

RULES AND REGULATIONS OF PENN FOREST STREAMS PROPERTY OWNERS ASSOCIATION

I. PASSES

- A. Penn Forest Streams Property Owners Association passes are available upon payment of current yearly dues and any other outstanding assessments, i.e. back dues, fines or penalties. Passes may be obtained at the clubhouse during business hours.
- B. Passes are to be used by members, their families and their guests.
- C. Persons not displaying Penn Forest Streams Property Owners passes will be denied use of the association amenities.

II. USE OF MOTOR VEHICLES ON ASSOCIATION ROADS

- A. Fifteen (15) miles per hour, is the speed limit on all roads of Penn Forest Streams' development, except as otherwise noted herein, **all Pennsylvania laws and restrictions governing the use and operation of motor vehicle in the Penn Forest Streams development shall apply. All streets and roads within the Penn Forest Streams development shall be considered a highway or traffic way as those terms are defined in the Pennsylvania vehicle code, 75PA. C.S. section 1et. Seq. and prevailing case law interpreting it.**
- B. No on road parking permitted at any time. Parking allowed in designated parking areas only.
- C. Sport vehicles are defined as ATVs (all terrain vehicles: quads) and golf carts. Regulation helmets must be worn by anyone riding the aforementioned vehicles with the exception of a golf cart.
- D. Sport vehicles operated within the community must be registered at the association office each year and must display a valid official Penn Forest Streams registration sticker or other proper identification as assigned. The annual registration fee shall be \$25.00 (twenty-five dollars) for first time registrants, with \$10.00 (ten dollars) fee for annual renewals. Proper current State registration and insurance is required.
- E. Vehicles operated after dusk must have operating visible headlights and taillights.
- F. All sport vehicles described must be in good operating condition including proper muffler baffles.
- G. No obstructions, including ramps, basketball hoops, etc., are allowed on Penn Forest Streams' roadways or common property.
- H. Operators shall obey all Pennsylvania motor vehicle rules and regulations.
- I. Sport vehicles are allowed to travel on and over the development roads and ways, and shall share travel over the roads and ways within the development with all vehicular traffic. In all other respects all the laws and regulations of the Motor Vehicle Code as they apply to sport vehicles shall remain in full force and effect.
- J. Passengers on golf carts are limited to the capacity listed on the vehicle. Golf carts shall be registered annually. Driver of golf carts shall either be at least 18yrs of age or have a valid driver's license. Proof of insurance shall be provided when registering and/or re-registering the golf cart.

- K. ANY INFRACTION OF THE RULES AND REGULATIONS REGARDING MOTOR VEHICLE USE ON ASSOCIATION ROADS WILL RESULT IN THE FOLLOWING:
1. FIRST OFFENSE \$25.00 (twenty-five dollars) FINE.
 2. SECOND OFFENSE (OF THE SAME INFRACTION) \$125.00 (one-hundred and twenty-five dollars) FINE.
 3. THIRD OFFENSE (OF THE SAME INFRACTION) \$250.00 (two-hundred and fifty dollars) FINE.
 4. FOURTH AND SUBSEQUENT OFFENSES (OF THE SAME INFRACTION) \$500.00 (five-hundred dollars) FINE.
 5. Additional costs: ANY RELATED ADMINISTRATIVE, AND/OR LEGAL FEES USED TO COLLECT FINES DUE TO THE ASSOCIATION.
 6. If no additional citation is received, for the same infraction for three (3) years, the record for that infraction will be cleared, as long as all fines are satisfied.

III. USE OF RECREATION AREAS, CLUBHOUSE FACILITIES PAVILION AND EQUIPMENT

- A. Passes must be displayed upon the request of Security, a Board member, or Lifeguard on duty.
- B. The recreation areas and other Association facilities are for the entertainment and enjoyment of all Association members, their families, guests and renters.
- C. The use of Association recreational areas or other facilities for personal business or monetary gain is forbidden.
- D. The clubhouse is open during scheduled hours upon the availability of volunteer supervisors. A responsible individual, at least sixteen (16) years of age, must accompany all children under age twelve (12).
- E. No smoking is permitted in the Clubhouse or other Association buildings.
- F. A member must sign for all recreation equipment and games. It is the responsibility of that member to return equipment in good condition.
- G. **Clubhouse or Pavilion Rental:** Clubhouse facilities are available to members in good standing. Rental policy is as follows...
 1. Security deposit of \$200.00 is required and will be refunded if inspection shows facility cleaned and undamaged.
 2. Rent for the use of either facility will be \$60.00 for three (3) hours. Any time over (3) three hours will be \$20.00 per hour. An Additional hour for set-up and an hour for clean-up is included in the \$60.00. Extra time for set-up and clean-up is an addition \$10.00 per hour.
 3. Trash generated from the event must be removed from the premises by the renter.
 4. Contracting member must state in writing the intended use, entertainment, approximate number of attendees and activities planned.
 5. Facility is available for rent only during hours that pavilion or clubhouse is not scheduled for community use.

6. Request for rental must be made at least thirty (30) days prior to event. Deposit and payment must also be made at that time.
7. Acknowledgement of liability must be signed.
8. Security will be advised of facility use.
9. No excessive noise after 11:00 pm.
10. There will be no charge for the use of the clubhouse or pavilion by non-profit organizations for children such as, Boy Scouts/Girl Scouts, etc. Renting member must pay \$200.00 (two hundred dollars) security deposit.
11. No equipment, chairs and or tables at the clubhouse may be rented or borrowed.

IV. SWIMMING POOL

- A. Members, their families, guests, and renters must show the lifeguard a current member pass upon entering the pool area; and/or upon request to any PFS representative.
- B. Rules and regulations pertaining to the use of the swimming pools are as follows:
 1. Swimming permitted when lifeguard is on duty or **swim at your own risk** signs are posted **AND** pool is monitored by an appointed PFSPOA representative.
 2. Follow pool rules as posted.
 3. No glass is permitted in the pool areas.
 4. No running, No diving.
 5. Children under twelve (12) must be accompanied by a responsible person sixteen (16) or older.
 6. Use of rafts, inner tubes, etc. are permitted at the discretion of the lifeguard on duty or PFS representative.
 7. Child floatation devices and/or water wings are always permitted.
 8. Children not toilet trained must wear rubber pants or “Swimmies”.
 9. Only children four (4) years old or under are allowed in the baby pool, and should not be left unattended.
 10. See SECTION VIII. PETS .
 11. No loitering at the pool areas between sunset and sunrise.
 12. No alcoholic beverages allowed inside pool area.

V. GUESTS

- A. Each member shall be responsible for the observance of the Association rules and regulations by their guests. Members are responsible for any damage caused by their guests.
- B. Guests are those individuals whose only connection with Penn Forest Streams is an invitation to visit the community, or who visits a member’s home.
- C. Members and their family who are in arrears in dues, assessments, fines or penalties may not be a guest, of a member in good standing, for use of PFSPOA amenities.
- D. The term guest as applied under the terms of the rules and regulations shall include anyone under the employ of a member (property owner and or resident).

VI. PROPERTY RENTALS

- A. The board of directors has adopted the following rules to protect all property owners, to maintain property value, and to ensure the tranquility of our community.
 - 1. All prospective tenants should be properly screened by property owner or realty broker.
 - 2. PFS association must be notified when property is being rented. The annual rental fee is \$100.00 (One hundred dollars) to the association. Name and address of tenant must be provided to the association. PFS association must be notified when property becomes vacant. Further the fee shall be renewable each year thereafter and/or whenever a change or new tenant becomes the established resident.
 - 3. It shall be the responsibility of the property owner to provide a copy of the rules and regulations to their tenants.
 - 4. The property owner must ensure that the tenant receives annual passes for use of amenities.
 - 5. The property owner must ensure that their tenant have the proper township garbage disposal permit. Trash must be legally disposed of.
 - 6. Property owners are ultimately responsible for the actions of their tenants. The property owner will be notified in writing of any infraction of the rules and regulations their tenant presents. The board of directors may designate a tenant a chronic and persistent nuisance and require the property owner to remove the tenant.

VII. HUNTING, USE OF FIREARMS & EXPLOSIVES

- A. **Hunting is not permitted within the development.**
- B. All deed covenants and restrictions pertaining to firearms and explosives apply, remain in effect, and will be enforced.
- C. No one shall discharge a firearm, shotgun, rifle, pistol, BB gun, paint ball gun, or air rifle anywhere within the boundaries of the development.
- D. There will be no shooting of sling shots, compound bows, bows and arrows or cross bows within the development.
- E. No one shall detonate or set-off fireworks or explosives.
- F. **FAILURE TO COMPLY WITH THE RULES LISTED IN Section VII WILL RESULT IN A FINE OF \$500.00 FOR EACH OFFENSE.**

VIII. PETS

- A. Pets shall be confined to member's property unless the animal is on a leash under the control of a responsible person. No pets are allowed at pool and/or clubhouse areas. However, pets on a leash are allowed in the mailbox area when picking up mail.
- B. All deed restrictions, state and local laws, resolutions and ordinances pertaining to animals must be observed. As stated in the deed restrictions, livestock and poultry of any kind are prohibited from being kept on any lot. No animal including household pets may be kept for breeding or any other commercial purpose.

Property owners are not permitted to keep pot belly pigs and pigmy goats as household pets.

- C. Owners are responsible for picking up after their pets in all areas including roadways. Owners must be visibly prepared to pick up after their pets and dispose of waste in a proper manner.

IX. BUILDING REGULATIONS

- A. All deed restrictions applicable to lots shall remain in effect and are incorporated herein as set forth in these rules and regulations.

- 1. Sheds

- a. Sheds will be no larger than 12'X16' (192 Square feet) X 12' high, and must be 10 feet from the existing dwelling. Structures larger than this are deemed a garage and a permanent structure. All permanent structures must be built on a footer below the frost line.
- b. Sheds may be put on cinder blocks or on a level grade of crushed modified stone.
- c. Sheds will never be attached to a "principal" structure.
- d. A \$30.00 (thirty dollar) shed permit from PFS is required.
- e. The shed's location must comply with deed restrictions on lot line.

- 2. Lot Clearing

- a. No lot shall be cleared of brush or trees without written permission from the Association, with the exception of dead trees or dead brush and trees or brush that are causing a hazard.
- b. Permission will be granted by the issuance of a Lot Clearing permit.
- c. The Lot Clearing permit is good for thirty (30) days from the date of issue. If work is not completed in thirty (30) days, the lot owner must re-apply for a new Lot Clearing permit.
- d. If the work is not completed within the assigned dates, the lot owner must re-apply for a new Lot Clearing permit.
- e. The association will charge a \$30.00 (thirty-dollar) fee for the issuance of a Lot Clearing permit. Lot owners or contractors will only remove the minimum amount of trees needed in order to complete construction. Any further desire to remove trees will require the submittal of a landscaping plan to be approved by the Director of Building & Planning and one current board member. After permission is given from the Association, it will be the lot owner's responsibility to complete proposed landscaping within one year.
- f. Every effort must be taken to maintain the natural vegetation of the lot to maintain the overall character of the community.

- B. Penn Forest Streams POA must be notified of all new construction. The property owner must have a Penn Forest Streams POA permit before start of any new construction. No new construction can be started without first submitting plans to the township, and obtaining proper permits. A copy of these permits, plans, and township application must be submitted to the Association office to obtain a Penn Forest Stream POA permit. These rules apply to the installation and location of well and septic systems. Plans and plot plans must be submitted to the

Association prior to start of any construction and a permit obtained even if one is not required by the Township.

1. The permit grants permission for the Building and Planning Director or employee of PFPOA to enter your property for inspection and compliance of PFS Rules & Regulations, By-Laws or Deed restrictions.
- C. All construction must meet Penn Forest Township building codes, subdivision regulations, zoning ordinances, deed restrictions, and any additional restrictions, imposed by the Association. A Penn Forest Streams building permit must be obtained and displayed for all construction. The permit fee is \$30 (thirty dollars), in addition to any related administrative, and/or legal fees.
The permit fee for a Commercial Lot is \$350.00 (three-hundred and fifty dollars), in addition to any related administrative, and/or legal fees.
- D. In order to protect all property owners within Penn Forest Streams, all contractors must furnish evidence to the Association that they carry \$1,000,000.00 (one million dollars) combined insurance and workers compensation.
- E. There shall be no construction prior to 7:30 am or after 6:00 pm Monday through Saturday. Construction by contractors is not permitted on Sundays, or on the following holidays: Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas, or New Year's Day.
- F. Once construction begins, the construction must be completed for its intended use, within one year. PFSPOA Building Permit expires within one year of date of issue.
- G. All building in Penn Forest Streams development must adhere to the following:
 1. Buildings and structures facing the road must be set back at least 50 feet from the property line, and at least 20 feet from the side and rear property lines. Lots bordering Yellow Run may not have any structure, septic system, or drainage field within 100 feet of the center of Yellow Run. (Refer to deed restriction # 2).
 2. Building height must not exceed 30 feet with no more than two levels above ground surface.
 3. Recommended inside door widths be at least 32 inches. Outside door width must be at least 36 inches.
 4. Stairway treads must be at least 36 inches in width.
 5. Each lot may contain only two detached structures, which must be used in conjunction with a residence on the lot.
 6. No detached structure shall exceed one thousand square feet (1,000 sq. ft.) and sixteen feet (16 ft.) in height. Unattached structures must be ten feet (10 ft.) from existing dwelling and the site of the structure must comply with deed restriction.
 7. In the event that Penn Forest Streams lot owner deed restrictions and or Penn Forest Streams Rules and Regulations are more restrictive than the Penn Forest Township building code, the Penn Forest Streams lot owner deed restrictions, Rules, and Regulations take precedence.

- H. The Penn Forest Township Burning Ordinance and Penn Forest Streams Burning Regulations must be observed. See Section **XII. Burn Ordinance** for the PFSPOA Burn Regulations
- I. PFSPOA does not provide trash or garbage collection within the development. Property owners are required to properly dispose of trash either at the Township transfer station or by private contractor.
- J. Homeowners must have a 911 sign in compliance with Township, County and State law bearing 911 address of residence at the end of their driveway to assist emergency vehicles in finding the property. Failure to have the proper 911 address sign will result in a \$50.00 (fifty) dollar fine in addition to any Township or State fine.
- K. At the start of construction a tracking pad of 15' x 40' must be installed.
- L. A dumpster must be obtained within 3 days of the start of framing for the collection and disposal of all construction refuse and debris. A Port-a-John must be on building site from start of construction until completion.
- M. The Association hereby adopts and shall enforce all currently prevailing Penn Forest Township regulations and requirements, which may be subsequently enacted concerning building construction.
- N. Violation of the building regulations will result in the following fines:

A \$500.00 (five hundred dollars) fine

X. YARD SALE REGULATIONS

- A. Penn Forest Streams is a recreation/residential community and as such the operation of businesses is prohibited on all but commercial lots.
- B. An exception to the above prohibition is garage or yard sales subject to the following provisions:
 1. No more than four (4) yard/garage sales of two (2) days duration can be held on any one property in a calendar year.
 2. Rent for the use of either facility will be \$60.00 (sixty dollars) for three (3) hours. Any time over (3) three hours will be \$20.00 (twenty dollars) per hour. An additional hour for set-up and an hour for clean-up is included in the \$60.00 (sixty dollars). Extra time for set-up and clean-up is an additional \$10.00 (ten dollars) per hour.
 3. A permit from the association is required and must be posted. The fee for the permit is \$5 (five).
 4. All notices may be displayed two (2) days prior to the sale and must be removed by the day following the sale.
 5. Any damage to Association property, including roads, caused as a result of such sales will be the responsibility of the individual holding the sale.
 6. Four (4) PFS Community yard sales can be held each calendar year. Dates to be approved by the Board of Directors.

XI. GENERAL

- A. No commercial vehicle or trailer (26,000 lbs. gross weight or greater) may be kept or stored within the confines of Penn Forest Streams Development.

- B. It is prohibited for any owner, or tenant in the Penn Forest Streams Development to place, or permit to remain on any property any automobile, truck, or other motor vehicle or part thereof in whatever state of condition or repair, which is unlicensed or abandoned. (Note this complies with deed restriction # 6)
- C. Any signs for sale or rental of a property may only be placed on that property.
- D. Snow being removed from driveways is not to be placed on Association roads.
- E. There shall be no excessive noise (dogs, music, etc.) annoying your neighbors by your action. This will be considered a nuisance.
- F. No trespassing on other people's property without their permission.
- G. No littering in the development-subject to a starting fine of \$50.00 (fifty dollars).
- H. Children 12 years old and under must wear a helmet while riding their bikes on Penn Forest Streams roadways. (PA state law).
- I. Owners are expected to maintain property and/or structures within acceptable standards. If health or safety hazards are apparent or the property is considered to be an unattractive nuisance, the owner will be notified and given thirty (30) days to correct the problem. Repeat offences within twelve (12) months will be immediately fined. See Section XIII
- J. Drunk and/or disorderly conduct is a community violation.
 - 1. Drunk: A person is guilty of drunkenness if he appears in any public place manifestly under the influence of alcohol or a controlled substance. Acting to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity.
 - 2. Disorderly Conduct: A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he: engages in fighting or threatening, or in violent or tumultuous behavior; makes unreasonable noise; uses obscene language, or makes an obscene gesture; or creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor, disrupts a meeting or gathering and or disturbs or interrupts said meeting or commits any act which disrupts the normal business of the community to include solicitation of sorts.
- K. Criminal Mischief/Vandalism is a community violation.
 - 1. Criminal mischief: A person is guilty of criminal mischief if he: damages tangible property of another intentionally, recklessly, or by negligence.
 - 2. Vandalism: Any person, who vandalizes, defaces or otherwise damages: any personal property or any common property within our community.
- L. Reckless endangerment is a community violation.
 - 1. Reckless endangerment: A person commits the crime of reckless endangerment if he recklessly engages in conduct which creates a substantial risk of serious physical harm or creates a life threatening condition.
- M. Any violation resulting in damage to property will require restitution regardless of fine imposed.
- N. Property owners are restricted to one (1) RV and/or one (1) Boat per lot.
- O. As all other vehicles a proper registration and insurance is required.

XII. Burn Ordinance

In compliance with ordinance No. 08-05 of the Penn Forest Township Restricting Fires and Open Burning the following applies to the Penn Forest Streams Development:

Definitions:

Open Fire- a fire in which any material is burned in the open or in a receptacle other than a furnace, incinerator, or recreational fire.

Controlled Recreational Fire- a fire which is set and maintained solely for the purpose of pleasure or warmth.

Regulations for Open Fires:

Open fires may be set provided:

- A. There is no burn ban in effect.
- B. The fire **must** be reported to the Carbon County Communications Center at (570) 325-9111 before setting the fire.
- C. The fire shall at all times be attended.
- D. A source of water, or other fire suppressant, sufficient to extinguish the fire and a rake shall be located nearby.
- E. The ground within five feet of the fire shall be cleared of all combustible material.
- F. Leaves, branches, tree limbs, paper, cardboard only are burned.
- G. No hazardous or other objectionable condition will be created by such burning, as well as any condition that spreads or aids any adjacent area to flare up.
- H. No burning in unfavorable wind conditions, such as winds over 5 mph.
- I. Embers must be extinguished before leaving the fire.
- J. All such burning takes place between the hours of 7:00AM and 7:00PM.

Regulations for Controlled Recreational fires:

Recreational fires may be set provided:

- A) There is no burn ban in effect. If not sure, call the Carbon County Communications Center at (570) 325-9111 to verify.
- B) The fire shall at all times be attended.
- C) A source of water, or other fire suppressant, sufficient to extinguish the fire, shall be located nearby.
- D) Branches, tree limbs, starter paper and charcoal only are burned.
- E) No garbage or refuse is burned.
- F) No hazardous or other objectionable condition will be created by such burning, as well as any condition that spreads or aids any adjacent area to flare up.
- G) The ground within three feet of the fire shall be cleared of all combustible material.
- H) No bonfires are allowed.
- I) The fire must be in a contained unit such as, a portable outdoor fireplace unit, a chimineas, an above ground portable fire pit, an above ground rock, stone or metal fire pit. No fires permitted directly on the open ground.

The purpose of the above regulations is to protect our community from forest fires as we do not have fire hydrants and our Volunteer Fire Company has a limited water supply. Please be careful. Failure to abide by the regulations above will result in a \$200.00 fine plus any damages or expenses incurred by PFSPOA.

XIII. ENFORCEMENT OF RULES AND REGULATIONS

- A. The Board of Directors of the Penn Forest Streams Property Owners Association, Inc. shall have the power to enforce the Rules and Regulations.
- B. A security officer will issue a citation upon violation of these rules and regulations. The security committee may also issue a citation upon receipt and investigation of a written complaint by a member of the association.
- C. The Board of Directors will review citations submitted by the security department.
 - 1. The following fine schedule will be imposed with the exception of vehicle operation fines, building regulation fines, firearm/weapons and fireworks fines and littering fines which are covered in sections II, VII, IX, and XI respectively:
 - a. First Offense: \$25.00 (twenty-five dollars) fine.
 - b. Second Offense: \$125.00 (one-hundred and twenty-five dollars) fine.
 - c. Third Offense: \$250.00 (two-hundred and fifty dollars) fine.
 - d. Fourth Offense and subsequent offenses: \$500.00 (five-hundred dollars) fine.
 - e. Additional costs: any related administrative, and/or legal fees used to collect fines due to the Association.
 - f. If no additional citation is received, for the same infraction for three (3) years, the record for that infraction will be cleared, as long as all fines are satisfied.
- D. Any visitor to the Penn Forest Streams development must abide by all rules and regulations of the Association. Failure to do so will result in a citation issued to the property owner.
- E. Appeals may be requested in writing twenty (20) days after receipt of the citation. The appellant will be notified of the scheduled hearing before the Board of Directors, and has the right to attend the hearing in person, have a representative, and have an opportunity to present oral or written testimony. The Board of Directors will notify the member when a decision is reached. At the appellant's option he may submit a written appeal only.
- F. Imposed fines will be noted to the member's dues record, and must be paid to receive membership passes. Unpaid fines will be subject to the same collection procedures as past due dues and/or other assessments.
- G. Any modifications and or amendments to the rules and regulations will be promulgated as additional pages and each page will indicate the section added, amended and or modified accordingly. Members are responsible for keeping their copy of the rules and regulations current. The Board will provide proper up-dates to these rules and regulations via the Association office.

REVISED AMENDED: 11 May 2016.