



LAKE MONT PINES HOME OWNER'S ASSOCIATION

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GUIDELINES FOR CONDUCT

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Introduction

By observing the enclosed rules and requirements we hope that all property owners and guests will have a memorable stay here in the community. Living in a common interest community offers many advantages but may also impose some restrictions on members and their guests or renters. Maintaining an attractive appearance of the homes/lots, harmonious relations with your neighbors and sustaining property values are each important.

As provided for in the Governing Documents, the Covenants, Conditions & Restrictions (CC&Rs) Article 3, the Association Board of Directors have adopted specific rules for the community. It is the intent of the CC&Rs to protect the collective rights of our Association Members, so they may enjoy their property. This includes issues related to the health, safety, and maintenance of the quiet, forested nature of our single-family residential community. It is not the intent of the CC&Rs to regulate personal privacy issues. This document includes some but not all of the restrictions in the (CC&Rs).

It is the goal of the LMP Board to protect members' rights and enforce the CC&R's in a fair and consistent manner. When there is an issue, members will always be given an opportunity to be respectfully heard and allowed to present their case to the members of the Board. The Board has adopted a CC&Rs/Rules Enforcement and Fine Policy that discloses this process to the members.

The Governing Documents of the Association include the Articles of Incorporation, Bylaws, Covenants Conditions and Restrictions (CC&R's) and duly adopted Rules. In addition to these documents the community is subject to Federal, State and County laws, codes and local ordinances for Calaveras County. The Board of Directors follows all of the above in the management and operation of the Association.



Guidelines for Individual Properties

Members receive the Governing Documents when they purchase their property and are obligated to follow these guidelines in order to facilitate the health, safety and welfare of all residents in the community and also to protect and maintain property values. Many of these are outlined below with the relevant CC&R citation.

- No noxious or offensive activity shall be carried on within the Properties, nor anything be done or placed thereon which may become a nuisance or cause unreasonable embarrassment, disturbance or annoyance to other Owners in the enjoyment of their property, or in the enjoyment of Common Area. No Owner shall permit noise, including but not limited to, the barking of dogs and the excessive playing of music systems, to emanate from the Owner's lot, which would unreasonably disturb another Owner's enjoyment of his/her lot or of the Common Area, CC&Rs 3.03. Any parties, music, use of mechanical devices, or other noise making activities should be time-limited so as to not create an ongoing disturbance for neighbors. Doors and windows should be closed to contain excessive noise.
- The County curfew for minors is from 10:30 pm until dawn. The Association requests that a corresponding "curfew of quiet" be observed from 10:30 pm - to 7:30 am. The County Sheriff's Department does enforce disturbance of the peace complaints. Be aware that sound travels.
- No sign of any kind shall be displayed to the public view, on or from any lot or the common area, without the approval of the Board or the ARC Committee, however, one sign of customary and reasonable dimensions advertising a lot/home for sale or for rent may be placed within each lot, CC&Rs 3.05.
- No dog shall be allowed in the Common Area except upon a leash held by a person capable of controlling it, CC&R's 3.06. Dogs should wear a collar with vaccination tags, license and owner's phone number in case they become lost. Dogs that are continuous barkers should be brought indoors. Calaveras County requires that dogs be licensed and under their owner's control at all times.
- All garbage and trash shall be placed and kept in covered containers. Each owner shall arrange for removal of all such containerized trash at least once a week. Unsecured trash is at risk of being knocked over by bears, dogs, coyotes, and/or raccoons. Trash can be taken home with you or taken to the local transfer station in Avery (209-795-3222). Proof of residency is required. You may also arrange for curbside refuse and recycling removal through Cal-Waste (209-795-1532). Please pick up all your litter, including cigarette butts, which should not be tossed due to the high fire danger.
- No portion of any lot shall be used for the storage of building materials or other materials except in connection with approved construction, CC&Rs 3.07.

- No Owner shall make or permit to be made, at his expense or otherwise, any alterations or modifications to the exterior of the buildings, fences, railings or walls situated within the Development, without the prior written consent of the Board or Architectural Control Committee. No structures of a temporary character, trailer, tent, shack, garage, barn or other outbuilding, shall be used on any Lot at any time as a residence, either temporarily or permanently, except as reasonably necessary for the construction of a residence upon such Lot, and then only after having obtained written approval of the Board or Architectural Control Committee, CC&R 3.08. *Architectural Modification Request Forms are available in the LMP office or on the LMP website at www.lmphoa.com*
- No owner shall permit anything to be done or kept in his/her Lot or in the Common Area that violates any law, ordinance, statute, rule or regulation of any local, county, state or federal body.
- Each Owner shall be responsible for maintenance and repair of his/her individual Lot and Residence, CC&Rs 4.02.
- Unless there has been prior written approval of the Architectural Control Committee, no Owner shall cut, sever or remove any tree which is over 15' from the structure and is ten inches (10") in diameter, except for trees that are standing within the home building area on such Owner's Lot, CC&Rs 3.12.
- The Association requires owners of improved properties to comply with CAL-FIRE codes/State law (www.fire.ca.gov 209-795-1542). Owners of unimproved properties must comply with Ebbetts Pass Fire District fire safety codes for their properties (www.epfd.org 209-795-1646). Copies of the current codes and requirements can be obtained on their websites or in the office. The Association supports the CAL-FIRE V.I.P. (Volunteers In Prevention) program for inspecting properties to ensure compliance with current lot clearing standards. Owners who fail to comply are subject to written violation notices and potential fines from these agencies.

Pine needles and wood debris may be disposed of at the locations listed below:

- Millers (209-795-4875) 4304 HWY 4 in Avery.
- Red Hill Transfer Station (209-754-6403) 5314 Red Hill Rd., Vallecito
- Rock Creek Solid Waste Facility (209-754-6403) 1211 Hunt Rd., Milton
- Brian Rowley - Open mid-May and June only - (209-795-6500) 365 Biring Dr., Camp Connell.

Please call ahead for new rules and costs for disposing of your yard waste. You may also burn your debris on your property per County regulations on prescribed burn days only. Call (209)754-6600 before burning.

The Association can suspend the use privileges of any recreation facilities in the Common Area for any violation of the CC&R's, Articles or By-laws, Association rules or Board Resolutions, CC&R's 6.03. *Please refer to your CC&R's booklet for the complete list of Covenants, Conditions and Restrictions.*

General Guidelines for all Residents and Members Who Rent Their Properties

Owners are responsible for their tenants and guests, and are to make sure that contractors and vendors are aware of the CC&Rs, Rules and local ordinances and abide by them. Any rental shall be by an agreement which shall provide that the tenancy is subject to the terms of the CC&R's, CC&R's 3.02 B. All owners renting or leasing their units for a period in excess of 30 days shall promptly notify the Association of all tenants and members of tenant's family occupying such unit, CC&R's 3.02 C. Owners who rent their properties need to know and share the following information with rental agents, tenants and their vacation / full time renters:

- Tenants/Renters are “guests” of the owners and are expected to comply with all Association rules, local laws and ordinances.
- The number of occupants, renters and guests must follow County guidelines for single-family residential use.
- Full time rentals with tenant information must be registered with the Association office, CC&Rs 3.02.
- The number of vehicles should be limited, and must park off the street as the road is shared with snowplows, pedestrians and emergency vehicles.
- All renters/guests using the common area facilities must wear and display a current LMP ID Tag or day use bracelet at all times.

Copies of these rules are available in the LMP Office. Office Hours are posted on the Lodge bulletin board and on our website at www.lmphoa.com.

Guidelines for Use of the Common Areas Lodge & Recreation Areas

Tanner Lake, Common Areas and Lodge facilities are Private Property reserved for the exclusive use and enjoyment of Members/Owners and their authorized guests. Members and their guests must follow staff instructions so as to ensure the health, safety and welfare of everyone using the facilities.

- Pets are NOT allowed in the Lodge, on the patio, on the deck, or as posted around the Lodge and Beach. Pet owners are asked to carry doggy waste bags and clean up after their pets. Four waste stations are provided around the lake.

- No private barbeques or campfires are allowed in the Common Areas. Members and guests may use the barbeques provided in the picnic area next to the Lodge on a first come first served basis. Large parties require prior approval. There will be no reservations for large parties in the picnic area on holidays.
- Proper swim attire is required and swimsuits and sandy feet are not allowed in the Lodge.
- All boaters must take direction from Association staff and/or lifeguards. Only non-powered water craft are allowed on the Lake. Motorized toy boats are not allowed on the lake.
- Members' water craft may be stored on the lake shoreline between April 1st and Nov 30th. Water craft must be removed from around the lake on or before December 1st each year. The Association has designated an area for boat storage from December – March. The storage rack is located by the garage and there will be a \$25.00 storage fee per year. All craft must be registered with the office each year, properly secured and display a seasonal sticker. Lot #'s must be clearly and permanently marked on all boats for identification purposes. Please do not store water craft in the walkways or paths. Non-compliance may result in removal with or without notice depending on safety and circumstances.
- Fishing is always catch and release and you must have a current fishing license. Fishing from the pier or floating docks is not allowed at any time. No fishing within 50 yards of beach sand area.
- Smoking is not allowed in the Lodge, on the deck, patio, pier, docks, or the Lodge beach area.
- Glass bottles or glass containers are not allowed at any time.
- Motorized ATVs, motor bikes or motor scooters are not allowed in the Common Areas.
- No bicycles, scooters, skates or skateboards are allowed in the Common Area or at the beach. Please park bicycles in the racks provided.
- Children under 14 years of age must be under the supervision of an Adult (over 18). County Curfew (for those under 18 years of age) is 10:30 p.m. The playground structures are for use by children ages 6 -12 yrs. and children must be supervised by an adult parent/guardian at all times.
- No person other than the Association or its duly authorized agents shall work on or make any changes to or post any signs on Association properties or in the Common Area, CC&Rs 3.10.

ID TAGS/PARKING PASSES

Members in good standing will be issued ID tags & parking stickers annually. Unpaid Assessments subject owners to loss of use of the Common Area facilities, CC&Rs 6.03. ID tags or Day Use bracelets must be worn and displayed at all times by owners, residents and guests when using the facilities or common areas. The ID tag and parking sticker colors change every year, and new tags will be available by the beginning of May each year. Owners must return old tags to the LMP Office in order to obtain new ones and there is a charge of \$10.00 for each tag that is not returned. Tags are only for members and guests and may not be sold or bartered.

- Each property address is allowed 5 free tags annually and each property owner may purchase a total of 5 extra tags for their guests for \$10.00 each. Any additional guests will require a day use bracelet, available at the Snack Shack at a cost of \$5.00 each per day.
- All vehicles parked in the Lake Mont Pines Lodge parking area or Common Areas must display an annual parking pass. Vehicles in violation are subject to citation and/or tow.
- It is up to property owners to provide ID/guest tags and parking stickers for their renters/guests.

GENERAL GUIDELINES for Summer Season

Summer Season begins the Saturday of Father's Day weekend, and the facilities open daily at 11 a.m. until 6 p.m., subject to weather. Our lake closes at 10:00 pm, each evening.

- All party floats, boats & boards must be supervised at all times and must be removed from the Lake shore and pier area daily. No watercraft of any kind is allowed to be anchored in the swim zones.
- Personal property (chairs, blankets, towels, etc.) should not be left on the Beach so as to interfere with daily grooming of the beach during the Summer Season. All items must be removed overnight or they will be confiscated. No Owner shall allow furniture, furnishings, or other personal belongings to remain in the common area, CC&Rs 3.09.
- The saving of spaces on the beach is not allowed.
- All swimming in the lake is at your own risk. Poor swimmers must be supervised by a responsible adult swimmer at all times. During the summer season, non-swimmers shall remain in the shallow roped-in area at the Lodge beach. PFD (Personal Floatation Devices) are recommended for all persons using the lake. *No horseplay is allowed on the pier and floating docks at any time.*

Members/guests may borrow Association equipment and water craft at the Stuff Shack. ID tags are required. Use of the Association's equipment is subject to the following guidelines:

- Use of the equipment is on a first come, first served basis.
- Use of the equipment is subject to control of the Lifeguards and/or Association staff.
- Equipment must be returned on the same day it is checked out.
- Damaged/lost equipment may need to be replaced by the member, or the replacement cost reimbursed to LMP.
- All persons using watercraft shall carry a personal floatation device (PFD).
- Anyone 12 yrs. of age or younger must be accompanied by an adult.
- Boaters must remain seated at all times and may not switch seats or crafts.
- No jumping from crafts is allowed.
- No watercraft of any kind is allowed near the floating platforms.
- LMP Water craft must remain visible to the Lifeguards at all times and are not allowed in the cove.
- Use time limits may be imposed based on demand. Use of Association equipment may be denied due to rules violations.

Rules Updated 11-17-16

