ASSOCIATION RULES

PINE MOUNTAIN CLUB
PROPERTY OWNERS ASSOCIATION, INC.

Ratified by Motion 01-20-2018

ASSOCIATION RULES

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ARTICLE 1: PURPOSE AND AUTHORITY

1.01 The Board of Directors (board) of Pine Mountain Club Property Owners Association (PMCPOA/the Association) has adopted the following Association rules: Association property usage, common rules for all committees, election rules, and Environmental Control Code.

1.02 The primary consideration in the adoption of these Association rules has been to enable the members and guests to obtain maximum enjoyment from the use of Association property.

1.03 The authority to enact, amend and implement these Association rules are granted in the bylaws, Article 9, section 9.02 (E).

1.04 The Association rules may be revised from time to time by the board. Such revision shall be made according to the procedures defined in the bylaws, Article 9, section 9.02 (E). These procedures may be pre-empted by forces such as emergencies, changes in the law and insurance requirements.

ARTICLE 2: ENFORCEMENT

2.01 SCHEDULE OF FINES/PENALTIES

A. The board shall approve a schedule of fines and penalties to be imposed upon owners and/or their tenants or authorized guests for violations of the CC&R's, bylaws and the Association rules (collectively "governing documents") or other applicable law. Any fine imposed against the tenants or authorized guests shall likewise be the responsibility of the owner.
B. The schedule of fines shall be distributed to each owner.
C. In addition to the fine imposed for the violation of the governing documents, an additional fine may be imposed for the costs or expenses incurred by the association to repair any damage caused by, or attributable to, the conduct which is the basis for the violation (i.e., legal fees, repairs and maintenance, loss of revenue, etc.).
D. A violation which continues for more than 30 consecutive or non-consecutive days shall constitute a basis for an additional fine.

2.02 DUE PROCESS AND ENFORCEMENT

A. The following process will be followed in the enforcement of fines and penalties. (See bylaw section 12.03 and California Civil Code 5855 or its replacement section upon its amendment or replacement.)

1. Determination of the alleged violation: Management will determine that a violation has occurred from physical evidence, testimony of witnesses or from corroborated complaints from other members.
2. Violators of Association rules may be given a verbal and/or written warning, or issued a citation for violation of the Association rules.
3. Notice of alleged violation: Management will send a notice of a hearing to the responsible owner and/or their tenants or authorized guests by first class mail at least 10 days prior to the hearing. The notice will include the following:
   A. A description of the alleged violation.
   B. The fine and/or penalty charged and the effective date.
   C. A date of hearing before the board.
   D. A statement that the member and/or their tenants or authorized guests have a right to attend the meeting and may address the board at that meeting.
4. The hearing:
   A. The owners and/or their tenants or authorized guests may request the hearing to be in an open session or executive session of the board.
   B. The owners and/or their tenants or authorized guests may present his/her case either orally or written.
   C. The owners and/or their tenants or authorized guests may appear with counsel.
   D. The owners and/or their tenants or authorized guests may present evidence and testimony on his/her behalf.

5. The board, based upon the presentations made, may:
   A. Levy the fine and/or penalty in accordance with the schedule and/or initiate legal action dependent upon the nature and circumstances of the violation and notify the member and/or their tenants or authorized guests within 15 days following the action.
   B. Grant an extension of the time allowed to abate the violation, in which case the board will also determine the action to be taken in the event that the violation is not abated.
   C. Suspend the fine and/or penalty, find no violation, or otherwise dismiss the action.

ARTICLE 3: GENERAL RULES

3.01 The use of Association property is limited to members and guests. Valid membership/guest cards must be presented when requested.

3.02 The lot owner is fully responsible for the conduct of his/her guests, renters, tenants, lessees, boarders, and lodgers while within Pine Mountain Club.

3.03 Association property shall be used at the user's risk.

3.04 The Association is not responsible for loss or damage to any property belonging to members, renters, tenants, lessees, boarders, lodgers or guests.

3.05 The general manager is responsible to the wishes of the board and not to that of individual members.

3.06 Any person who willfully or negligently litters, defaces, injures or destroys property or equipment of the Association will be held liable for the full cost of the loss.

3.07 Rules for the use of Association property are available at each facility and are enforced by the responsible staff member.

3.08 No dogs are permitted in areas so designated except for certified medical aid and certified companion aid dogs. Elsewhere, where dogs are permitted, the person in control of the animal is responsible to clean up waste deposited by the animal on Association property, including roads and trails.

3.09 No solicitation shall be permitted on Association property without the approval of the general manager.

3.10 Abusive, bullying, threatening and/or harassing language directed at staff or members is not allowed at any time or place within the community. In addition, drunkenness, threatening action or behavior will not be permitted on Association property at any time.

3.11 No passenger-carrying aircraft, other than one operated by, leased by or under the control of a responsible governmental agency, or in an emergency situation, or operated by the Association, may land on Association property or land on any private lot within the development without prior approval of the PMCPOA board.

3.12 A member is limited to six authorized guests, including renters, tenants, lessees, boarders, and lodgers, at any single PMCPOA function or in the use of Association property without specific approval of the general manager or the board. Application for board approval of exceptions must be made to the secretary of the board not less than six weeks in advance. Impact on the use of Association property by approved users will be a prime consideration.

3.13 Loitering, unauthorized use of Association property or unauthorized presence shall not be permitted and shall be cause for pine mountain patrol to intervene. Confrontation with pine mountain patrol may constitute cause for penalty or for citizen's arrest and referral to a Kern County sheriff.

3.14 Children under 18 years of age shall be restricted to a 10:00 p.m. curfew while on Association property unless he/she is with his/her parent or adult member chaperon either individually or in a group or is in attendance at an authorized Association activity.

3.15 Guest fees for the use of certain facilities shall be paid at the business office, pro shop, or to an authorized Association staff member prior to using the facilities.

3.16 All members, guests, renters, lessees, borders, lodgers, and any persons utilizing, visiting or occupying Association property will comply with county, state, and federal laws. Failure to comply with these laws may subject the violator(s) to citizen's arrest or detention for law enforcement authorities for further investigation of suspected criminal activity. Such action does not absolve the violator and/or property owner of his/her responsibility to these Association rules. Violators of laws upon Association property may also be subject to fines, penalties and/or Association property restriction as provided in article 2 (Enforcement).

3.17 A corkage fee will be charged to members for wine brought in to the area controlled by the liquor license. All other alcoholic beverages consumed in the area controlled by the liquor license must be purchased from PMCPOA.

3.18 Playing of any kind in the Association parking areas is prohibited. Riding, other than for transportation to the clubhouse, of any wheeled device including, but not limited to, the following: bikes, scooters, roller skates, unicycles, skateboards, and roller blades is not allowed on the clubhouse parking lot, or sidewalks, or pathways. This prohibition of wheeled devices does not include any type of mobility aid such as a wheel chair or a walker.

3.19 AUDIBLE ELECTRONIC DEVICES

A. The use of audible electronic communication devices, including cell phones on PMCPOA property is permitted only outdoors.
B. In the event of an emergency the use of audible electronic communication devices, including cell phones is permitted indoors.
C. All cell phones must be maintained in the vibrate or silent mode at all times.
D. Electronic communication devices, including cell phones may be used for text messages, email or internet access anywhere so long as no sound is emitted.

3.20 Smoking, including e-cigarettes, is allowed in designated smoking areas only.

3.21 Discharge of firearms, BB guns and/or pellet guns and any form of hunting is not permitted within the boundaries of the Pine Mountain Club development.

ARTICLE 4: ANIMAL CONTROL

4.01 The general rules of Article 3 also apply to this article.

4.02 California Civil Code 4715 or its replacement section upon amendment or replacement applies to this article and defines the term "pet" as "any domesticated bird, cat, dog, aquatic animal kept within an aquarium, or other animal as agreed to between the association and the homeowner."

4.03 No animals of any kind may be raised, bred, or kept on any residential lot in PMCPOA except the following:

A. Pets kept in aquariums or cages (such as domesticated birds) must be kept indoors from dusk until dawn.

B. A reasonable number of pets as defined in 4.02 provided they are not kept, bred or maintained for any commercial purposes and are kept under control at all times. A reasonable number shall be defined as the number that does not create a noxious or offensive activity. A noxious or offensive activity by an animal is defined in this rule as aggressive behavior, running at large, generating a noxious odor, howling, yelping, barking, or making other noise which is offensive to the senses, is injurious to health, disturbs or annoys persons or neighbors so as to interfere with the enjoyment of life or property. In the event of an animal bite Pine Mountain Club will follow Kern County Animal Control Code 7.08.080 or its replacement or amendment.

4.04 Three (3) dogs and/or three (3) cats are the maximum number permitted at any residence.

4.05 Farm animals, including but not limited to chickens, pygmy goats, and pot-bellied pigs, are not permitted on any residential lot within Pine Mountain Club.

4.06 Pets shall be sheltered and protected as defined in Kern County ordinance section 7.08.110 or its replacement or amendment which reads in part: "Every person...who owns any animal...shall comply with each of the following conditions: ...shall provide proper shelter and protection from the weather for all animals at all times;...shall not display animals bearing evidence of malnutrition, ill health, unhealed injury or having been kept in an unsanitary condition;...all animals shall be supplied with sufficient good and wholesome food and water as often as the feeding habits of the respective animals require;...every reasonable precaution shall be used to ensure that animals are not teased, abused, mistreated, annoyed, tormented or in any manner made to suffer by any person or means..."

4.07 Dogs must be on a leash when on designated areas of Association property. Kern County Ordinance code section 7.08.150 A or its replacement section upon amendment or replacement which reads in part: "It is unlawful for the owner of any dog to allow it to be on the private property of another person or public property without the consent of the person owning, occupying or controlling the property."

4.08 The general manager, members of the patrol and the environmental control officer have the authority to issue citations to the owners of animals in violation of animal control rules. The enforcement process may be initiated by making a complaint to the patrol department. Persons in violation of the animal control rules are subject to fines. This includes both members and guests.

4.09 Leashed dogs are permitted on PMCPOA greenbelt areas and trails, the baseball field area adjacent to Lampkin Park, the area immediately adjacent to Lower Lake and the campground area (when organized events are not taking place).

ARTICLE 5: RULES FOR FILMING IN PMCPOA

5.01 The general rules of article 3 also apply to this article.

5.02 Definition. Filming means the act of recording images, stills or live action, on or for any media known or unknown. The filming of home movies or videos intended for the exclusive use of the owner and his/her immediate family, filming by and for the Association, filming in support of local events and filming for local property sales are exempt from this provision and are not included in the definition of "filming."

5.03 Nobody shall start filming within PMCPOA property including green belts, private homes and private property unless a permit has been issued by the general manager or his/her designee.

5.04 Prior to filming a permit must also be obtained from Kern County.

5.05 A permit fee and security deposit is required. The fee and deposit depend on the scope of the filming. In addition a PMCPOA site representative(s) may be required.

5.06 A permit application must be submitted five business days prior to filming. A shorter turn-around is possible but may require an expediting fee. An application for a filming permit can be downloaded from the PMCPOA website or filled out on line (preferred).

5.07 The general manager or his/her designee may deny or grant the permit with restrictions and/or conditions. For certain projects the general manager or the board may waive some or all of the permit requirements.

5.08 The general manager or his/her designee may deny an application for a filming permit if he/she determines that it will create a dangerous condition, adversely interfere with the use of the Association streets or land, create a nuisance to the Association residents or violate any provisions of the governing documents.

5.09 When private property is used for filming, the owner of the property must sign the PMCPOA "right to enter property" release form. No other forms will be accepted.

5.10 PMCPOA's staff and board have the right to inspect a location and enter the property at any time during production.

5.11 Film companies are required to follow all PMCPOA governing documents, as well as Kern County, state and federal regulations. Violations will be subject to fines, forfeiture of deposit and cancellation of the permit.

5.12 Filming at any single location is limited to no more than 20 days a year unless the board issues a written variance.

5.13 Loud music and public-address systems are not permitted.

5.14 Pyrotechnics are not permitted at any time.

5.15 Filming, except still photography, during medium or higher fire danger levels require a Kern County fire safety officer present, or a site inspection by a Kern County fire safety officer, during filming.

5.16 Gunfire or simulated gun fire is not permitted unless it is silent. Gun props are permitted but neighbors within visible range must be notified. If guns can be seen from the street a notification of "filming in progress - fake guns may be visible" must also be posted on the street.

5.17 Fake smoke is permitted, however the general manager or his/her designee and fire station 58 must be notified 24 hours in advance. If smoke can be seen from the street a notification of "filming in progress - fake smoke may be visible" must also be posted on the street.

5.18 Use of generators must be approved by PMCPOA. Use of a generator above 100 amps or multiple generators producing a combined output of 60 amps or more requires a Kern County fire safety officer, or a site inspection by a Kern County fire safety officer. The generator(s) must be placed in a non-combustible area or at the discretion of the Kern County fire safety officer.

5.19 Lights up to 2,000 watts must have three feet of clearance to any combustible material including trees and branches. Lights with wattage between 2,000 watts and 4,000 watts must have four feet of clearance. Lights above 4,000 watts must have five feet of clearance. Lights with wattage above 10,000 watts must have six feet of clearance. There are no clearance requirements for Keno Flo lights. It is at the fire safety officers discretion if more or less clearance is required or permitted.

5.20 Outdoor open fires (not including cooking stoves) are not permitted at any time. Outdoor controlled propane fire pits or fireplaces with fake logs can be used but require a Kern County fire safety officer's approval. No charcoal barbeques are permitted at any time.

5.21 PMCPOA reserves the right to terminate a filming if it is determined that the production is violating these rules or has misrepresented the scope of the filming in their applications to Kern County or PMCPOA.

ARTICLE 6: TRAFFIC

6.01 The general rules of Article 3 also apply to this article.

6.02 Any person operating a motorized vehicle on PMCPOA roadways must have a valid driver's license, proof of insurance and obey all posted speed limits.

6.03 Motor vehicles may only be driven on designated streets, roadways, and driveways (including the commercial center driveways). Motor vehicles shall not be driven on service roads, horse trails, parks, greenbelt areas and trails or the golf course except where specifically designated.

6.04 Driving motor vehicles across private lots beyond a designated driveway or parking area is strictly prohibited without the written consent of the owner.

6.05 Any motor vehicle operated within the bounds of PMCPOA shall be driven in a responsible manner and in accordance with section 5.6 of the PMCPOA CC&R's which provides in part: "No noxious or offensive activity shall be allowed upon any lot, nor shall anything be done or placed thereon which may be or become a nuisance, or cause unreasonable embarrassment, disturbance, or annoyance to other owners in the enjoyment of their lots or the Association property."

6.06 Parking on Association roads, including unpaved as well as paved portions thereof, is not permitted. The paved portion of the road does not constitute its full width. Property owners must be aware that Association roads extend in width from the lot line on one side of the road to the lot line on the other side of the road. Exceptions to this rule are as follows:

A. Temporary parking is allowed on roads near residential, multi-residential, commercial and common area lots for access to those lots for social and commercial purposes. On-street parking between 12 midnight and 5:30 a.m. is prohibited.
B. Temporary parking is allowed at recognized trailheads for hikers and other pedestrian traffic for access to adjacent undeveloped land. On-street parking between 12 midnight and 5:30 a.m. is prohibited.
C. Vehicles parked on roads in violation of this rule may be towed away and impounded at the owner's expense.

ARTICLE 7: RULES REGARDING WILDLIFE

7.01 The general rules of Article 3 also apply to this article.

7.02 PMCPOA property, members' property, and Los Padres National Forest are subject to California code of regulations 14, California Fish & Wildlife regulations as it may be amended from time to time regarding the harassment of wildlife.

7.03 The feeding of bears, mountain lions, bobcats, raccoons, foxes and/or coyotes is strictly prohibited on any lot or other portion of the Pine Mountain development. This prohibition will be strictly enforced.

7.04 Food may not be left unattended outside a dwelling.

7.05. All outside trash storage containers must be certified bear-safe or placed in a bear-safe area.

7.06. No unattended freezers, refrigerators, ice chests, food containers or similar devices containing food may be placed outside on a member's property. All empty freezers, refrigerators, ice chests, food containers or similar devices that are stored outside must be sanitized with bleach to eliminate all food odors prior to storing them outside.

7.07. Domestic animals must be fed inside the members' dwelling or outside the dwelling if the member, resident, or guest is in attendance. If there is any food left over after the feeding it must be promptly removed. Food left outside unsupervised is considered feeding the wild life.

7.08. Private supplemental horse feed at the equestrian center that may attract wildlife must be kept in a manner that will prevent wildlife from gaining access to the food.

7.09 The Association shall investigate all reports of feeding wildlife and, if deemed a violation, a citation shall be issued and the Department of Fish and Wildlife shall be notified.

7.10 The board is authorized to impose a fine for any violation of the foregoing provisions.

ARTICLE 8: ARCHERY RANGE

8.01 The general rules of Article 3 also apply to this article.

8.02 Use of the archery range is subject to Article 3.03 of the PMCPOA bylaws. Membership in the pine mountain archer's club is required to use the archery range. Application for membership can be obtained at the Association office.

8.03 Archery club members must carry their pine mountain archer's membership card while on the archery range at all times to verify membership.

8.04 Children under 16 must be accompanied by a parent or responsible adult.

8.05 Alcoholic beverages shall not be consumed on the archery ranges.

8.06 Pets are not allowed on or around the archery range.

8.07 Smoking is not allowed on or around the archery range.

8.08 Members must stay on the designated trail to and from the shooting area.

8.09 Members may shoot only from marked areas. Members may not trim trees or shrubs near the shooting lanes to make a shot easier.

8.10 "Sky-drawing" is not permitted. Bows may only be drawn down range toward the targets.

8.11 Broad heads are not permitted on the archery range.

8.12 Members must not nock an arrow until everyone is behind the shooting line.

8.13 Members must treat a bow and arrow with as much respect as a firearm. No horse play.

8.14 Members should contact Pine Mountain patrol if they observe unsafe range conditions that they cannot correct.

ARTICLE 9: CAMPGROUND

9.01 The general rules of Article 3 also apply to this article.

9.02 Use of the campground is subject to article 3.03 of the PMCPOA bylaws. The campground is available by reservation on a first-come basis. A deposit is required when making a reservation.

9.03 A daily camping fee will be charged during check-in at the business office. Rates are available at the business office.

9.04 The maximum period of use is one week. This may be extended with approval from the general manager during normal business hours.

9.05 The camping site shall be left in a clean and tidy condition free of all property and refuse upon check out or the deposit may be forfeited. The deposit will be refunded upon satisfactory inspection by management staff upon leaving.

9.06 No open fires, wood burning or charcoal barbeques permitted.

9.07 Campers, trailers and tents may be placed only in areas so designated for such use and as assigned. Campers are not permitted to change campsites without the prior approval of the business office.

9.08 Vehicular traffic, including motorbikes, will be allowed only on designated parking areas and roadways designated for entering and leaving the campground. Cruising is not permitted. The speed limit is five miles per hour.

9.09 Children under the age of eight are to be under supervision of an adult at all times in the camp area.

9.10 Campers must conduct themselves in an orderly manner that does not disturb other campers. Loud talking, singing, or music is not permitted after 10:00 p.m.

9.11 Generators can be used between the hours of 8 a.m. and 8 p.m. daily.

9.12 Cutting or gathering of firewood is not permitted.

9.13 Dumping of holding tanks or waste water is not permitted.

9.14 Pets are to be on a leash at all times.

9.15 Check out time is 2 p.m.

9.16 Violators of campground rules are subject to expulsion from the campground, citation and/or fines.

ARTICLE 10: CLUBHOUSE

10.01 The general rules of Article 3 also apply to this Article.

10.02 The use of the clubhouse is subject to Article 3.03 of the PMCPOA bylaws.

10.03 Facilities may be reserved with the approval of the general manager for activities if sponsored through a PMCPOA committee, club or department.

10.04 Members may rent facilities with the approval of the general manager.

10.05 Persons or organizations authorized to use facilities are responsible for leaving the facilities in the same condition as found before their use.

10.06 Individuals under the age of 21 are allowed in the lounge only while dining with an adult 21 years in age or older during the hours that dinner is being served. This rule is subject to all other applicable laws and regulations. The Association, through its designated agent, reserves the right to exclude from the lounge facilities (a) any individual of any age who engages in conduct which is disruptive to others or constitutes a violation of any law or regulation, and (b) any adult whose minor child engages in such conduct. The Association also reserves the right to refuse service to anyone so long as such refusal is in accordance with applicable laws.

10.07 For safety reasons and hygiene, shoes and shirts must be worn. Wet swim suits are not permitted and swim suits without cover-ups are not permitted. Violators of this rule will be asked to leave the clubhouse.

10.08 No children under the age of eight will be allowed in the clubhouse unless accompanied by an adult member.

10.09 Recreational bike-riding, skateboarding and roller skating are prohibited around the clubhouse parking lots and walkways.

ARTICLE 11: EQUESTRIAN CENTER

11.01 GENERAL RULES

As a condition of use of the equestrian facilities, every member and authorized family member, guest or tenant using the equestrian facilities, shall agree to and acknowledge the following:

1. Serious injury may result from use of the equestrian facilities, including horse riding.
2. Horseback riding and activities in and around the equestrian facilities pose inherent safety risks.
3. If a horse is provoked or frightened, it may respond by bucking, rearing, kicking, biting, running from danger, stopping short, changing directions, etc. All of which pose safety risks.
4. Any person using the equestrian facilities assumes all risks with regard to such use.
5. The Association and its directors, officers, managers, and agents (collectively the Association) shall not be liable to any individual using the equestrian facilities unless caused by the willful neglect or fraud of such person or entity.
6. Each member shall defend and hold harmless the Association in connection with any claim brought against the Association by any such member's family, guests, or tenants in connection with the use of the equestrian facilities by such persons.
7. All boarders using the equestrian facilities shall, whether a member or not, maintain a general liability policy with coverage of at least $500,000.

A. The general rules of Article 3 also apply to this article.
B. Horses are allowed only on "Equestrian" designated association-controlled paths.
C. Use of the equestrian center is subject to Article 3.03 of the PMCPOA bylaws.
D. Stallions and ridgelings are not allowed.

1. Pregnant mares are allowed up to the tenth month from the date of fertilization.
2. Weaned foals are allowed after they reach six months of age.
3. Colts must be gelded prior to being on the premises.

E. No horse may be moved from one boarding location to another within the center without the prior written permission of the equestrian manager.
F. No more than one horse will be kept in an inside stall or pipe corral at one time. Special arrangements for pasture use must be made with the equestrian manager.
G. Overnight boarding arrangements must be made with the equestrian manager 48 hours in advance. All boarders must provide proof of current immunizations and worming program upon arrival.
H. In no event shall a PMCPOA member have more than two stalls or corrals if same are at capacity/rented out. Pasture space is not limited.
I. A string of rental horses may be available, seasonally, for authorized users. Reservation procedures along with rates and rules governing age, size, dress and trail conduct are available at the Association office and at the equestrian center. A release/waiver is required and final approval to rent to an individual shall be determined by the equestrian manager.

11.02 STABLE CONDUCT

A. All horses are to be tied or in hand at all times when not in a stall, paddock, pasture, arena or being ridden.
B. Boarding of green-broke horses is prohibited except by written approval of the equestrian manager.
C. All horses shall be walked in the stable area.
D. Due to insurance and state OSHA safety requirements, children must be kept under close parental supervision. Children under eight must be accompanied by an adult. Children eight through eleven must be accompanied by someone fifteen years of age or older.
E. Horses may be placed on the hot-walker only if the horse is properly trained for its use. Owners must remain in the area of the hot-walker unless the owner has requested equestrian center personnel to provide this as a payable service.
F. Horse abuse or interference with equestrian personnel or boarders is not allowed.
G. Smoking is allowed in designated smoking areas only. Smoking is not permitted in barns, hay barns and shavings storage.
H. Work areas, such as the upper barn hall (except at cross ties), vet rack and the area around the hay barn shall be kept clear of horses and vehicles.
I. National forestry rules apply to all trails.

11.03 ARENA USAGE

A. Riders have first priority in the arena.
B. An owner's horse may be turned out in the arena provided it is empty and the owner remains on the stable premises. Exceptions must be arranged with the equestrian center manager.
C. Exercise turnouts by individual owners will be limited to 20 minutes each if others are waiting to use the arena, and will be on a first-come basis.
D. Uses of the arena such as riding, training, lunging, and practicing for competitive events, shall be limited to 30 minutes if others are waiting to use the arena and will be on a first-come basis.
E. All equipment brought into the arena must be removed when finished.

11.04 RIDING INSTRUCTION

A. No one is allowed to give riding lessons to persons other than members of their family unless they are approved by the general manager or his/her designee. This shall not be construed to prevent boarders from sharing knowledge or assisting a rider when requested.
B. Only qualified and approved employees may give lessons.
C. All lesson times must be posted.

11.05 PENALTIES

A. Failure to adhere to these regulations is basis for management to request members, boarder, or visitors to leave the equestrian center.
B. Flagrant or continuing disregard of these rules is basis for management to cancel boarding contracts, suspend equestrian center privileges, suspend membership privileges and/or impose special assessments according to the procedures described in Article 2 of these rules.

ARTICLE 12: GOLF COURSE

12.01 The general rules of Article 3 also apply to this article.

12.02 The use of the golf course is subject to article 3.03 of the PMCPOA bylaws. All golfers must register in the pro shop. No persons other than registered golfers are permitted on the golf course during normal playing hours. Fivesomes are allowed only at the discretion of the pro shop staff and will be based on the volume of play.

12.03 Children/juniors may not play on the golf course until being signed off by pro shop instructional staff. Children up to age 12 shall be accompanied by an adult whenever on, or using, the golf course, driving range or practice green.

12.04 Offenders of golf course rules will be denied play or be cited and/or fined.

12.05 Pets are not permitted on the golf course.

12.06 The golf course may be closed at any time for special events with the approval of the Board of Directors or the general manager.

12.07 Reservations for individual starting times may be made by a member up to seven days in advance by calling the pro shop.

12.08 Tournament reservations may be made through the pro shop or the general manager up to a maximum of one year and a minimum of two weeks in advance of the desired date(s).

12.09 For tournaments, a deposit 14 days in advance is required. PMGC (Pine Mountain Golf Club) and pro-am tournaments are exceptions to this requirement. Refunds will be made for cancellation prior to 72 hours of the tournament date. Refund of the deposit will be made if the course is closed on the scheduled day of the tournament due to weather or other circumstances.

12.10 No more than three week-end tournaments will be permitted in any given month. A two-day tournament shall be considered as one tournament.

12.11 Eighteen hole tournaments shall be limited to two hours of starting times. Nine hole tournaments shall be limited to three hours of starting times.

12.12 "Shot gun" starts are not permitted on week-ends. Exceptions will be at the discretion of the general manager or his/her designee.

12.13 Tournaments, other than member tournaments, will require approval of the general manager. A request for approval must be made at least two weeks prior to the desired date.

12.14 No tournament will start prior to 7:00 a.m.

12.15 Persons using the golf facilities must wear clean, neat golf-appropriate clothing.

12.16 Spikeless golf shoes, athletic shoes or golf sandals are required on the golf course and the practice putting green.

12.17 Each player must have a set of golf clubs.

12.18 Only approved electric or gas-driven golf carts are allowed on the course. Operators of golf carts shall have a valid driver's license and proof of insurance.

12.19 Power-ridden carts shall use cart paths, follow cart directions and stay 40 feet from all greens.

12.20 Private carts must be approved by the golf manager prior to being driven on the course. Trail fees are required.

12.21 The use of range balls is limited to the driving range.

ARTICLE 13: LAMPKIN PARK

13.01 The general rules of Article 3 also apply to this article.

13.02 Use of Lampkin Park is subject to Article 3.03 of the PMCPOA bylaws.

13.03 All litter must be placed in the provided containers.

13.04 Park hours are from dawn until 10 p.m.

13.05 Loud noises which would disturb others are not permitted at any time.

13.06 Care should be taken in play and other recreation to preserve the health and beauty of all plants, shrubs and trees. Activities such as golfing, bike riding, etc. are not permitted in the park area.

13.07 When using park equipment or participating in other activities, no conduct offensive to others sharing the park or behavior that may cause injury is allowed. All equipment and facilities shall be used as designed and not in a manner that would cause injury or harm to anyone.

13.08 Children under the age of eight must be accompanied by an adult.

13.09 Reservations for use of the park is obtained at the Association office.

ARTICLE 14: FERNS LAKE

14.01 The general rules of Article 3 also apply to this article.

14.02 Use of Fern's Lake is subject to Article 3.03 of the PMCPOA bylaws.

14.03 Activities which would harm wild life or plants are not allowed.

14.04 Swimming or wading is not allowed for either people or animals.

14.05 Water toys, floats and toy boats, except for radio controlled (RC) boats as defined in section 14.10 of these rules, are not allowed.

14.06 There is a "pack it in - pack it out" policy in force regarding personal items.

14.07 Fires and barbecues are not allowed.

14.08 All recreational users of the lake will leave the area immediately when required by a member of PMCPOA staff or any emergency services agency.

14.09 Members may not access the golf course from the lake area.

14.10 RC battery operated or sail operated boats are permitted in the lake as outlined below.

A. No gas powered boats are allowed at any time.
B. RC battery-operated or sail-operated boats may be used on Fern's Lake from 8 a.m. to dusk.
C. Entering the water to retrieve stalled boats is prohibited.
D. Boaters must have a retrieval method available to them.
E. Retrieval of boats by Association staff may be available for boats trapped in the cattails. A fee will be charged.

14.10 FISHING

A. Hours for fishing are from dawn to dusk.
B. A fishing license is not required.
C. Only barbless hooks are allowed.
D. Catch and release all fish.

ARTICLE 15: RECREATION ROOM

15.01 The General Rules of Article 3 apply to these recreation room rules.

15.02 Use of the recreation room is subject to Article 3.03 of the PMCPOA bylaws.

15.03 Only authorized personnel are allowed in the recreation room office.

15.04 Telephone calls from the desk are to be limited to one local call per day at the discretion of the recreation manager.

15.05 Members and guests must present membership/guest cards to use the facilities as well as the equipment.

15.06 No food or drinks are allowed in the recreation room.

15.07 Children under eight years old must be accompanied by an adult. Children eight and nine years old must be accompanied by someone fifteen years old or older. Children ten years and older may use the recreation room facilities unaccompanied as long as they follow all applicable Association and recreation room rules.

ARTICLE 16: SWIMMING POOL

16.01 The general rules of Article 3 also apply to this article.

16.02 Use of the pool is subject to Article 3.03 of the PMCPOA bylaws.

16.03 The pool is for use by members and guests. Guest cards are required and, if needed, members can purchase additional guest cards at the reception desk in the lobby during normal business hours.

16.04 The pool may only be used according to posted schedules. When lifeguards are not present, the pool may be available per the posted schedule with the understanding that the swimmer swims at their own risk after signing a liability release form which is available at the reception desk in the lobby during normal business hours. The pool manager or lifeguards on duty may close the pool in bad weather or for sanitary reasons.

16.05 Posted pool rules are to be observed by all members and guests. Swimmers shall shower before entering the pool. Those who violate rules or ignore direct orders from the recreational associates or lifeguards on duty will be suspended from pool use for a determined time. Parents are responsible to see that their children observe all rules.

16.06 All Persons using the PMCPOA pool **swim at their own risk**: persons 12 years of age and younger must have a parent or guardian present while using the pool facility: persons 13 thru 17 years of age may swim only if they have a properly filled out and on file a PMCPOA Swimming Pool Waiver. This privilege can be revoked by the recreation associate or lifeguard on duty if pool rules are violated.

16.07 Only children five years old or younger may use the wading pool in the presence of a parent, guardian or other adult member. Lifeguards on duty are not responsible for children in the wading pool.

16.08 All persons requiring the use of diapers, including swim diapers, are not permitted in the large pool. Children five years old or younger requiring the use of diapers must use swim diapers in the wading pool.

16.09 Running, dunking and rough play are not permitted. No diving is allowed.

16.10 Roller skates, skate boards, and bicycles are not permitted in the pool area.

16.11 Pets are not permitted in the pool area.

16.12 All swimmers must wear swimsuits (no cut-offs). Dress must be consistent with, and appropriate for, a family-oriented environment. Appropriate clothing and/or swim wear shall be worn in the manner it was designed to be worn at all times. All swimmers with shoulder-length hair must be capped or otherwise controlled to the satisfaction of the recreation manager or lifeguards.

16.13 Food brought into the pool area must be kept within the table and deck chair areas. Food must be kept away from the water and the pool deck surrounding the pool. Waste must be disposed of properly. Drinks must be in unbreakable containers and all trash deposited in containers provided. Smoking (including e-cigarettes) and/or alcohol are not permitted.

16.14 Loud noises (including all audible electronic devices.) which would disturb others are not permitted.

16.15 Photography of any kind is not permitted in or around the pool area.

ARTICLE 17: TENNIS COURTS

17.01 The general rules of Article 3 also apply to this article.

17.02 Use of the courts is subject to Article 3.03 of the PMCPOA bylaws. Court hours are from dawn until 10 p.m. A key to the court is available at the Association office. Membership cards must be surrendered when getting the key and will be returned when the key is returned.
Note: If the office is closed, the key is available at the recreation room or with the patrol office.

17.03 Dress must be consistent with, and appropriate for, a family-oriented environment. Tennis shoes are required and shirts must be worn at all times.

17.04 No skate boarding, roller skating, bike riding or other non-tennis activity is allowed on the courts.

17.05 Trash must be placed in litter receptacles.

17.06 Children under eight years old must be accompanied by an adult. Children eight years old through eleven years old must be accompanied by someone fifteen years old or older.

17.07 No food or drink is permitted except for water in non-breakable containers.

17.08 Loud noises are not permitted at any time on the courts.

17.09 Courts may be reserved for tournament play at the discretion of the general manager or his/her designee.

17.10 There is a one-hour time limit on play unless there is no one waiting to play.

ARTICLE 18: TRANSFER SITE

18.01 The general rules of Article 3 also apply to this article.

18.02 Use of the transfer site is subject to Article 3.03 of the PMCPOA bylaws.

18.03 General: The transfer site operates under federal, state and local regulations. These require that disposal of Pine Mountain Club refuse meet stringent standards including waste separation.

18.04 Persons who violate the transfer site rules shall be subject to a fine as specified in Association rule 2.01. Pine Mountain patrol or the environmental control officer have the authority to cite violators.

18.05 The transfer site is open only as posted.

18.06 Disposal of the following items is prohibited: (a) hazardous waste; (b) dead animals; (c) explosives; (d) poisons; (e) pesticides; (f) infectious wastes; (g) friable asbestos; (h) tires; (i) sewage sludge; (j) mattresses; (k) large furniture; and (l) construction material (see rule 18.07 of this section).

18.07 Construction demolition material such as drywall, dimensional lumber, insulation, plywood, flooring, plumbing fixtures, toilets, doors, windows, roofing, or any material that does not fit in a standard contractors' trash bag will not be accepted at the transfer site. It must be taken to a county landfill location.

18.08 Contractors working on PMC property may provide their own bins for temporary storage of demolition material at the site of construction. This trash must be removed in a timely manner. Permits for bins or dumpsters must be obtained from the environmental control officer.

18.09 Contractors working for property owners must show written permission or a guest card from owners prior to using the transfer site and/or the slash site.

18.10 Scavenging and salvaging is strictly prohibited.

18.11 Organic materials such as dead limbs, leaves and pine needles shall be disposed only in the green waste area. Material delivered should be left in its natural state and not in bags or containers.

18.12 Transfer site personnel may supervise anyone disposing of trash. Non-separated trash and prohibited items must not be placed in the compactor.

18.13 Leaving refuse at or around the transfer site area is not permitted.

18.14 Users are responsible for separating trash according to the following categories. Bins are provided for: (a) ashes; (b) aluminum cans; (c) plastic separated by white or milk, clear, CA redemption, plastic #2 and up, and colored; (d) newspapers; (e) magazines; (f) phone books; (g) glass separated by blue/green, clear, and brown/red; (h) scrap metal; (i) electronic waste; (j) appliances; (k) cardboard.

ARTICLE 19: COMMON RULES OF ALL COMMITTEES

The bylaws of Pine Mountain Club Property Owners Association provide for two types of committees, standing and ad hoc. (See bylaw sections 11.01 and 11.02.) Special provisions are contained in the bylaws that apply only to the election committee and the environmental control committee. (See bylaw sections 11.06 and 11.07.) These provisions take precedence over any conflicting rules stated in this document.

19.01 Committees shall serve at the pleasure and direction of the board.

19.02 Each standing committee shall have a charter approved by the board. This charter shall set forth the committee's purpose, authority and responsibility. It may provide a limitation in the number of members in the committee if the board deems that to be required for an efficient operation of the committee.

19.03 Each ad hoc committee shall be established by an enabling resolution adopted by the board. This resolution shall (1) state the specific purpose or purposes for which it is established, (2) direct the committee to carry out specific duties or activities, (3) specify the length of time granted to it to accomplish its purpose and (4) appoint its members. The board may, but need not, specify the maximum number of members in the committee and/or extend or reduce the time allowed to the committee to complete its tasks or terminate its existence.

19.04 The board chair shall appoint a director to act as its liaison with each committee. That director shall act as advisor and board resource to the committee and shall be a conduit for communication between the committee and the board. The liaison may facilitate committee discussion and decisions by a) calling attention to past board actions when they are relevant to the current matter; b) be alert to proposed committee action that might be in conflict with the governing documents; c) urging consistency with board policies and actions.

19.05 Every meeting of a committee shall be open to any member in good standing of the Association. Any member attending a meeting shall be allowed to speak at that meeting provided that, at the chair's discretion, this can be done without preventing the committee from completing the work required of it at that meeting.

19.06 A member of a standing committee may be removed from the committee by a majority vote of the board or at the request of the chair of the committee when the member has missed three unexcused meetings in one calendar year. A member of an ad hoc committee may be removed from that committee at the board's discretion.

19.07 To become a member of a committee a member shall submit an application stating that person's name, lot and tract numbers, the reason for desiring membership in the committee and whatever qualifications the applicant wishes to state. Each committee member desiring to be reappointed to the committee at the end of a fiscal year shall submit a new application each June. The board approves all committee members.

19.08 Each committee shall choose its own chair and secretary and any other officer wished by the committee.

19.09 Each committee shall meet regularly at a designated date, time and place and keep the Association apprised of its schedule. If the committee regularly meets less often than once a month or goes dark for any extended period it shall notify the board of that fact in writing. The chair of a committee has the authority to cancel or reschedule any meeting provided the majority of the members agree or a quorum more than 50% of its members cannot be obtained.

19.10 A committee shall not have any authority to act on its own. A committee can only make recommendations or reports to the board or answer questions submitted to it by the board or by another committee.

19.11 A committee shall keep minutes of each of its meetings and submit those minutes after approval to the board for acceptance.

A. Minutes are intended to capture conclusions, decisions and direction (if any) of the meeting. Minutes shall contain a record of action with regard to items of business on the agenda, not what was said by the committee members and guests at the meeting. In most cases, one page of minutes should be adequate.
B. Minutes are to reflect the meeting and not the individual feelings or opinions of the elected, appointed or temporary secretary.
C. Minutes may be handwritten if typing is not available. To facilitate copying, 8 ½ x 11 paper is preferred.
D. Minutes will include the following information:

1. Type or kind of meeting: Regular, special, emergency etc.
2. Name of committee.
3. Date, time and place of the meeting.
4. Officers, committee liaison, members and guests present for the meeting including names of acting officers in the absence of elected officers.
5. Record of approval of previous meeting minutes including date of and any amendments or corrections to said minutes.
6. Each item of business will be presented in a separate paragraph.
7. All action items will reflect the disposition of the item of business, whether approved, amended, withdrawn, continued, etc.
8. Date, time and place of next meeting.
9. The last paragraph should note the hour of adjournment.

E. In order to ensure that the directors have sufficient time to review the minutes before a board meeting, minutes need to be submitted by noon on the Wednesday before the board of directors meeting. (This usually falls on the third Wednesday of the month prior to the board meeting which takes place on the third Saturday of the month). An exception is made at this time to allow the Budget and Finance committee to submit their minutes by noon on the Thursday before the board of directors meeting.
F. Minutes may be submitted in person at the business office to the receptionist or electronically to: minutes @pmcpoa.com.

19.12 No committee member shall speak or otherwise communicate to the members of the Association or the general public as a committee member unless that member has been given the authority to do so by a majority of the committee's members. Any committee member speaking or otherwise communicating to the members of the Association or the general public as an individual shall state this fact clearly.

19.13 Special meetings of a committee may be called by the chair or by two committee members. Not less than four days notice of the time, place and reason for the meeting shall be given to all committee members and the board liaison and be posted on the lobby bulletin board. An emergency meeting may be called only by the chair or, in the chair's unavailability, the vice chair upon the giving of not less than 24 hours actual notice to members, the board liaison and other involved persons.

19.14 Prior to each meeting a written agenda shall be distributed to each committee member and the board's liaison.

19.15 No recommendation or report shall be submitted by the committee to the board, another committee or to a member of the Association unless a majority of committee members concurs with it at a meeting or by some other method of communication prior to its submission.

19.16 The chair of a committee shall control its meeting in accordance with Robert's Rules of Order.

19.17 The general manager is authorized by the Board of Directors to support the committee to the extent defined in the committee charter or enabling resolution. Committees members may not instruct staff to perform tasks without the consent of the general manager.

ARTICLE 20: ELECTION RULES

20.01 Qualifications for candidates for the position of director.

A. Each candidate must be at least 21 years of age, shall be a member in good standing of the Association, shall not be currently employed by the Association and shall not be on the Board of Directors of the Mil Potrero Mutual Water Company. A candidate who is in litigation with the board of directors, Association staff or the Association is not eligible to be a director. Co-owners cannot serve on the board at the same time.
B. In order for a nominated candidate's name to be placed on the ballot, he or she must read and sign all documents related to the nomination process as described in Business Policies and Procedures A15.
C. Prior to being declared elected or appointed and seated as such, each director shall take an oath or affirmation of office promising to well and truly perform the duties of the office being assumed to the best of his or her ability, to obey all laws governing the Association, and all of its governing documents, to act in the best interests of the Association, not to act outside the scope of such person's authority and not to disseminate false, misleading, or confidential material relating to the Association. The form of oath or affirmation shall be prescribed by resolution of the Board of Directors.

20.02 Nomination process.

A. Members may nominate themselves. A member nominating another member must first obtain the written permission of the nominee.
B. A member who is to be a candidate for office shall notify the corporate secretary in writing of his/her intent to run by 5:00 p.m. at the PMCPOA business office by April 9th. If April 9 falls on a Saturday, Sunday, or holiday the deadline shall be 5:00 p.m. on the first business day thereafter. The letter of intent must include the nominee's intent to seek office, the term of office, tract and lot numbers, and must be signed by the nominee. All of the required information must be contained on one side of an 8-1/2" x 11" sheet of paper. The written intent to run must be accompanied by a completed candidate filing form and biography/resume as described in Business Policies and Procedures A15.

20.03 Access to Association Media.

The Association has no obligation to provide access to Association media, including newsletters or internet web sites, to candidates or to members advocating a point of view related to an Association election. However, if any candidate or member is provided access to Association media during the campaign for purposes related to the election, then all candidates and members shall be provided equal access provided it is used for purposes reasonably related, in the Board of Director's sole discretion, to the election. The Association shall not edit or redact any content from these communications, but may include a statement specifying that the candidate or member, and not the Association, is responsible for that content. Articles will be published throughout the election process to notify membership of important deadlines and the progress of the election process, as well as results of the election.

20.04 Access to Common Area Meeting Space.

All candidates or members advocating a point of view reasonably related, in the Board of Director's sole discretion, to that election, shall have equal access to the common area meeting space for purposes reasonably related to the election.

20.05 Inspector of Elections

A. The inspector of elections will be selected by vote of the Board of Directors following an open bid process in which qualified candidates are invited to bid.
B. The inspector of elections will comply with the requirements of California Civil Code 5110 or its replacement section upon its amendment or replacement; rules and regulations detailed in the Pine Mountain Club Property Owners Association bylaws; and Business Policies and Procedures Policy A15, Election Procedures. The inspector will be present at the election to verify and certify the final tally of votes in the election of directors and in all matters that come before the membership to be voted on. In the event the inspector of elections is unable to attend the meeting of the members, the meeting will be postponed. A replacement inspector of elections may be appointed before the members meeting.

20.06 Voting

A. Any election regarding assessments legally requiring a vote, election or removal of membership of the Board of Directors, amendments to the CC&Rs or bylaws, or the grant of exclusive use of common area property pursuant to section 4600 of the California Civil Code or its replacement section upon its amendment or replacement shall be held by secret ballot as described herein. See bylaw section 5.09.
B. All members in good standing may vote by ballot. All such documents shall be treated as secret and confidential, and shall be submitted, handled, counted, and retained as prescribed in sections 5115, 5120 and 5125 of the California Civil Code or their replacement sections upon their amendment or replacement. A member may vote for a write-in candidate. Ballots and two preaddressed envelopes with instructions on how to return ballots shall be mailed by first-class mail or delivered by the Association to every member not less than 30 days prior to the deadline for voting. In order to preserve confidentiality, a voter may not be identified by name, address, or lot and tract number on the ballot. The Association shall use as a model those procedures used by California counties for ensuring confidentiality of voter absentee ballots, including the following: (i) the ballot itself shall not be signed by the voter, but shall be inserted into an envelope that is sealed; (ii) this envelope shall be inserted into a second envelope that is sealed; (iii) in the upper left hand corner of the second envelope, the voter shall be instructed to print and sign his or her name, address, and lot and tract number that entitles him or her to vote; (iv) the second envelope shall be addressed to the Inspector of Elections, and (v) the member shall be notified that he or she may request a receipt for delivery.
C. A ballot box may be, but is not required to be, accessible in the lobby of the PMCPOA clubhouse during the voting period.
D. If a member attends the meeting of members, the ballot may be delivered personally to the inspector of elections at any time after the meeting is called to order up until the time the chair of the board declares the voting is closed prior to conclusion of the meeting, as announced by the board.
E. No ballot shall be opened or reviewed prior to the time all votes are counted by the inspector of elections in public at a properly noticed open meeting of the Board of Directors or annual members' meeting. No person, including a member or employee of the Association, shall open or otherwise review any ballot prior to the time and place at which the ballots are counted and tabulated. As ballots are received, the inspector shall check off that a ballot has been received for that lot and tract number. The first ballot received for any lot and tract number shall be the ballot that is counted. Any subsequent ballots received for the same lot and tract number shall be deemed invalid and discarded. Any candidate or other member or employee of the Association may witness the counting and tabulation of the votes.

The sealed ballots shall at all times be in the custody of the inspector of elections until after the tabulation of the votes and expiration of the time (one year) allowed for challenging the election. (See section 5145 of the California Civil code or its replacement section upon its amendment or replacement.) After the one-year period, custody of the ballots shall be transferred to the board or general manager and retained by the Association in a secure place for two years after the date of the election. Ballots will be destroyed as provided for in the California Civil code.

In the event of a recount or other challenge to the election process, the inspector of elections shall, upon written request, make the ballots available for inspection and review by members or their authorized representatives. Any recount shall be conducted in a manner that shall preserve the confidentiality of the vote.

20.07 Reporting Results.

The results of the election shall be promptly reported to the Board of Directors verbally and in writing and shall be recorded in the minutes of the next meeting of the board which shall be available for review of the memberships. Within 15 days of the election, the board shall post in the lobby and on the website the results of the election in a communication directed to all the memberships.

20.08 Campaign Signs

1. Candidates will not place campaign signs on PMCPOA common are property except adjacent to private property.
2. Candidates will not place campaigns signs on private property without the permission of the owners.
3. Candidates will comply with Kern County Code regarding signs on Mil Potrero Hwy.
4. Candidates understand that all unauthorized signs will be removed.
5. All candidate campaign signs will be restricted to a maximum of 12 inches by 18 inches.
6. Campaign signs can only be placed after April 9th and must be removed within 48 hours after the election results.

ARTICLE 21: ENVIRONMENTAL CODE

Under Separate Cover.

Approved January 20, 2018

Sandy Browne _____ Corporate Secretary

_____ Date

K.L. Shulman _____ General Manager

1/20/2018 Date