

# **RULES AND REGULATIONS of the BIG BEAR PROPERTY OWNERS' ASSOCIATION (BBPOA)**

## **INTRODUCTION**

In order to provide a safe and quiet environment for the Property Owners, their children and guests, it has become necessary to adopt a set of rules and regulations that will protect the rights of every property owner and their guests. A set of procedures and penalties are set forth for those who break the rules. These rules will never take place of good common sense and will always respect the rights of others and their property. Keeping this in mind will prevent additional rules from being added.

Rules & Regulations are subject to change without notice, under the sole discretion of the BBPOA Board of Directors. These rules and regulations are in addition to the Declaration of Restrictions and any local or state laws. Should any conflict exist between the Declaration of Restrictions and the Rules & Regulations, the Rules & Regulations will prevail. Should any conflict exist between the Rules & Regulations and local or state law, then the local or state law will prevail.

## **A. FINES**

1. Any first violation of the rules set forth in this document will first be given a warning with 14 days to correct the issue, if necessary. A verbal notification of an infraction will be followed by a written notification from one of the BBPOA Directors. A violation will be in writing by one of the BBPOA Directors or in person by one of the BBPOA Directors and another property owner,
2. Second violations will be a **\$100.00** fine with 7 days to resolve the issue.
3. Third infraction incurs a **\$150.00** fine, and **\$200.00** for each subsequent week until the issue is resolved.
4. The property owner is responsible for paying the fines of any infraction of the rules by one of their guests or renters. Fines will be paid to BBPOA. Failure to pay a fine in a timely manner will be treated in the same way that failure to pay the annual maintenance bill is handled with liens placed on property.

## **B. COMMON AREAS**

1. No chairs, tables, stones, or any other items can be taken borrowed or added to the common areas unless permission is granted by a majority of the BBPOA Directors. Removal of stones or BBPOA property carries a **\$100.00** fine.
2. No drunkenness, disorderly conduct, abuse of property, excessive noise or foul language is permitted in or upon the common property.

## **C. ALCOHOLIC BEVERAGES & TOBACCO**

1. Alcoholic beverages are only permitted on the individual's private property or in the open area of the pavilion during a barbeque.
2. The use of alcoholic beverages must conform to the laws of the Commonwealth of Pennsylvania

3. No smoking under the pavilion roof during community meetings. Smoke in grassy area.
4. Fire Extinguishers will be doubled in pavilion, recommend every trailer have and test.

#### **D. FIREARMS AND FIREWORKS**

1. The use of any firearms, paintball guns, pellet guns, air guns sling shot, crossbows or bow and arrows within the community is prohibited.
2. The use, detonation, display, or possession of any type of firework by property owners, renters, or their guests, is to be done in the **designated area, basketball court**, of the community. No one may detonate any firework at any other part of the community. Permitted fireworks allowed within the community are **Non-Arial** fireworks only. Arial fireworks can create falling sparks that can ignite wooden roofs and brush. They can also damage vinyl and cloth awnings.
3. The area must be cleaned after use to dispose of any firework refuse. Property owners are responsible for any fire or damage caused by use of fireworks in this area by themselves, guests, or renters.
4. Association members, renters and guests will adhere to the Pa State Law which states it is illegal to detonate fireworks:
  - a. from or within a motor vehicle or building.
  - b. Toward a motor vehicle or building.
  - c. While the person discharging them is under the influence of alcohol, a controlled substance, or another drug.
5. All detonation of fireworks will cease by **11pm** on the day of July 4<sup>th</sup>.  
Any other date of the year fireworks will need **approval** by the BBPOA.

#### **E. GARBAGE**

1. Only household garbage is to be placed inside the dumpster by members in good standing only. (The BBPOA will have a designated roll off provided **twice** a year for disposing of old appliances, furniture, and other household items).
2. Garbage is to be placed inside the dumpster, **NOT** on the ground next to the dumpster. If there is no room in the dumpster, you must either return the trash to your site and contain appropriately until the dumpsters are emptied or take your trash with you when you leave. When throwing trash away at the dumpster, make sure the lid is closed. This is the responsibility of everyone in the BBPOA to assure the community is kept clean. Anyone observed leaving trash outside the community dumpsters will be fined.
3. No hazardous materials, such as paint, gasoline, old propane tanks or any other item prohibited by the garbage collector can be placed in the dumpster.
4. Yard waste is **NOT** to be placed in the dumpster. There is a designated area for yard waste.
5. Any trailer cleanouts, renovations, construction projects that require trash to be discarded must be put into a rented dumpster at the property owner's expense. BBPOA dumpsters are **NOT** to be used. If needed there is a dump in Honesdale or you can try the Paupack Township Municipal Building on 590.

Dumpsters are watched by cameras **ANY** violations of these rules will result in a fine of **\$100.00** plus the cost of the dumpster.

#### **F. GUESTS**

1. Property owners are responsible for their guests. Property owners are responsible for paying fines resulting from violations of their guests.
2. Property owners are responsible for damages to common areas and other owners' private property by their guests.
3. All guests and renters shall comply with all the deed restrictions, local ordinances, rules and regulations of the BBPOA.
4. Violations by guests will be communicated to the property owner in writing.
5. Please notify **BBPOA** if renters will be staying at your property. Members **MUST** provide name, phone number, and length of stay of all renters to **BBPOA**.

#### **G. MOTOR VEHICLES**

1. All motor vehicles must be registered by state. Unregistered vehicles are not to be left within the community. Only 2 vehicles allowed per property site.
2. Speeding is prohibited within the community. Exceeding **5 1/2 mph** is a violation subject to fines. **THIS IS FOR ALL VEHICLES. RECKLESS DRIVING WILL NOT BE TOLERATED.**
3. No parking on the roads. Blocking off the roads is a fire hazard and emergency vehicles cannot get to their destination.
4. All vehicles must be parked within the confines of the property owner's own lot. No vehicles shall be parked on roads or berms, or adjoining properties.
5. There is no parking of commercial vehicles on Big Bear common properties unless in designated area.
6. Commercial vehicle operators violating the Rules & Regulations will be dealt with on an individual basis. Chronic vehicle operators violating the Rules & Regulations will be barred from entering the community
7. All motor vehicle operators must be licensed to drive. Must have a state issued license to drive- no learners permit are allowed to drive within the community.
8. No underage children on parents' lap, behind the wheel, inside moving motor vehicles.
9. Vehicles unable to fit on an owners' property will be parked in an orderly fashion in the designated area. Unregistered vehicles, abandoned, or vehicles without license plates, parked in this area, will be towed at owners' expense.
10. All lots whether vacant or improved, occupied or unoccupied, shall not be used as a workshop for auto/boat repair. No vehicles shall be elevated off the ground by use of jack stands. In an emergency only, will repairs be allowed. Lots shall be maintained in a manner to prevent them from becoming unsightly, unsanitary or a hazard to health. All materials from repairs are to be disposed of properly outside of Big Bear (Honesdale Dump/Paupack Municipal Building). Such complaints can be reported to BBPOA.

If not remedied, after written warning fines will be issued **\$100.00** initially, thereafter **\$100.00** weekly until rectified.

#### **H. PETS**

1. Pets must be kept on owners' site, **chained, or tied**, when not being walked. Must not be left outside if owner leaves Big Bear property. Please keep animals inside.
2. Pets being walked must be leashed.
3. Property owners are responsible for cleaning up after their pets and must have the means to immediately do so at the time of walking.
4. Pets are not permitted in restrooms, the pool area or the various playground and play areas.
5. Incessant barking of dogs is prohibited at all times.

#### **I. POOL**

1. No entry to the pool or pool area is permitted when the pool is closed. Pool will be closed during Community meetings.
2. The pool hours will be from **dawn to dusk** for all members.
3. No running, pushing or other dangerous activity is permitted in the pool area, nor other conduct to adversely affect the pleasure or safety of others, such as the use of loud radios or foul language.
4. No child under the age of **14** is permitted in the pool area unless accompanied by a responsible adult.
5. Smoking, glass bottles and glass containers are prohibited inside the pool fenced areas.
6. No babies with regular diapers are allowed in the pool. Soiled diapers cause bacteria and clog the filtration system. Little Swimmers/ Splashers (water diapers) are allowed.
7. Individuals with open sores/wounds are not permitted in the pool water. No emissions of bodily fluids such as blowing nose or spitting is allowed in pool or pool area.

#### **J. RECREATIONAL VEHICLES**

1. ATV'S, quads, mopeds or any other type of similar small, motorized vehicles, with the exception of golf carts, are prohibited within the community at all times.

2. Golf carts must be registered with Big Bear and obtain a Big Bear license plate for **\$25.00**.
3. Golf carts must adhere to the same restrictions as motor vehicles, i.e.: speed limit, licensed driver, etc.
4. RV trailers, campers or tents may be parked/erected on property owners' own lot for a maximum of **72** hours but are **NOT** permitted to hook up to the sewer. Prior approval from the BBPOA is required for extended time frames.

#### **K. NON-MOTORIZED VEHICLES**

1. Pedal bikes, scooters, skateboards, etc. will be operated within the posted speed limits and comply with all local and state regulations, including required safety equipment.
2. Parents are responsible for children's required safety equipment. Big Bear will not be responsible if child gets hurt or injures self, others, or other's properties.
3. No non-motorized vehicles may be operated in the pavilion area.

#### **L. QUIET HOURS**

1. Quiet Hours are from **11:00 pm** thru **8:00 am**.
2. At any time, loud music, either on your property or in your motor vehicle while driving thru the property is not permitted.

#### **M. USE OF SEPTIC SYSTEM, WASHING MACHINES, DISHWASHERS, ETC**

1. No discharge of waste or wastewater from clothes washing machines, dishwashers or any other waste generating appliances other than normal sink, tub/shower or toilet discharge is allowed into the community septic system.
2. No discharge of wastewater or other forms of waste from clothes washing machines, dishwashers or any other waste generating appliances, to include normal sink, tub/shower or toilet discharge is allowed to be discharged onto personal or common grounds of Big Bear. This is a direct violation of Local, State, and federal EPA laws and regulations.

#### **N. PLAYGROUND AREA**

1. No glass bottles or glass containers are permitted in the playground area.
2. No dangerous activity is permitted in the playground area, or other conduct adversely affecting the pleasure or safety of others such as the use of alcohol, loud radios, foul language, or smoking.

3. Lewd behavior will not be tolerated on BBPOA property in any area.

#### **O. DRUGS**

1. No possession, use or sale of illegal drugs or illegal drug paraphernalia in Big Bear is allowed.
2. Anyone suspected or found in the possession, sale or use of illegal drugs or drug paraphernalia will be reported to Official Law Enforcement Authorities.

#### **P. CAMPFIRES AND WATER USAGE**

1. All use of campfires should follow good safety rules, good judgment and should not jeopardize the safety and wellbeing of property owners', family members, guests, or Big Bear as a whole.
2. Children under the age of **14** must be accompanied by an adult when at an open fire.
3. An available source of water must be kept nearby for safety purposes.
4. Open campfires must be always attended by an adult.
5. Fires should be totally extinguished when unattended.
6. Property owners are solely responsible for campfires that are regulated by local, state and federal authorities during water shortages and drought periods.

#### **Q. PROPERTY MAINTENANCE**

1. It is expected that each property owner maintains a safe, clean property, free of debris that might lend to the nesting and/or breeding of insects, vermin, snakes, disease, etc., creating a safety hazard or jeopardizing the general value of other property with Big Bear. Trash, garbage, or other waste shall be kept in sanitary containers. All containers shall be kept neat, clean, and in sanitary condition.
2. Excessive debris or an unsafe condition for an extended period of time will be reported to the property owner by a BBPOA director accompanied with a warning. It is expected that the property owner corrects the situation within a **14**-day period.
3. Failure of the property owner to rectify the problem within the specified period will result in the contracting of someone by BBPOA to resolve the problem. All expenses incurred to remedy the situation will be billed to the property owner. Failure to pay these charges by the property owner will be dealt with in the same way as someone who fails to pay their Annual Membership fee on time. Fines and/or liens will be levied against the property owner.

4. All lots must be maintained in a neat, safe, and attractive condition by their owner. Lawns must be mowed on a regular basis and not exceed **12"** in length at any time. Leaves must be removed, and property kept neat. Yard refuse may be dumped in the allocated section of the community.

## **R. CHILD SAFETY**

1. All under-age children should be under the supervision of an adult when in an area where safety is a concern.
2. All under-age children should be on their property or off the common grounds by **11:00 pm**, unless under the supervision of an adult.

## **S. CONSTRUCTION**

1. All construction plans must have the approval of the Board of Directors before the work begins. This includes building or dismantling any structure on the property. In emergency situations only, and construction improvements will a tarp be allowed to temporarily remedy a leaking roof. The owner will remove the tarp within **30** days or at the discretion of BBPOA after addressing the issue.
  - a. Failure to comply with this rule will result in an initial fine of **\$100.00**, thereafter **\$100.00** every week until BBPOA is notified of the pending repair.
2. **Decks** (flat with railing) must be constructed per the Declaration of Restrictions.
  - a. The framing must be built in 8-foot sections. Maximum width is 10 feet from trailer.
  - b. Deck cannot exceed length of trailer or wrap-around trailer.
  - c. Upright posts are to sit on concrete blocks; they are not to be set in concrete.
3. **Decks with Roofs**
  - a. Must meet same size guidelines as above. Roof overhang should be no more than 2 feet beyond the deck.
  - b. Must be open from top of railing to roof; removable screens allowed but no solid walls or walls with windows.
  - c. Deck must not be attached to the trailer. Deck cannot exceed length of trailer or wrap-around trailer.
  - d. Roof must not be attached to trailer.
4. **Sheds**
  - a. Only one per site is permitted.
  - b. Maximum size 144 square feet.

- c. Must be on blocks and not concrete slab.

**5. Fences**

- a. Split-rail fences are permitted per our original Declaration of Restrictions; other types may be considered. All require plans to be submitted to the Board of Directors for approval prior to starting the construction. If not submitted initial penalty is **\$100.00** followed by **\$100.00** a month till rectified.
  - b. No fence is to exceed **5'** in height.
  - c. Fences must not be within **5'** of roads. This allows access to roads and is necessary for emergency vehicles, road maintenance or snow plowing. Big Bear or any of Big Bears contractors are not responsible for any damages incurred to fences, objects, plants, etc. that are not **5'** off roadways. Big Bear has the right of way when any necessary repairs need to be made at property owners' expense.
6. All construction except fences must be **5'** inside your own property line. Fences may be at the property line, but on your own property and not on your neighbor's property. (May be necessary to have lot surveyed if pins cannot be located.)
7. Prior construction that does not meet guidelines may remain in place; however, when it becomes necessary to repair or replace it, the replacement must conform to these guidelines.

**T. CONTRACTORS**

- 1. Any Contractor or PROPERTY OWNER with a contractor's license, that is contracted to work in Big Bear, even on their own lot, **MUST** provide proof of insurance and cover Big Bear as an additional insured party.
- 2. Certificates of insurance **MUST** be provided to BBPOA, and approved, before the beginning of work.
- 3. Work will not be approved if performed by a person/company without a license or insurance.
- 4. Contractor, or PROPERTY OWNER with a contractor's license, is responsible for the removal and disposal of left-over materials, waste, and trash off Big Bear property. They are not allowed to place any construction debris into the BBPOA dumpsters. If a contractor or property owner does this, costs for emptying the dumpster will be levied against the property owner.

**U. FEEDING OF WILD ANIMALS & FERAL CATS**

- a. It shall be against the rules for any property owner, person, or guest to feed wild animals including feral cats. Feeding feral cats causes a nuisance to



neighbors, domesticated house pets, and creates a condition contrary to the health, safety, and welfare of the community. Feral cats are known to decimate the bird population and spread fleas, ticks and carry rabies in addition to defecating on properties.

- b. Absolutely no food or water is to be placed within the community in any common areas to feed any wildlife, including feral cats.

Failure to adhere to this rule will result in a **\$100.00** fine for first offense as per section A.

## **V. KEY FOBS**

1. Members in good standing will receive **one** fob per lot owned. Members can purchase **two extra** fobs per lot owned at **\$30.00** each.
2. Lost fobs are **\$125.00** to replace, and the lost fob will be shut off.
3. Members may let in their visitors only, do not let anyone else into Big Bear. If they don't have a key fob they can park in the turnabout.
4. If listing a property for sale email BBPOA with the name of the Realty, Realtors name, and phone number. A Board member will call them and issue a pin for entry until the property is sold.

### **ACKNOWLEDGMENT OF RECEIPT OF BBPOA RULES & REGULATIONS HANDBOOK**

This handbook contains important information about the BBPOA rules and regulations, and I, the Property Owner, understand that I should consult a BBPOA Director/Board Member regarding any questions. Since the information, rules, regulations, and policies, described herein are subject to change at any time, I acknowledge that revisions to the handbook may occur.

I understand that it is my responsibility to comply with the rules and regulations contained in this handbook, and any revisions made to it. I further understand and accept that non-compliance with these rules & regulation may cause fines and/or liens to be levied against my property.

Only the BBPOA Directors have the ability to adopt any revisions to the rules and regulations in this handbook.

## **ACKNOWLEDGMENT OF BBPOA RULES & REGULATIONS**

I have received a copy of the Rules and Regulations Handbook

Signature of Owner:\_\_\_\_\_ Date:\_\_\_\_\_

Owners Name:\_\_\_\_\_

Owners Address:\_\_\_\_\_

Owners Email:\_\_\_\_\_ Phone:\_\_\_\_\_

BBPOA Representative:\_\_\_\_\_ Date:\_\_\_\_\_