



RULES, REGULATIONS AND ARC

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SCHEDULE A

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SCHEDULE OF FINES

Alarm Rules

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

Burning: \$500

Garbage, Trash, Unsightly Property Rules

| | |
|---|---|
| Dumping | \$100.00 |
| Contractor Dumping | \$500.00 |
| Unsightly Property | \$ 50.00 first offense / \$100.00 subsequent offenses |
| Dumping for Members Not in Good Standing | \$500.00 |

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 / \$1,000 subsequent offenses

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 \$25.00 first offense / \$50 subsequent offenses

| | |
|-------------------|---|
| Dangerous Passing | \$100.00 |
| Failing to Stop | \$ 50.00 |
| Illegal Parking | \$ 50.00 |
| Speeding | \$ 50.00 (2 1-40 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 lives of others \$500.00

Pet Rules
1st offense – Warning
2nd offense - \$100.00 fine
3rd offense - \$200. fine

Public Nuisance Rule
A \$200.00 fine will be issued for any conditions that will disturb the peace of the community.

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Public Nuisance Rule (Cont'd) \$500.00 per offense if proper attire is not worn at all times in the restroom; or if a cover up is not worn while using the sauna

Rental Rules

Failure to Register Tenant \$200.00

Sign Rules

Vandalism/Removal of \$ 50.00 first offense
Property Number sign \$100.00 each subsequent offense
Unauthorized posting of signs \$100.00/each

Weapons Rules

Carrying a Weapon \$ 500.00
Discharging a Weapon \$ 750.00
Killing or attempting to harm any animal \$1,500.00

GENERAL

Disorderly Conduct \$100.00 + suspension of member privileges

Harassment, aggression or use of derogatory language towards staff or community members \$500.00 fine

Other Violations – \$ 50.00 first offense
\$ 75.00 second offense
\$100.00 third offense
\$200.00 subsequent offenses & suspension of member privileges

Interference with a Security Officer while in performance of duties \$100.00
Evading or eluding Security \$100.00

NOTE:Applicable administration costs may be added to the fines identified on the listed above.

1. Fines plus additional charges are payable within fifteen (15) days from the citation receipt date.
2. Suspension of Member privileges shall start on the date of the citation.
3. Members wishing to appeal a citation or a disciplinary action by the Board of Directors must file a written appeal addressed to the Board, care of the Community Manager, within fifteen (15) days of receipt of the citation or notice of disciplinary action. Appeals will be processed as indicated within Enforcement of Rules Section the Rules and Regulations.
4. Failure to pay any fines plus charges within fifteen (15) days from citation receipt date results in doubling of the unpaid fine and cited party being considered not in good standing of the Association. The exception will be if a written appeal is submitted within the 15 days of receipt of the citation.

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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 and Building Procedures 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; and

(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 and Building Procedures 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** and **Building Procedures** 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 (1), 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** and **Building Procedures** is established by Article XI of the Association By-Laws.

3. Community Regulations Committee: The C.R.C. is established to perform such duties as described hereafter, all overseen by the General Manager. They shall review, no less than quarterly, the

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records of the Code Enforcement Officer, to confirm that these records are kept in a complete and orderly fashion and in compliance with these Rules and Regulations. At the regular C.R.C. meetings, the committee shall also view, for any modification, an itemized report of all approvals prepared by the CEO.

APPLICATION:

These **Rules and Regulations** and **Building Procedures** 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, and Guests, 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 Members, 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, Building Procedures 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 & Regulations, Building Procedures, and the Policies and Procedures of the Association, including the responsibility for like compliance by Family Members, Renters, Guests, suppliers and contractors;
 - (b) payment of all financial obligations due the Association as provided for in the By-Laws; and
 - (c) responsibility for all damages attributed to the Member, his/her Family Members, Renters, Guests, suppliers and Contractors.
4. A Member who has been declared “not in good standing of the Association” for violation of the Covenants, By-Laws, Rules & Regulations, Building Procedures, Policies and Procedures, or for any other reason:
 - (a) the number of lots owned shall be barred from exercising his/her privileges of membership, regardless of 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; and

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(c) the restrictions of (a) and (b) above shall apply to the Member directly involved as well as all other Members, Family Members, Renters, and Guests from the same property.

COMMUNITY RULES AND REGULATIONS

TREE CUTTING AND REMOVAL: Trees measuring 3” or more in diameter (outside bark to outside bark) measured at a height of 36” above the ground shall be not be removed unless approved by the Code Enforcement Officer. All requests must be submitted in writing on the prescribed Tree Removal Request. Failure to obtain prior approval will result in the fines specified within the Schedule of Fines.

EMERGENCY CONTACT: Association Members must submit to the Administration Office an emergency contact telephone number in the event of fire, police activity, or any other emergency that might occur. Members are required to keep this information updated at all times.

MISUSE OF THE 911 EMERGENCY SYSTEM – In the event you cannot reach security and are reporting a non-emergency situation such as a stolen bike, a dog continuously barking, pass a house with broken windows or door open – **DO NOT DIAL 911**. The police non-emergency number is (570) 992-9911.

ALARM RULES:

1. All residential alarm systems shall be registered with the appropriate Township Authority.
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 Public Safety 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 which fails to automatically shut off its audio alarm within ten (10) minutes after the activation of such audible alarm.

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.

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BOATING RULES:

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.

Association boat racks are designated only for the use of Association Members in good standing. Assignments are seasonal and may be obtained at the Association office for a fee.

Boats may be powered by trolling electric motors. They must have a current valid Pennsylvania registration and display proper registration numbers on the hull of the boat.

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.

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

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

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

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

BURNING, GARBAGE, TRASH, UNSIGHTLY PROPERTY RULES:

1. No burning is permitted within the boundaries of the Emerald Lakes Community, except as noted below:

1.1 Burning of construction materials and debris, aerosol cans, paint and other coatings material cans is strictly prohibited.

1.2. Burning of residential recyclable materials and commercial recyclable materials is prohibited.

1.3. Burning of any residential or construction trash, garbage, and furniture is prohibited.

1.4 Burning of tree trimmings, grasses, weed, and other plants is prohibited.

1.5 Burning of treated, painted or stained wood is prohibited.

1.6. Burning is permitted of only clean, readily combustible materials. Every contained fire or controlled burn shall be built in and confined to a noncombustible container covered with a screen of 1/2 inch or smaller mesh, or with other suitable non-combustible cover, and shall not be permitted closer than twenty five (25) feet from any building.

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A CONTAINED FIRE is any fire contained in an incinerator, fireplace or other contained enclosure designed for outdoor cooking, or a fireproof container. A CONTROLLED FIRE is fire not included in the definition of "Contained Fire".

1.6.1 The burning shall be solely for recreational or ceremonial purposes, or used only for cooking.

1.6.2. All fires shall be attended to at all times by a responsible adult with readily available means of extinguishing the fire, such as a fire extinguisher or water hose.

1.6.3 The fire must be extinguished thoroughly with no smoldering.

1.7 No burning is allowed during a Fire Ban Emergency, as proclaimed by Monroe County Emergency Management, or Tunkhannock or Tobyhanna Townships.

1.8 Wherever the Township ordinance is more stringent than this regulation, the Township Ordinance requirements shall prevail.

1.9 Nothing herein shall be construed to permit or encourage the burning of any substance determined by the Commonwealth of Pennsylvania or the United States Environmental Protection Agency to be a "hazardous substance"; nor shall any fire be permitted to burn by any persons if such burning is in violation of the Air Pollution Control Act or other legislation by the Commonwealth of Pennsylvania or the United States of America or any of their legislative agencies.

2. All garbage, trash and rubbish shall be disposed of off the premises and no garbage, trash 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 recyclable material. Anyone caught dumping bags for Members who are not in good standing will be issued a \$500.00 fine. Please contact the ELA office for days and hours of operation.

4. Valid Member (or Associate Member) badges and ELA vehicle ID stickers must be shown to the compactor attendant to receive trash disposal privileges. The stickers must be permanently affixed to the vehicle.

5. No part of any lot or property shall be used or maintained as a dumping ground 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:** Firewood and kindling intended for fire starting may be neatly arranged on the owner's property.

6. Normal household garbage and trash must be taken to the Association's compactor in a timely fashion. Any garbage or trash placed outdoors, pending transfer to the compactor, must be kept in secure containers to discourage access by wild animals.)

7. Recycling is mandatory at the trash compactor area. These materials must be separated properly and disposed of in the appropriate containers..

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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. If the owner fails to do so, the property will be considered unsightly. The Association will give written notice to the owner. If not corrected within period specified in the Notice, a fine may be imposed. (See Schedule of Fines).

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.
2. Upon entering the Center, all persons must display their Association identification. Identification badges are also required when using the Community Center common areas.
3. Children under twelve (12) years of age must be accompanied by an adult member, who shall be responsible for the child's behavior while in the Community Center.
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.
5. The Community Manager, or assignee (i.e., Manager on Duty), is in charge of the Center and is responsible for the enforcement of all Association Rules and Regulations at the Center. The Manager on Duty (MOD) also is responsible 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 Appeals Procedures.
6. By way of definition, 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 5404, and includes but is not limited to: the Community Center/Indoor Pool structure, parking lot, lawn areas, playground areas, tennis courts, basketball courts, driveway, sidewalks and un-cleared Common Area land.
7. Use of the Center is reserved exclusively for the following:
 - 7.1 Association Members (Emerald Lakes property owners of record);
 - 7.2 Their Family Members; their Guests;
 - 7.3 Their Tenants, who have been approved for and have purchased Associate Member identification from the Association; and
 - 7.4 Associate Member Guests.

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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 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 who have 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.

13A. Proper attire must be worn at all times in the restroom. No nudity allowed. When coming out of the shower a towel must be worn, when using the sauna you must wear a cover up of some sort. A \$500.00 fine will be issued if you do not abide to these rules.

13B. Harassment, aggression or the use of derogatory language towards our staff or community members will not be tolerated. If you continue with this misconduct a \$500.00 fine will be issued.

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

15. The use of skateboards or roller blades is not permitted in the Center or common ground.

16. Any person causing, performing or connected with a prohibited act may receive a fine or may have his/her amenity privileges suspended. Such suspension may be initiated by the staff on duty, may take effect immediately, and shall remain in effect for the period of time specified by the staff or until such a time as the Board of Directors may meet, review and modify the length of time of such suspension.

17. Anyone vandalizing or stealing any property and/or the parent or host of anyone 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.

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18. Vehicles are required to park in the parking lot. 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 for this purpose, the headlights must be turned on.

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

20. 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 disciplinary action. This behavior causes 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.

21. 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.

22. 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 consume 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.

4. While the children are at the Community Center, they must be supervised by a parent or guardian at all times. No child under the age of 21 years is allowed into the bar area at any time. Failure to adhere to this rule will result in a fine and the violator will be asked to leave the bar area.

5. **SMOKING RULES:** Smoking is permitted in the Bar Area during designated hours. Smoking is only allowed outside the Community Center in the designated area only.

Dining Room

1. The Lounge Area is identified as that area in front of the fireplace 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.

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Sauna/Rest Rooms

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:
 - High Blood Pressure
 - Heart Disease
 - Respiratory Problems
 - 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. No nudity is allowed.
11. Warning: To reduce the risk of overheating, please do the following:
 - 11.1 Exit immediately if uncomfortable, dizzy or sleepy. Staying too long in a heated area may cause the body to overheat.
 - 11.2 Check with doctor before use if pregnant, in poor health, or under medical care.
 - 11.3 Breathing heated air in conjunction with consumption of alcohol, drugs or medication may cause unconsciousness.
12. No debris of any kind is to remain in the Sauna/Rest Rooms.

CURFEW RULE

~~All children under 18 years of age are restricted from the Common Areas and Community Recreational Facilities (which include roads, Community Center, lakes, pools, basketball courts, beaches, tennis courts and picnic areas after 10:00 PM. Children are not permitted in the Community Center and Common Areas after 10:00 PM with the exception of Association functions where children are permitted to attend. (SEE “ADDENDUM A” page 26),~~

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FENCE RULE:

No fence shall be erected on any lot without a Compliance Permit. This rule is based upon a deed restriction contained in Association Members' property deeds. [See By-Laws, Schedule A, item 12.]. See the Building Procedures and Regulations section of these Rules and Regulations for fence design criteria requirements.

HUNTING AND FISHING RULES

1. Hunting is strictly forbidden.
2. Wildlife is not to be harassed or abused.
3. 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 is only permitted by Association Members, Family Members, Tenants and their Guests.
5. Catch and Release Program for all lakes – This is only for bass. It does not include smaller fish (crappies, sunfish and perch) as per the Fish and Game Commission. Be advised that a One Hundred Dollar (\$100) fine will be issued to anyone not adhering to this program.
6. All persons must display a valid Pennsylvania fishing license and Association issued identification while fishing in the community lakes.
7. 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. Ice skating is prohibited on any lake. Doing so will be at your own risk. However, ice skating is permitted at the designated area located near the main entrance.
2. 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..
3. Socializing with or distracting lifeguards while they are on duty is prohibited. No loitering or congregating is permitted.
4. 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. For safety precaution, all lake front activities require children wear to life jackets.

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

5.1 Maintain order.

5.2 Enforce the posted beach rules.

5.3 Assist swimmers in case of an emergency. NOTE: Lifeguards are not permitted to perform "babysitting duties".

6. Rules posted at the designated swimming areas shall be adhered to at all times. These include but are limited to:

6.1 Swimming is always at your own risk.

6.2 No swimming is permitted outside of buoy lines.

6.3 Containers and/or objects made of glass except for prescription eyeglasses are prohibited in the beach areas.

6.4 Pets are not permitted in the lakes, swim or beach areas.

6.5 Water toys may be used in designated swim areas unless the area is too crowded as determined by the lifeguard on duty.

6.6 Running, pushing or other horseplay is not permitted.

6.7 Children must be accompanied by an adult, parent or guardian at all times.

7. 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.

8. Cooking devices shall be supervised at all times by an adult and must be completely extinguished and wet down before leaving.

9. Damage to trees and shrubs is prohibited.

10. Picnic areas and beaches must be left clean and un-littered.

11. 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:

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1.1 have a valid registration issued by the owner's State of residency;

1.2 display a current license plate, inspection sticker, and, if required, emissions test certificate; and

1.3 be covered by at least the minimum liability and property damage insurance required by the State of registration.

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. No vehicle may be parked on our roads at any time day or night. All roads must be kept free for emergency vehicles, road paving and repair, and snow plowing. (Exception: – vehicles making a delivery or doing or supporting construction.) If you are having a party, permission must be obtained from our Community Manager so the vehicles can park on the road or designated area for this gathering. A failure to adhere to these rules, will result in the vehicles being considered illegally parked and will be fined and may be towed away at the vehicle owner's expense.

8. Emerald Lakes community special motor vehicle rules are as follows:

8.1 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.

8.2 The speed limit on Emerald Lakes roads is as posted throughout the Community, with a maximum of 20 miles per hour.

8.3 Vehicles without a current registration, license, and/or current inspection sticker, and may not be operated, parked or stored in the community.

8.4 Unlicensed drivers may not operate any motor vehicle in the community.

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8.5 Vehicles are not permitted on any Community property except the roads and designated parking areas.

8.6 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. (An abandoned or inoperable motor vehicle is defined as a vehicle that is inoperable or does not display a current valid license plate and/or a current, valid inspection sticker.

8.7 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.

8.8 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.

8.9 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.

9. Those homeowners owning commercial vehicles of any kind are not permitted to park them on their driveway.

TRAILER and COMMERCIAL VEHICLE RULES

1. 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 within the vehicle or trailer when parked in the Community. The mobile home or trailer must be screened from view of the road as best as possible.

2. 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. Campers, Motor Homes (RV's) and Camper (RV) Trailers are 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

3. The parking fees are as follows:

3.1 Less than twenty (20) feet overall length: \$10/day, \$150/month

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3.2 Twenty (20) feet to thirty (30) feet overall length: \$25/day, \$375/month

3.3 Greater than thirty (30) feet overall length: \$40/day, \$600/month

3.4 All parking fees must be paid in advance for either the daily or monthly rate.

3.5 DAY shall mean: Midnight to 11:59 p.m., or any part thereof. MONTH shall mean: Midnight on the first day of a calendar month to 11:59 p.m. on the last day of that calendar month.

4. 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.

4.1 No dump trucks are permitted to be housed within the Emerald Lakes Community.

4.2 Commercial vehicles used for businesses are not permitted to be 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.

5. Builders and subcontractors shall be held liable for fines and damages caused by violating this section. The violation of this weight limit carry a fine of \$5,000 (FIVE THOUSAND DOLLARS), and the violator shall bear the cost for any damages caused by its equipment and vehicles.

6. The fines for any violation of the Rules listed within this Trailer and Commercial Vehicle sections not specifically listed are set at \$250.00 for each violation.

PERSONAL EQUIPMENT/PROPERTY ON COMMUNITY ROADS:

1. The placement 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, trash, 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 and begins at the owner's property line

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 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.

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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 1st if a Pennsylvania resident).
- (b) DO NOT allow your dog to run at large. All dogs must be kept under control. A fine of \$200.00 will be issued if you do not abide by this rule. Owners are responsible for all damages caused by their animals.
- (c) No animal is to be left outside unattended at anytime.
- (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 pet. Fines for abandonment range from \$300 to \$1,000 plus court costs.
- (f) To barter, trade, sell or transfer any pet 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 pet 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; and
- (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.
- (c) 1st offense – warning; 2nd offense will result in a \$100.00 fine; 3rd offense will be a \$200.00 fine if you do not abide to these rules.

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

A fine of \$200.00 dollars will be issued to any homeowner who ties his dog outside in inclement weather or allows his dog to bark continually.

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:
 - 4.1 No one is permitted in the pool enclosure except during scheduled hours and only when a lifeguard is on duty.
 - 4.2 The Association may close the pool during scheduled hours for reasons of safety, weather or maintenance.
 - 4.3 No running, dunking, pushing or other horseplay will be permitted. Always enter the pool with caution.
 - 4.4 With the exception of corrective eyewear, no china, ceramics, glass objects, food, smoking or beverage of any kind is permitted in the pool enclosure.
 - 4.5 Children, until they have reached their twelfth (12th) 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.
 - 4.6 Children and adults who require protective undergarments must wear waterproof coverage over same.
 - 4.7 No diving is permitted in the pools.
 - 4.8 Only bathing suits may be worn in the pool. Cut-offs are not allowed.
 - 4.9 No sitting or hanging on ropes and no swings on ladders.
 - 4.10 No radios are allowed in the pool enclosure except when played through headphones.

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4.11 Flotation devices and skin diving equipment are prohibited in the pool unless permission has been granted by the Association staff.

4.12 Persons having infections, open wounds or bandages are not permitted in the pool.

4.13 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 vehicle not equipped with a muffler or loud or boisterous noise of any kind will result in a fine.

Any conditions that will disturb the peace from 10:00 PM until 7:00 AM will result in the fines being doubled if you do not abide to these rules.

FIRE WISE PROGRAM:

1. Members, Renters and Guests are not permitted at any time to use fireworks of any sort. Failure to adhere to this rule will result in a fine.

2. Members, Renters and Guests are not permitted to start open fires of any kind at any time. Failure to adhere to this rule will result in a fine.

RENTAL RULES:

Association Members who own a residence in the Emerald Lakes Community may rent, lease or make available to others their 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 each rental of their property and submit it to 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 shall NOT lend his/her own Association-issued identification for use by the Tenants, but may purchase Association-issued Tenant identification, if desired.

3. Member/Landlord shall be held legally and financially responsible to the Association for any and

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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.

4. Member/Landlord must advise his/her renters that they are liable for any fines incurred for cutting down trees prior to receipt of written approval as this is a violation of the Rules and Regulations.

Tenant

1. Each Tenant (renting party) shall complete a RENTER'S REGISTRATION FORM, and submit it, along with a copy of the signed rental/lease agreement to 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 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 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 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 ejection should the Tenant violate the Rules and Regulations of the Association.

7. Any home that is rented must be rented in its entirety to one tenant family and may not be occupied in any part by the Property Owner or more than one tenant family during the rental/lease 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", including Realtor signs 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.]

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2. Homeowners may display an alarm system notification sign on their property providing it is no larger than 12" x 18" is placed on the owner's property.

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

4. 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 the property owner will be subject to the fine listed in the Schedule of Fines.

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: one (1) hour.
4. Courts may be closed for lessons and tournaments by the Recreation Director. Posting of notice of closing must be two (2) days in advance of closing.
5. Keys to gain entry to Courts may be purchased at Association Office.
6. Children, until they have reached their twelfth (12th) 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.

BASKETBALL COURT RULES

1. Basketball shoes, proper attire and proper conduct are required.
2. Courts may be closed for lessons and tournaments by the Recreation Director. Posting of notice of closing must be two (2) days in advance of closing.

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.

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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. Violations will result in disciplinary action by the Association and shall be reported to the appropriate Authorities as may be required. (See Schedule of Fines).
4. The killing or attempting to harm any animal within Emerald Lakes is strictly prohibited.

ENFORCEMENT OF RULES

1. Security Officers and other 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 violation of the Rules and Regulations, may request a hearing before the Appeals Board and such disciplinary action will be suspended until after the hearing.
 - 6.1 The request for a hearing must be made in writing to the Board of Directors, c/o General Manager, within ten (15) days after receipt of notice of disciplinary action or receipt of the citation.
 - 6.2 The requested hearing shall take place at the next regularly scheduled Appeals 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. The Member shall have the right to be represented by counsel.
 - 6.3 Within ten (10) days after the hearing, the Appeals Board shall render its decision in writing to the Member involved setting forth the disciplinary action to be imposed, if applicable.
 - 6.4 The Member may request the Board of Directors, in writing, to review the decision of the Appeals Board. In that event, the Board of Directors will make their final decision.

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SCHOOL BUS REGULATIONS

No vehicle may pass a school bus and must come to a complete stop when a school bus is loading or unloading children or have lights flashing in either direction on all community property or roadways, pursuant to the Pennsylvania state regulations.

Fine will be issued – first offense \$500 / second offense \$1,000.

ADDENDUM A - CURFEW

The current rule and regulation which states all children under 18 years of age are not permitted in the Community Center and Common Areas after 10:00 PM with the exception of Association functions where children are permitted to attend has been repealed by the Board of Directors at their January 28, 2012 Board meeting. The standard code of conduct will be enforced regarding children's behavior in the Community Center.

Members who bring their children to the Center and habitually leave them unsupervised will be given a 30 day suspension of privileges of the Community Center.

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. Decisions 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.

The Association's Code Enforcement Officer (CEO) will issue a Certificate of Compliance, when the stipulations set forth in the approved Compliance Permit, and these Building Procedures have been satisfied.

Major alterations, repairs, replacements and/or renovations, which include deck renovations, repairs and replacements, as well as fencing installation and fencing replacements 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.

Compliance Permits for construction will only be issued to property owners in good standing. No work

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shall be initiated prior to the receipt and posting of the permit; this includes tree removal.

All property owners are responsible for ensuring compliance with all Township Ordinances, and obtaining any necessary Township, or other governmental permits, prior to submitting an application for an ELA Compliance Permit.

Monroe County readdressing project – It is your responsibility to can contact the Tobyhanna or Tunkhannock Municipal Building for further information:

Tobyhanna Municipal Bldg. (570)-646-1212
Tunkhannock Municipal Bldg. (570)-646-3008.

A. BUILDING PROCEDURES COMPLIANCE

Contractors and owners performing construction on their own behalf shall comply with the following requirements:

1. Contractors must restrict construction activities to Monday through Saturday, 7:00 AM through 6:00 PM. No work is permitted on Sundays or Holidays.

2. No work, including removal of any trees, shall begin prior to receiving all permits and tree removal approvals. Portable toilets must be on the site prior to the beginning of any construction activities, other than tree removal.

3. Contractors, and owners performing their own construction, are fully liable for the actions, and inactions of their subcontractors and suppliers. They are liable for any violations of any ELA Rules and Regulations, or of these Building Procedures by any subcontractor or supplier. Warnings and fines will be charged to the Contractor, or owner performing his own construction.

4. Trees measuring 3" or more in diameter (outside bark to outside bark) measured at a height of 36" above the ground which are located ten feet (10'0") or more beyond the perimeter of the house, garage, outbuilding or septic field shall be not be removed.

4.1 Trees located within the limits of construction as described in 1.4 shall not be removed prior to receiving written approval from the CEO.

4.2 Trees to be removed must be individually marked with flagging or fluorescent paint. The property corner pins must be suitably staked, flagged and identified. The corners of the house, driveway septic mound, and other structures must be identified with wood stakes, suitably labeled.

4.3 Damaged trees, diseased or dead trees shall not be removed prior to receiving written approval of the CEO.

4.4 Removal of each tree exceeding the size limits specified in 1.4 without written ELA approval, will be considered one violation for each tree removed. This applies to contractors and owners, who will be jointly and severally liable for violations during the construction period of a building or structure, as well as to property owners living in or using the property.

4.5 Each live tree approved for removal by a property owner must be replaced by a mature 4' (minimum) tree, within one year of the approval date. Failure to do so will be considered one violation per tree not planted.

5. Burning of waste or debris is not permitted.

6. Burying of waste or debris not permitted.

7. A culvert, minimum of twelve inches (12") in diameter or larger, as determined by site conditions, shall be installed under the full width of the driveway.

8. Drainage swales shall be constructed the full length of the road frontage to insure proper drainage. Swales must also be provided along property lines and elsewhere to ensure

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neighboring properties are not adversely affected by surface water runoff. The General Contractor is solely responsible to submit requests for exceptions. These requests must be in writing and submitted to the C.E.O. prior to staking.

9. The surface of any driveway(s) must not exceed the height of the roadway at the point of intersection.

10. Building materials are not to be stored on the roadway at any time.

10.1 The construction site shall be kept clean and free of all excessive debris at all times. This includes the right of way, and the roadway in front of and adjacent to the construction site.

10.2 Any mud, dirt or other construction materials deposited, or caused to be deposited, on any street or right of way by the contractor or any of his subcontractors or suppliers shall be cleaned up by the end of the work day.

11 Construction vehicles or equipment shall not be parked or stored on any street or right of way at any time, except during the performance of construction activities. This includes subcontractor and supplier vehicles, and workmen's personal vehicles.

12 Contractors must provide suitable traffic cones and/or warning signs when the construction activity necessitates occupying a portion of, or an entire traffic lane.

13 All work must cease immediately upon receipt of a written stop order. This may be delivered in person, by fax, or by E-mail

B. AESTHETICS:

1. All contractors' signs must have the approval of the CEO and shall not exceed two feet x three feet (2'0" x 3'0") maximum.

2. Contractors' signs shall not be erected prior to obtaining a Township building permit. The ELA building permit shall also be displayed next to the Township permits. All signs on all lots shall be kept in good repair and readable condition at all times.

3. Contractors' signs must be removed within sixty (60) days of the issuance of a Certificate of Compliance.

4. No fence shall be erected on any lot without an approved permit

5. No trees shall be cut down or removed prior to ELA written approval. They must be marked, prior to submitting a tree cutting request to the Emerald Lakes Association CEO. This requirement applies both to Contractors, prior to construction, and to residents after construction has been completed.

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C. DESIGN CRITERIA:

1. No building shall be erected, altered, placed, or be permitted to remain on the premises other than one detached single-family dwelling, and two outbuildings per lot (e.g., one detached garage and one storage shed).
2. The drawings submitted with the compliance permit application must mathematically demonstrate compliance with all setback requirements.
3. A detached garage cannot exceed fifty percent (50%) of the house footprint, with a maximum footprint of seven hundred fifty square feet (750 sq. ft.).
4. A minimum of 1200 sq. ft. of living space is required for residential plans submitted for permits in all Emerald Lakes subdivisions.
5. Every fence requires a Compliance Permit and must conform to the following design criteria:
 - 5.1 A fence may not exceed six feet (6'0") in height.
 - 5.2 A fence to be located anywhere beyond the front wall of the house may not be more than 33-1/3% solid.
 - 5.3 A fence shall not encroach on the front street easement line. It shall not be closer than 1'0" to the property lines. The side and rear utility right of way remains reserved for future possible future use for the installation of utilities. No other structure shall be constructed within these easement areas.
 - 5.4 Barbed-wire, sharp-pointed or electrically charged fences shall not be permitted.
 - 5.5 Perimeter fences or walls shall not be permitted.
 - 5.6 Chain link decorative fences shall not be permitted, in the front of the house.
 - 5.7 Fence enclosures (e.g., privacy, children, garden or pet surround):
 - 5.7.1 Shall be located in the rear of the lot, from the rear house wall rearward
 - 5.7.2 The height shall not exceed six feet (6'0").
 - 5.7.3 Fencing material may be wood, vinyl, or colored chain link.
6. Any application requiring special consideration for not meeting ELA requirements may be considered for a variance approval by the CRC.
7. No vehicle or structure of a temporary character, including but not limited to any van, trailer, tent, shack, garage, barn or other type of out-building, shall be used on any lot at any time as a residence, either temporarily or permanently.

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8. No additional structures, or structural changes to the exterior of any existing structure, including garages, decks, sheds or any other out-building or structure, shall be permitted on any lot without submitting a permit application and obtaining a Compliance Permit from Emerald Lakes Association, Inc.

9. Tennis courts are not be permitted except those operated by the Association for use by the entire community.

10. Swimming pools must meet the following requirements:

10.1 A Township building permit and an Emerald Lakes Compliance Permit are required for both in-ground and above ground pools

10.2 The pool and any external pool structure must adhere to the ELA setback requirements.

D. VARIANCES

An application for a variance from any of the Building Procedures requirements may be filed in writing with the CRC and shall specifically include all of the following:

1. A statement of the requirements of the Procedures, for which a variance is sought,
2. A statement of the manner by which strict compliance with the requirements would result in practical difficulties, including the nature and extent of these difficulties
3. A statement of feasible alternatives to the requirements which would adequately protect the health, safety and welfare of the occupants or intended occupants and the public in general.
4. Names and addresses of surrounding property owners

E. VARIANCE PROCEDURES:

1. HEARINGS:

1.1 Notice shall be given to the owner applicant, the owner's agent, if any, the code enforcement official, the adjacent property owners within 200 feet, by certified mail with return receipt requested. Notice shall also be posted on the official Association bulletin board at the Association Office. The CRC shall establish reasonable fees, based on costs, to be paid by the owner applicant.

1.2 The hearing shall be conducted and a decision rendered by the CRC.

1.3 The parties in the proceedings shall be the CRC, the owner applicant, other owners who have filed a timely request (in writing) to testify before the CRC, and other persons permitted to appear by the CRC.

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14 The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and arguments. They shall also be allowed to cross examine adverse witnesses on all relevant issues.

15 Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded by the CRC at its sole discretion.

16 The CRC shall, at the expense of any party requesting it, keep a record and a transcript of the proceedings, and copies of graphic or written matter. A transcript and other materials received in evidence shall be made available to any concerned party at cost.

17 The CRC shall not communicate, directly or indirectly, with any party or the party's representatives in connection with any issue involved in the variance application, except after giving notice and opportunity to all parties to participate. The CRC shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the materials so noticed. The CRC shall not inspect the site or its surroundings after the commencement of the hearing with any party or the party's representatives unless all parties are given an opportunity to be present.

18 The CRC shall within forty-five (45) business days following the hearing, render a written decision.

19 The application shall be deemed denied if no decision is forthcoming within the forty-five (45) day period.

2. APPEALS

2.1 A property owner (in good standing) not agreeing with a decision or fine by the Code Enforcement Official shall have the right to file a written appeal to the CRC within thirty (30) business days of the issuance of any decision or finer. The CRC shall decide each appeal within forty-five (45) days after the filing of the appeal and shall give notice to all interested parties of the date and location of the hearing. The CRC's decision and the reasons or parameters used to base the decision shall be filed in writing in the office of the Code Enforcement Official. The Appellant may request a written transcript of the testimony presented. The cost of a transcript shall be paid by the Appellant. The CRC shall determine whether a record or transcript of testimony is required. In all cases, the cost of the transcript shall be paid by the Appellant.

2.2 A property owner (in good standing) not agreeing with a variance decision shall have the right to appeal to the Board of Directors of the Association within thirty (30) business days from the date of any written decision or the effective date of any deemed decision. The Board shall have the authority to confirm, reverse or modify the decision of the CRC.

2.3 All appeals to the Board shall be made in writing on forms prescribed by the Board. Every appeal shall be signed and dated by the Appellant/Owner and shall include all of the following:

- (a) The Name(s), address (lot number/s) of the Appellant Owner/s.
- (b) The Name(s), address (lot number/s) of any other property owner/s affected by the decision or order.

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(c) A brief statement of the reasons for the appeal, including the section of these Procedures under which this appeal is being made, and why the appeal should be granted.

3. PUBLIC HEARINGS TO BE CONDUCTED BY THE BOARD:

Upon the filing of an appeal to the Board, the Board shall set a time and place for a public hearing. A hearing date will be called for within forty-five (45) business days from the date of the appeal. Written notice shall be given to the Appellant/Owner, and to other interested parties, who have registered their names and addresses, for this purpose with the Board.

4. STAY OF PROCEEDINGS:

An appeal shall stay all activities related to the decision appealed.

F. COMPLIANCE PERMITS

1. The following documents must be submitted to the Code Enforcement Officer for review and approval in order to receive an Emerald Lakes Compliance Permit. The complete replacement of a shed or deck, or portions of a deck require a compliance permit. Items with an asterisk are only required to be submitted with new house construction applications.

1.1 Application for an ELA Compliance Permit, along with Cover Sheet Check List

1.2 Compliance Permit fee.

| | |
|--|----------|
| House (complete): | \$450.00 |
| Garage, addition, alteration, swimming pool: | \$125.00 |
| Porch, deck: | \$45.00 |
| Shed under 144 sf: | \$25.00 |
| Shed over 144 sf: | \$125.00 |
| Docks and fences: | \$25.00 |

1.3 Signed and dated Tree Cutting Request form

1.4 Copy of Property Owner's Deed *

1.5 Copy of Township Zoning Permit

1.6 Copy of Guardian Building Permit

1.7 Copy of Township Septic Permit *

1.8 Signed and dated Ground Restoration Agreement *

1.9 Signed and dated Guarantee form *

1.10 Signed copy of Construction contract

1.11 One set of 1/4" scale drawings, showing all elevations and plan views

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1.12 One copy of the Surveyor's Property Report/Drawing drawn to 1"=50' or larger scale, indicating North, and including, but not limited to, the location of the following:

1.12.1 Iron Pins indicating property corners.

1.12.2 House with setbacks.

Shed, addition, decks and fence applications must also show setbacks.

1.12.3 Driveway.

1.12.4 All areas that are to be cleared and/or disturbed.

1.13 Copy of Contractor's liability insurance coverage

1.14 List of Subcontractors, with company names, contact persons, telephone numbers and addresses

2. Failure to comply with any one of the requirements specified within the Application, Guarantee, and Ground Restoration Agreement Forms, shall be considered one violation for each instance of non-compliance.

3. All dues and fines must be paid and the member must be in good standing before permit will be issued.

4. Processing may take up to 15 days after the receipt of the complete documentation or receipt of the last item if any documentation is missing or incomplete.

5. All compliance permits must be posted prior to the commencement of any construction activity. They must be maintained in a readable condition throughout the construction period until the Certificate of Compliance is issued.

6. If a change in the original approved plans become necessary, a written request for the change must be submitted to and be approved by the C.E.O.

G. COMPLIANCE PERMIT APPROVALS AND FEES

1. The C.E.O. may issue a compliance permit after a written application is submitted in the manner and on forms prescribed, providing that the application is complete, all required information is provided, and the application is accompanied by the applicable filing fee.

H. BUILDING PROCEDURES FINES

1. Failure by any contractor or owner to comply with the provisions these Building Procedures and Regulations shall result in the following of fines and charges. Contractors, and owners performing their own construction, shall be charged for any violation committed by their subcontractor, landscaper, or supplier.

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2. Schedule of Fines:

1. Building without a Compliance Permit:

House: \$500, plus \$250/day for each day violation continues

Other Construction: \$250

2. Continuing construction activities after a Stop Order is issued: \$500/day

3. Trees cut by a Contractor prior to receiving an approval: \$200/tree cut

4. Trees cut by a property owner prior to receiving an approval: \$100/tree cut plus the requirement to plant a mature 4' (minimum) high tree for each tree removed.

5. Trees not planted by the property owner in accordance with stated requirements: \$100/tree

6. Failure to comply with any one of the requirements specified within the Application, Guarantee, and Ground Restoration Agreement Forms: \$200/violation

7. Any violation of any one requirement of the Building Procedures with a fine not specified above: \$150/violation.

GLOSSARY FOLLOWS

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GLOSSARY

All words used in the present tense include the future tense. All words used in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the word indicates otherwise. The word shall means “mandatory” and not “discretionary”. The word used includes “designated, intended or arranged to be used.” Specific words and phrases defined: certain words and terms used in these Rules and Regulations are to be interpreted as follows:

ALTERATIONS: A change in the structure in existing facilities, or in enlargement whether by extension of a front, rear, or side or by increasing in height or by moving from one location or position to another.

C.R.C.: Shall mean the Community Regulations Committee whose members are appointed by the Board of Directors to enforce the Rules and Regulations and the Building Procedures.

BOARD OF DIRECTORS: The elected Directors of Emerald Lakes Inc.

CERTIFICATE OF COMPLIANCE: A certificate issued by the C.E.O upon completion of the structure. It certifies that all requirements of the Emerald Lakes Association building requirements, rules and regulations have been satisfied.

CERTIFICATE OF INSURANCE: The principal contractor or builder shall register with the Association and file a copy of a certificate of insurance. The insurance policy shall cover public liability to a minimum amount of three hundred thousand dollars (\$300,000.00) for bodily injury and one hundred thousand dollars (\$100,000.00) for property damage.

CODE: Shall mean the Building Procedures, which are included within the Rules and Regulations, as adopted by the Emerald Lakes Board of Directors.

CEO : Code Enforcement Officer.

COMPLIANCE PERMIT: A permit issued by the CEO prior to the construction, reconstruction, remodeling, alteration or replacement of a structure, including repair or replacement of decks, ramps and fences.

CONSTRUCTION: The act of clearing, grubbing or excavating , building, fabricating, physically changing or modifying any home, structure or accessory building. This includes the cutting down or removal of trees required for the construction of new structures..

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CONTRACTOR Any person or entity engaged in the construction, repair or modification of land, structures or other real property. A property owner(s) who engages in such construction, or modification on his/her own property or property owned by others is also defined as a contractor with respect to the requirements of these Rules and Regulations

DWELLING: A building designed for occupation by a family or individual.

FENCE OR WALL: A structure which permanently or temporarily prevents or inhibits unrestricted movement between properties or portions of properties.

GARAGE: A building or space accessory to a residence which provides for storage of motor vehicles and in which no occupation, business or service is conducted.

LIVING SPACE: The sum of the gross horizontal areas of all floors of a building measured from the inside face of the exterior walls. This excludes basements. And attics.

LOT: A parcel of land, the dimensions and extents of which are determined by the latest official records or by the latest approved maps of the subdivision in which the lot is located.

LOT FRONTAGE: The horizontal distance measured along the full length of a street line abutting the lot line.

OUTBUILDING: Any structure accessory to a residence which provides a storage area; this includes, but is not necessarily limited to the following:

- (a) Garage – see definition above.
- (b) Green house – a structure for the purpose of growing plants principally for the owner’s enjoyment.
- (c) Shed for domestic pets – no permit is required; limited to 20 sq. ft.
- (d) Storage building – a structure for the purpose of holding household goods, tools, or other personal items, offering such items protection from the elements and screening from common view. Outbuildings 144 sq. ft. or over shall be considered a garage for Compliance Permits.

SETBACK: Distance from the property line to the nearest wall or deck rail. The following setbacks are required within the Emerald Lakes Community:

| | |
|-------|----|
| Front | 40 |
| Side | 15 |
| Rear | 30 |

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Sheds shall be no closer than 10' to side or rear lot lines

Setbacks may be further restricted by deed restrictions.

SIGN:

Any device, structure or object used for visual communications for the purpose of bringing the subject thereof to the attention of others.

SINGLE FAMILY
DWELLING:

Shall be defined as a living facility, containing one common kitchen and one electric meter.

STRUCTURE

Means the joining of a combination of materials to form a unit that is safe and stable.

SCHEDULE A FOLLOWS

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SCHEDULE A
Declaration of Covenants, Restrictions and Limitation

Under and subject to the following covenants, restrictions and limitation, 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 stories 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.

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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 Limitation 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.]

END OF RULES, REGULATIONS & ARC - 2011