

Final Revised 1/14 - See page 2

## BEECH MOUNTAIN LAKES ASSOCIATION RULES AND REGULATIONS

These rules are based on the Protective Covenants that run with the land and are enforceable in a Court of Law. Since all Property Owners have received a copy of the Traffic, Property and Nuisance Violations, and the summary covenant description, there will be no warning Citations (At the discretion of the Security Officer). All fines must be paid in full, or Appealed for hearing before the BMLA Appeal Committee Board in writing within thirty (30) days from the issue date of the citation. All Property Owners are responsible for their guests and renters adherence to these Traffic, Property and Nuisance Violations and are obligated to inform and provide guests and renters with current copies. Copies may be obtained at the Administration Offices.

**Solicitation:** Absolutely no solicitation within Beech Mountain Lakes Association property.

**Firearms:** No firearms, bow and arrows, air/BB guns, Paint Ball guns, Pellet guns or similar weapons may be discharged within BML property, except in designated areas. Hunting on BMLA Unit I property is further prohibited. Violation of this regulation will result in fine of \$500.00.

**Boating and Lake Regulations:** Anyone using the Lake does so at their own risk. All watercraft activities must cease on the Lake during electrical storms and other hazardous conditions. No child under the age of 14 will be permitted in a rented watercraft unless accompanied by a person 18 years of age or older. No privately owned gasoline powered boats are permitted on the Lake. No boat longer than 24 feet in length is permitted on the Lake. All watercraft must have USCG approved lifejackets or flotation devices for each occupant in the craft and comply with all the rules and regulations of the Boat and Fishing Commissions of the Commonwealth of Penna., the US Coast Guard and the BMLA. All fishing tournaments to be held on the BMLA Lake are to be sponsored by the BMLA Sports Club and must be approved by the BMLA Board of Directors. Daily or yearly guests must obtain a boating permit prior to using the Lake. Failure to display a current BMLA permit is subject to a twenty-five (25) dollar fine and loss of privileges. Only Association Members in good standing can use the Lake. Violators are subject to fines and prosecution for trespassing. All watercraft in use must stay 50 feet from private docks and 50 feet away from marked swimming areas except to take out or to return boats to mooring locations. All boats are to be secured to an approved lakefront private dock or wet-slip provided by BMLA, (no boats shall be anchored off shore and unattended for a period of greater than 12 hours). All watercraft except those moored at private docks are to be removed from BMLA waters by the last weekend in October. No boat shall be stored on BMLA Common areas/roads without written permission from BMLA General Manager. Violations are subject to \$100.00 first offense, second and subsequent violations are subject to a fine of \$300 and potential loss of member privileges.

**Nuisance and Disorderly Conduct 13.5, 13.27.4:** No person (s) may conduct themselves in such a manner that the use and enjoyment of others, as for example (but not limited to), producing loud noises, engaging in boisterous conduct, late hour parties, raucous behavior and the like. There is an initial fine of \$50. Persistence in such conduct will cause a suspension of privileges and or removal from the property and up to a \$300 fine.

**Animals and Pets 13.7, 13.27.3:** All pets must be confined to the owner's property or on a leash. No person shall allow any dog or cat owned by them or under their control to defile, befoul, corrupt or otherwise desecrate any public, private property of another or the common area of the Association. Animals are not permitted on the beach or in the clubhouse or condominiums. Barking dogs will not be tolerated. Initial fine of fifty (50) dollars with subsequent violations subject to fines up to \$300.00.

**Littering and Unsightly Use 13.9, 13.22, 13.25, 13.27.6:** No littering. All household trash and garbage must be disposed of by the owner with a local hauler. Building waste, brush and household furnishings must be disposed of properly. The burning of trash is prohibited. Improper disposal of trash/and or burning shall constitute littering and is subject to fine. Community dumpsters are for the exclusive use of the Association, with unauthorized use being subject to a littering fine. Initial violation is subject to a one hundred (\$100) Dollar fine with subsequent violations up to \$300.

**Traffic Control, Motorized Vehicles and Parking 13.8, 13.27.7, 13.27.8:** All State of Pennsylvania Traffic Regulations apply. No vehicle shall be parked on any street in the Unit I development unless authorized by the ACC. Violations to section 13.8 and 13.27.8 are subject to a minimum fine of fifty (50) dollars for the initial infraction with violators also subject to being towed at the owner's expense. Property owner's window stickers and guest/renter vehicle passes must be visible and displayed in or on the vehicle while on BMLA property. **Failure to display a current sticker or pass is subject to a fine of one hundred (100) dollars and the vehicle owner may be required to provide proof of property ownership or be subject to trespass.** No passing is permitted of vehicles in the same direction of travel and careless driving are each subject to the 1<sup>st</sup> violation fine of fifty (50) dollars, 2<sup>nd</sup> violation of one hundred (100) dollars with subsequent violations up to \$300 dollars. **Failure to stop at a stop sign is a fine of one hundred (\$100). THE MAXIMUM SPEED LIMIT ON BMLA PROPERTY IS 25 MPH.** Speed violations are subject to a minimum \$45 fine plus mileage charges a per PaVC Section 3362, subsection A-3 Speeding Fine Scale. Meeting, overtaking or passing a School Bus while discharging passengers (and at an intersection) with it's red signal lights flashing is subject to a two hundred fifty (250) dollar with subsequent violation up to \$300.

#### **Recreational Vehicles:**

Recreation Vehicles (mini bikes, snowmobiles, trail bikes, ATV's) licensed/unlicensed are prohibited on BMLA property and are subject to a \$100 fine for the first offence, \$200 fine for the second and \$400 for the third and subsequent offences.

**EXCEPTION TO THE RECREATIONAL VEHICLE REGULATION WILL BE MADE IF THE VEHICLE IS BEING USED FOR EMERGENCY SERVICE OR SNOW PLOWING.**

**Removal of Trees 13.12:** No tree over six (6) inches in diameter may be cut down without the prior written consent of the ACC. Removal of one or more trees without ACC written approval is subject to a fine of up to one thousand (1,000) dollars per tree and three (3) replacement trees must be planted for every tree removed that is over six (6) inches in diameter. The replacement trees must be three (2) inches or greater in diameter measured three (3) feet above the ball of the tree. Replacement conifer trees must be at least five (5) feet tall above the ball.

**Ditches and Swales 13.15:** Each property owners shall keep any drainage ditches and swales located on his property free and unobstructed and in good repair and shall provide for the installation of such culverts upon his property as may be required by the ACC. Should the property owner be notified of a violation, subject corrections are to be made within 30 days of the date of notice. BMLA is authorized to maintain restore or repair any property with the property owner being billed for all cost plus an additional 15% administration fee. None payment by the property owner is subject to late fees and possible loss of use to the common areas.

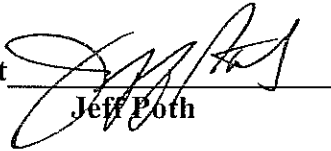
**All Violations to Covenants and or Rules and Regulations not specifically covered by Approved Board Resolution 8.0, 13.0:** Each cited violation of the covenants and or rules and regulations not specifically covered by a Board passed resolution shall have a fine not to exceed fifty (50) dollars for the first violation (a warning maybe issued), with payment and/or remedial action required completed prior to thirty (30) days from date of citation. Subsequent violations are subject to a fine up to \$300 and restriction of member's privileges. **EXCEPTION:** Violations of quiet time on Sunday, where no

construction is to be performed by contractors, the 1<sup>st</sup> violation is subject to a fine of two hundred (200) dollars and the 2<sup>nd</sup> and subsequent violations a fine of four hundred (400) dollars.

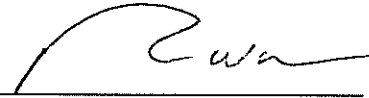
**All fines imposed as a result o violations to the Covenants and Rules and Regulations may be appealed to the Appeals Committee Board for hearing and resolution and must be submitted in writing within the thirty (30) day citation period to the Administration office.**

**Revised (Fines for Boating, Nuisance & Disorderly Conduct, Animals/Pets, Firearms and Littering/Unsightly) approved at the October 23, 2013 meeting. New fines will begin January 1, 2014.**

President

  
\_\_\_\_\_  
Jeff Poth

Secretary

  
\_\_\_\_\_  
Kevin Walsh

**Resolution  
Of  
The Board of Directors  
Of  
Beech Mountain Lakes Association  
In  
Drums Pennsylvania**

**Res 008 A: Adopting A Policy for Traffic Control and Vehicles  
Sections 13.8, 13.27.7, and 13.27.8**

Adopted August 26, 2003  
Amended September 30, 2007

The Association pursuant to Pennsylvania Law has adopted the following resolution, at a regular meeting of the Board of Directors.

**RECITALS:**

(A) The Beech Mountain Lakes Protective Covenants, Declarations, and Rules and Regulations, hereafter referred to as the "Documents", describe the General Use Restrictions applicable to property owners.

(B) The Beech Mountain Lakes Association, hereafter referred to as the Association, Under Sections 13.8 Vehicles, 13.27.7 Traffic Control, and 13.27.8 Vehicles of the Documents shall have the right to take such steps as are reasonably necessary to prevent the operation of a motor vehicle in a reckless, unreasonable or dangerous fashion, and in any event shall not allow operation of a motor vehicle at an excessive rate of speed.

(C) The Architectural Control Committee, hereafter referred to as the ACC, under Section 13 of the Documents has the power to implement General Use Restrictions, including Section 13.8 and 13.27.8 **Vehicles**.

(D) The Association is in need of a uniform policy for the control of Traffic and Vehicles in Unit I.

(E) The Property Owner, under Section 13.27.7 of the Documents, is charged with certain responsibilities regarding the care, safety, and welfare of all property owners, and preservation of property within Beech Mountain Lakes Association in Drums, Pennsylvania.

(F) The Board of Directors and the ACC wish to adopt a uniform policy for the control of traffic, licensed and unlicensed motor vehicles and Safety Regulations.

(G) This policy includes:

- (1) General Rules Summary Description
- (2) Specific Restrictions
  - a) Construction Vehicles
  - b) Section 13.8 and 13.27.8
  - c) Snow Removal Restriction
  - d) Meeting or Overtaking School Bus
- (3) Implementation
- (4) Schedule of Fines
- (5) Cost Recovery
- (6) General Manager Implementation
- (7) Disclaimer
- (8) Effective Date

NOW, THEREFORE, BE IT RESOLVED that the ASSOCIATION does hereby adopt the following policy.

**1. General Rules Summary Description**

- a. Property Owners' stickers and visitors'/guests'/renters'/contractors' passes must be visible in or upon the motor vehicle at all times while the vehicle is on the Association property.
- b. All State of Pennsylvania Traffic Control Regulations apply.
- c. The maximum speed limit on all Association roads is **25 miles per hour**.
- d. No passing of vehicles in the same direction of travel is permitted.
- e. Stop Signs and all instructional signs must be adhered to.

**2. Specific Restrictions**

- a. **Construction Vehicles** - Construction vehicles may not be left along roads or on other properties within the development. It is encouraged that work trucks leave the Association property every night. If a truck is left for more than Two (2) nights the vehicles' owner will be subject to a fine of \$25.00 per night the vehicle is left within the Development beyond the two-day grace period.
- b. **Sections 13.8 and 13.27.8** - No Vehicles, including disabled vehicles, shall be parked on any street in the development. No mini-bike, trail bike, snowmobile, or other similar type of vehicle shall be used within the development except as provided in the rules and regulations established by the ACC.
- c. **Snow Removal Restriction** - No vehicle shall be parked within five (5) feet of any street or road during the months of November, December, January, February and March.
- d. **Meeting or Overtaking School Bus** - The driver of a vehicle

meeting or overtaking a school bus shall stop at least 10 feet before reaching the school bus when the red signal lights are flashing or the side signal stop arm is activated. The driver shall not proceed until the red lights are no longer flashing and all children have reached a place of safety. The driver of a vehicle approaching an intersection where a school bus is stopped with its red signal lights flashing shall stop until the red lights are no longer flashing and all children have reached a place of safety.

**3. Implementation** - The Association Security, a Development Compliance Officer and the General Manager are empowered to issue citations defining the violation and providing the details of the infraction. The property owner shall be notified of the infraction via certified mail (return receipt) and/or first class mail. The notification letter will identify:

- 1) the infraction(s) being cited, including citation number, if applicable,
- 2) the property owner's right to appeal the citation or pay the fine within thirty (30) days from the date of the action,
- 3) the property Owners' obligation to the Creation of Personal Liability and Priority of Liens as per Section 7.14 of Document.

**4. Schedule of Fines** - The following fines are established for violations subject to this resolution, in addition to a processing cost of \$10.00.

A) Violations of Section 13.8 **Parking** and 13.27.8 **Use of Licensed and/or Unlicensed Vehicles** will result in the vehicle being towed at the owner's expense and are subject to a fine per occurrence as shown here:

1 <sup>st</sup> violation.....	\$ 50.00
2 <sup>nd</sup> violation.....	\$100.00
3 <sup>rd</sup> violation.....	\$200.00
Each subsequent .....	\$300.00

B) Violations due to

- 1) Passing of vehicles in the same direction of travel,
- 2) Failure to display identification cited in paragraph 1a (above),
- 3) Failure to stop at stop signs, and
- 4) Careless driving

are subject to the following:

1 <sup>st</sup> violation.....	\$ 50.00
2 <sup>nd</sup> violation.....	\$100.00
3 <sup>rd</sup> violation.....	\$200.00
Each subsequent .....	\$300.00

C) Speeding violations between 26 and 30 miles per hour will be issued a formal warning; speeds in excess of 30 miles per hour are subject to a fine of \$45.00 plus \$2.00 per mile over the speed limit as per Pennsylvania Vehicle Code Section 3362, Subsection A-3 **Speeding**. For example, a speeder apprehended at 33 mph would incur a fine of \$45 plus \$16 (\$2 times 8 mph [33 – 25]). The Fine Scale is as follows:

31. . . \$ 57	51. . . \$ 97
32. . . \$ 59	52. . . \$ 99
33. . . \$ 61	53. . . \$ 101
34. . . \$ 63	54. . . \$ 103
35. . . \$ 65	55. . . \$ 105
36. . . \$ 67	56. . . \$ 107
37. . . \$ 69	57. . . \$ 109
38. . . \$ 71	58. . . \$ 111
39. . . \$ 73	59. . . \$ 113
40. . . \$ 75	60. . . \$ 115
41. . . \$ 77	61. . . \$ 117
42. . . \$ 79	62. . . \$ 119
43. . . \$ 81	63. . . \$ 121
44. . . \$ 83	64. . . \$ 123
45. . . \$ 85	65. . . \$ 125
46. . . \$ 87	65. . . \$ 127
47. . . \$ 89	63. . . \$ 129
48. . . \$ 91	64. . . \$ 131
49. . . \$ 93	65. . . \$ 133
50. . . \$ 95	65. . . \$ 135

D) Passing a stopped School Bus while it is picking up or discharging passengers is subject to a fine of \$250.00 for the first violation. The fine for each subsequent violation is \$300.00.

5. **Cost Recovery** - The Association has the authority per Document section 7.14 to collect any charge, late fee, attorney's fee and any costs associated with the collection process.

All costs associated with the citation and it's enforcement are subject to the provisions of Section 7.18 **Non-Payment of Assessments and Other Charges**, whereas a charge not paid when due shall be deemed delinquent, a late fee of \$25.00 will be imposed, and the rights of the owner to use the common areas may be suspended


6. **General Manager Implementation** - The General Manager and

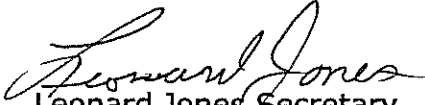
Administration will maintain a file and track the process to ensure that the policy is being implemented uniformly, accurately and in compliance with BMLA Covenants and By-laws.

7. **Disclaimer** - Nothing in this policy shall be interpreted to negate any other portion of the Documents of the Association.

8. **Effective Date** -This policy, as amended, shall be effective the first day of October, 2007.

IN WITNESS WHEREOF, the undersigned have executed this Resolution the 30th day of September, 2007.

  
/s/ James P. McGuire President

  
/s/ Leonard Jones Secretary



Resolution  
Of  
The Board of Directors  
Of  
Beech Mountain Lakes Association  
In  
Drums Pennsylvania  
Adopting The Policy for  
Traffic Control and Vehicles  
Sections 13.8, 13.27.7, and 13.27.8

Adopted *August 26*, 2003

The Association pursuant to Pennsylvania Law has adopted the following resolution, at a regular meeting of the Board of Directors.

RECITALS:

(A) The Beech Mountain Lakes Protective Covenants, Declarations, and Rules and Regulations, from here on referred to as the "Documents", describe the General Use Restrictions applicable to property owners.

(B) The Beech Mountain Lakes Association, from here on referred to as the Association, Under Sections 13.8 Vehicles, 13.27.7 Traffic Control, and 13.27.8 Vehicles of the Documents shall have the right to take such steps as are reasonably necessary to prevent the operation of a motor vehicle in a reckless, unreasonable or dangerous fashion, and in any event shall not allow operation of a motor vehicle at an excessive rate of speed.

(C) The Architectural Control Committee, from here on referred to as the ACC, Under Section 13. of The Beech Mountain Lakes Protective Covenants the Power to implement General Use Restrictions including Section 13.8 and 13.27.8 Vehicles.

(D) The Beech Mountain Lakes Association community is in need of a uniform policy for the control of Traffic and Vehicles in Unit I.

(E) The Property Owner, under Section 13.27.7 of the Documents, is charged with certain responsibilities regarding the care, safety, and welfare of all property owners, and preservation of property within Beech Mountain Lakes Association in Drums, Pennsylvania.

(F) The Board of Directors and the Architectural Control Committee wish to adopt a uniform policy for the control of traffic, licensed and unlicensed motor vehicles and Safety Regulations.

(G) This policy shall include:

- (1) General Rules Summary Description
- (2) Specific Restrictions
  - a) Construction Vehicles
  - b) Section 13.8 and 13.27.8
  - c) Snow Removal

- d) Meeting or Overtaking School Bus
- (3) Implementation
- (4) Schedule of Fines
- (5) Cost Recovery
- (6) General Manager Implementation
- (7) Disclaimer
- (8) Effective Date

The Board of Directors and the Architectural Control Committee wish to adopt a uniform policy for the control of traffic, licensed and unlicensed motor vehicles and Traffic Safety Regulations.

NOW, THEREFORE, BE IT RESOLVED that the ASSOCIATION does hereby adopt the following policy.

I. General Rules Summary Description

- a. All Property Owners are responsible for their visitors/guests/renters/contractors and minor children actions and are required to inform them of the Rules and Regulations applicable for their visit.
- b. Property Owners stickers, and visitors/guests/renters/contractors passes must be visible in or upon the motor vehicle at all times while the vehicle is on the Association property.
- c. All State of Pennsylvania Traffic Control Regulations apply.
- d. Unless otherwise noted the maximum speed limit on Association property is **30 miles per hour**.
- e. No passing permitted of vehicles in the same direction of travel.
- f. All Stop Signs must be adhered to...you must stop.

2. Specific Restrictions

- a. **Construction Vehicles** - Construction vehicles may not be left along roads or on other properties within the development. It is encouraged that work trucks leave the Association property every night. If a truck is left for more than Two (2) nights you will be subject to a fine of \$25.00 per night the vehicle is left within the Development.
- b. **Sections 13.8 and 13.27.8** - No Vehicles, including disabled vehicles, shall be parked on any street in the development. No mini-bike, trail bike, snowmobile, or other similar type of vehicle shall be used within the development except as provided in the rules and regulations established by the ACC.
- c. **Snow Removal Restriction** - No vehicle shall be parked within Five (5) feet of the road during the months of November, December, January, February and March because it will interfere with snow removal.
- d. **Meeting or Overtaking School Bus** - The driver of a vehicle meeting or overtaking a school bus shall stop at least 10 feet before reaching the school bus when the red signal lights are flashing and the side signal stop arm is activated. The driver shall not proceed until the red lights are no longer flashing and all children have reached a place of safety. The driver of a vehicle approaching an intersection where a school bus is stopped with its red signal lights flashing shall stop until the red lights are no longer flashing and all children have reached a place of safety.

**3. Implementation** - The Association Security and or the General Manager will issue citations defining the violation and providing the details of the infraction. The property owner shall be notified of the infraction via certified mail return receipt, and/or first class mail. The notification letter will identify:

- 1) the infraction(s) being cited including citation number if applicable,
- 2) the property owner's right to appeal the citation or pay the fine within thirty (30) days from the date of the action,
- 3) The property Owners' obligation to the Creation of Personal Liability and Priority of Liens as per Section 7.14 of Document.

**4. Schedule of Fines** - The following fines are established for violations controlled by this resolution, and are subject to additional cost of \$10.00.

- A) Violations to section 13.8 and 13.27.8 parking and use of licensed and or unlicensed vehicles are subject to a \$50.00 fine per occurrence and the vehicle will be towed at the owners expense, with subsequent fines up to \$300.00.
- B) Passing of vehicles in the same direction of travel, Failure to display Property Owners stickers, and visitors/guests/renters/contractors passes in or upon the motor vehicle at all times while the vehicle is on the Association property (property owner/visitor may also be subject to criminal trespass), Failure to stop at stop signs, Careless driving are subject to \$25.00 fine for the first violation, \$50.00 for the 2<sup>nd</sup> violation and subsequent violations up to \$300.00.
- C) Speed violations are \$45.00 plus \$2.00 per mile over the speed limit as per PaVC Section 3362, Subsection A-3 Speeding Fine Scale

<b>30MPH ZONE</b>	<b>30MPH ZONE</b>
40 ... \$45	53 ... \$71
41 ... \$47	54 ... \$73
42 ... \$49	55 ... \$75
43 ... \$51	56 ... \$77
44 ... \$53	57 ... \$79
45 ... \$55	58 ... \$81
46 ... \$57	59 ... \$83
47 ... \$59	60 ... \$85
48 ... \$61	61 ... \$87
49 ... \$63	62 ... \$89
50 ... \$65	63 ... \$91
51 ... \$67	64 ... \$93
52 ... \$69	65 ... \$95

- D) Passing of a stopped School Bus while it is picking up or discharging passengers is subject to a fine of \$250.00 with subsequent violations up to \$300.00.

**5. Cost Recovery** - The Association shall have the authority per section 7.14 to collect any charge, late fee, attorney's fee and any costs associated with the collection process.

All costs associated with the citation and it's enforcement are subject to the provisions of Section 7.18 Non-Payment of Assessments and Other Charges, whereas a charge not paid when due shall be deemed delinquent, a late fee of \$25.00 will be imposed, and the rights of the owner to use the common areas may be suspended

**6. General Manager Implementation** - The General Manager and Administration will maintain a file and track the process to ensure that the policy is being implemented uniformly, accurately

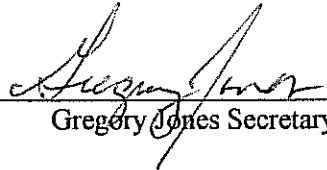
and in compliance with BMLA Covenants and By-laws.

7. **Disclaimer** - Nothing in this policy shall be interpreted to negate any other portion of the Documents of the Association.

8. **Effective Date** -This policy shall be effective the first day after the execution of this resolution.

IN WITNESS WHEREOF, the undersigned have executed this Resolution the 26<sup>th</sup> day of August 2003.

  
\_\_\_\_\_  
Joseph Petko President

  
\_\_\_\_\_  
Gregory Jones Secretary