restrictions and limitations, and all Municipal County and State rules and regulations, and shall be binding upon the Grantee herein, his heirs, executors, successors, or assigns.

1. The premises to be conveyed shall be used for residential purposes only. No building shall be erected, altered, placed, or permitted to remain on the premises other than one detached single-family dwelling, not to exceed two stores in height, and a private garage for not more than two cars.

2. No dwelling or other building shall be erected or occupied on the premises without a sewage disposal installation which will meet the requirements of the Grantor and of all public authorities for the disposal of sewage from such building.

3. Easements for installations and maintenance of utilities and drainage facilities shall be reserved over 10 ft. of the front and sides of each lot and 5 ft. of the rear of each lot.

4. All garbage and rubbish shall be disposed of off the premises and no garbage or rubbish may be buried on the premises or burned on the premises.

5. The keeping of poultry or animals other than those classified as family pets, viz., dogs, cats and caged birds, shall be prohibited. No more than two dogs or two cats, or one dog and one cat, shall be allowed per dwelling.

6. After construction has commenced, all exteriors of buildings shall be completed within four months of the starting date.

7. No construction shall commence without prior written approval of building & plot plans by Grantor, its successors & assigns. Application for approval shall be made in writing & Grantor agrees to approve or disapprove within 15 days after submission.

8. No individual water supply system shall be permitted on any lot or building site unless such system is located, constructed & equipped in accordance with the requirements, standards & recommendations of the State and/or local public health authorities.

9. Title to the lakes, recreational areas and roads (until dedicated to a municipality) shall remain in Grantor, its successors and assigns. The use of the lakes and recreational areas is restricted to the members in good standing of the Emerald Lakes Association, Inc. and membership in that Association is limited to the purchasers of lots in this development and lessees of lot owners.

10. The Grantees, their heirs, executors, administrators, successors or assigns agree to become and remain members in good standing of the Emerald Lakes Association, Inc.

11. No signs, including "For Sale" or "For Rent", or any other advertisements, shall be placed or displayed on any lot without specific permission of Grantor, its successors and assigns.

12. No fence shall be erected on any lot without express written consent of the Grantor, its successors or assigns.

13. It is expressly understood and agreed that the several covenants herein set forth shall attach to and run with the land and will be binding upon the parties hereto, their heirs, executors, administrators, successors or assigns.

14. Grantee agrees that these covenants may be enforced by Grantor, its successors and assigns, by appropriate action at law or in equity, or by reason of any breach hereof.

[Note: The following additional Covenants, Restrictions and Limitations apply to lake front properties.]

Together with the right to such lawful use of the land between the above described premises and the lake shore line of those bodies of water known as "Emerald Lakes", which land lies within the confines of the extension of the boundary lines of any adjacent lots or toe edge of any public or private road in existence or to be constructed by Grantor or its successors or assigns, as such use may be offered by Grantor, its successors or assigns, including said Emerald Lakes Association, Inc., under the following terms and conditions:

(a) The proposed lawful use of such land is limited to such uses as are suitable to recreational and residential purposes and no commercial use whatsoever may be made of said land;

(b) No structure of any kind and description, including a temporary structure of improvement may be erected or placed upon said land except that the Grantees, heirs and assigns may erect a flat dock. Application for approval of plans for docks shall be made in writing to Grantor and Grantor agrees to approve or disapprove within 15 days after submission.

(c) The proposed lawful use of such lands includes but is not limited to the right to clearing and landscaping and other uses to be prescribed by Grantor, its successors and assigns including the said Emerald Lakes Association, Inc.

[NOTE: This Declaration of Covenants, Restrictions and Limitations was established by the Developer, UNIDEL CORPORATION, is recorded in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania, is an integral part of the private property deed of each Emerald Lakes Community Property Owner (Association Member) and is an integral part of the By-Laws of Emerald Lakes Association, Inc. by reference therein.]