



Pine Mountain Club
Property Owners Association, Inc.

ASSOCIATION RULES

As of June 30, 2026

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

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.)

A. Determination of the violation: Management will determine that a violation of the CC&Rs or the Association rules including the environmental control code has occurred from physical evidence, the testimony of witnesses, or from corroborated complaints from members.

B. Citation: Violators of Association rules may be given a verbal and/or written warning and given a reasonable time as determined by management to voluntarily comply or may be issued a citation. The citation contains the nature of the violation, date and time of the violation, the names of the violators, and the governing document section violated.

C. Notice of violation and hearing, potential fine, and board meeting (hearing): If a citation has been issued, the Association will send a notice of a violation, potential fine, and an opportunity for a hearing at a board meeting to the responsible owner and/or their tenants or authorized guests by first class mail or certified mail at least 10 days prior to the hearing. The notice will include the following:

1. The nature of the violation and the appropriate code of the governing document(s).
2. The PMCPOA Association Rules Violation Fine/penalty schedule.
3. The date of the meeting of the board at which the person cited may appear to be heard (a hearing) on the matter.
4. A statement that the member and/or their tenants or authorized guests have a right to attend the hearing and may address the board at that time.
5. A statement that limited pre-hearing discovery is available upon request to assist members in preparing a defense prior to the hearing. Contact information shall be provided for the member(s) to arrange pre-hearing discovery. A member(s) shall be provided with supervised access to video and physical evidence supporting the claim(s) cited in the Notice of Violation(s.) Such evidence may be partially redacted as necessary to protect privacy. No copies or photographs of the evidence are allowed, although the member may take handwritten notes.
6. A statement that any assertion of a member's interest in pursuing legal action may result in the immediate cessation of the hearing.
7. A copy of the PMCPOA's policy on Internal Dispute Resolution ("IDR".)
8. Whether or not the person cited has appeared for a hearing, 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(s) and/or their tenant(s) or authorized guest(s) within 14 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.

D. The meeting at which the hearing will take place:

1. The property owner(s) will be given the opportunity to attend an executive session of the board. The property owner(s) may approve their tenants or authorized guests to appear with them or on their behalf.

2. The property owner(s) and/or their tenant(s) or authorized guest(s) may present his/her case either orally or in writing.
3. The property owner(s) and/or their tenant(s) or authorized guest(s) may not be represented by counsel.
4. The property owner(s) and/or their tenant(s) or authorized guest(s) may present evidence and testimony on their behalf.
5. Whether or not the person cited has appeared for a hearing, 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(s) and/or their tenant(s) or authorized guest(s) 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 board through the chairperson of the board and not to that of individual Association members. The PMCPOA staff is responsible to the general manager and not to individual Association members.
- 3.06 No person shall willfully or negligently litter, deface, injure, or destroy property or equipment of the Association. Members may be held liable for the full cost of the loss and/or remediation for violations of this section.
- 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 service animals required in support of a disability. 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 harassing language or behavior directed at staff or members, guests, renters, lessees, borders, lodgers, and any persons utilizing, visiting, or occupying Association property is not allowed at any time or place within the community. This rule does not apply to, and the Board does not assert jurisdiction over, member-to-member on-line or social media postings such as Facebook. No citations will be issued based on member-to-member social media complaints. Any physical or verbal confrontation with PMC Patrol and/or staff may constitute cause for verbal and/or written warning, a citation, or a citizen's arrest. The issuance of a warning or citation of an alleged violation will comply with the provisions and due process of Article 2 (Enforcement). In addition, drunkenness, threatening action, or behavior will not be permitted on Association property at any time.

Harassment is defined in California Civil Code 527.6(b)(2) as "unlawful violence, a credible threat of violence, or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause emotional distress to the petitioner."

"Course of conduct" is defined in California Civil Code 527.6(b)(1) as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an individual, making harassing telephone calls to an individual, or sending harassing correspondence to an individual by any means, including but not limited to, the use of public or private mails, interoffice mail, facsimile, or computer email."

"Credible threat of violence" is defined in California Civil Code 527.6(b)(1) a knowing and willful statement or course of conduct that would place a reasonable person in fear of his or her safety, or the safety of his or her immediate family, and that serves no legitimate purpose.

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. Impact on the use of Association property by members will be a prime consideration.

3.13 Loitering, unauthorized use of Association property or unauthorized presence shall not be permitted.

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 Personal knives with a three-inch blade or greater are not allowed in the clubhouse complex.

3.22 Discharge of firearms, shooting a bow/arrow, hunting. The following applies within the boundaries of the Pine Mountain Club development;

A. The discharge of firearms including, but not limited to, BB guns, paintball guns, air soft guns, pellet guns and any similar guns or equipment capable of propelling a projectile, is not permitted. The following exceptions exist:

1. PMCPOA Patrol officers who are trained and authorized to use paintball guns for hazing of bears and wildlife as necessary; or

2. any peace officer acting in the line of duty; or

3. if necessary, in self-defense; or

4. the firing of blank cartridge salutes by honor guards.

B. The shooting of a weapon system consisting of an elastic launching device (such as bow, crossbow, slingshot, etc.) and long-shafted or arrow-like projectiles (such as arrows, bolts, quarrels, etc.) or other projectiles (such as stones, steel balls, lead balls, marbles, etc.) is not permitted. (Exception: Bows (not crossbows) can be used to shoot arrows at the Archery Range by members of the Pine Mountain Archers Club.)

C. Any form of hunting and/or trapping is not permitted unless authorized and/or permitted by the California Department of Fish and Wildlife (CDFW) and/or the United States Department of Agriculture (USDA) for the purposes of wildlife depredation or relocation. A copy of any permit issued or similar documentation will be delivered to the PMCPOA Patrol Office prior to any actions authorized or permitted.

3.23 The use of marijuana in any form is prohibited on Association property.

3.24 Use of skateboards, skates and non-motorized scooters:

A. As addressed in this rule, a skateboard is any board or other object which has wheels attached to it by any means whatsoever and which is intended to be propelled by pushing, pulling, body movement, or gravity and to which there is not affixed any device or mechanism for steering. The provisions of this rule equally apply to the use of other wheeled devices, including, but not limited to, skates (roller and in-line, rollerblades) and non-motorized scooters.

B. Riding skateboards, skates or non-motorized scooters is prohibited in Lampkin Park, on Association sidewalks, and in Association parking areas (other than use as transportation to/from the clubhouse).

C. Persons riding on skateboards, skates or non-motorized scooters on Association roadways shall comply with the following requirements and restrictions:

1. Persons shall obey all speed limits, stop signs, and other traffic controls that govern right-of-way, and shall ride close to the far-right edge of the roadway.
2. No person shall operate a skateboard, skates or a non-motorized scooter recklessly or in such a manner or at such a speed as to cause or threaten to cause injury to himself or herself or to others, or to create an obstruction or to present a hazard to the free use of Association property by other pedestrians or motorists.
3. A person operating a skateboard, skates or non-motorized scooter shall not attach the same or himself or herself to any motor vehicle on the roadway. In addition, a person shall not knowingly drive a motor vehicle that is towing a person riding upon a skateboard, skates or a non-motorized scooter.
4. A person under 18 years of age shall not operate a skateboard, skates or a non-motorized scooter, nor ride upon a skateboard or non-motorized scooter as a passenger, upon an Association roadway or property unless that person is wearing a properly fitted and fastened bicycle helmet that meets the standards of either the American Society for Testing and Materials (ASTM) or the United States Consumer Product Safety Commission (CPSC), or standards subsequently established by those entities. (Reference; 21212(a) California Vehicle Code)

ARTICLE 4: ANIMAL CONTROL

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

4.02 The general manager, members of the patrol department 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.

4.03 The term "pet" is defined as "any domesticated bird, cat, dog, rabbit, guinea pig, aquatic animal kept within an aquarium, or other animal as agreed to between the association and the property owner."

4.04 Farm animals, including but not limited to chickens, ducks, geese, goats, and pigs, are not permitted on any lot within Pine Mountain Club.

4.05 The commercial breeding/rearing of animals is not permitted on any lot within Pine Mountain Club.

4.06 A reasonable number of pets may be kept provided it does not create a nuisance or offensive odor or disturbance to neighbors so as to interfere with the enjoyment of life or property. A reasonable number shall be defined as the number that does not create a noxious or offensive activity.

4.07 Pets shall not be left outside unattended between dusk and dawn.

4.08 Pets shall be sheltered and protected from the weather, whether hot or cold, at all times.

4.09 Pets shall be supplied sufficient food as often as the feeding habits of the respective animals require. Pets shall be supplied with clean drinking water at all times.

4.10 Every reasonable precaution shall be used to ensure animals are not abused, abandoned or neglected as defined by Kern County Ordinance 7.08.110 or its replacement or amendment.

4.11 Dogs must be leashed and under control at all times by the owner or caretaker while on Association roads or property. Leashed dogs are permitted on PMCPOA greenbelt areas and trails, the area immediately adjacent to Fern's Lake and the campground area. Dogs may be unleashed only within the fenced dog park area or owner's property.

4.12 Dogs are not allowed on the private property of others without the permission of the property owner. Dogs, except service dogs, are not allowed inside the post office, at Lampkin park, on the golf course or in the clubhouse.

4.13 Excessive and/or habitual barking, howling, whining or yelping by an animal is prohibited.

4.14 Dog owners and/or caretakers are responsible for picking up and properly disposing of their dog's waste.

4.15 Dogs shall not be tethered on any lot for longer than three (3) consecutive hours.

4.16 Pets shall not be left unattended on any lot longer than twelve (12) consecutive hours.

4.17 Pets shall not be left unattended in any vehicle on Association property under conditions that endanger their health or well-being.

4.18 Dog bites are not permitted in PMC. All reported dog bite incidents will be referred to Kern County Animal Services. In a dog bite incident, the owner of the dogs found to be in violation of PMCPOA animal control rules shall be subject to citation.

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 Filming within PMC must be done under conditions and constraints negotiated in advance with the general manager in accordance with PMCPOA Business Policy and Procedure D-17 Filming Contract. 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." Property owners are responsible for the conduct of persons they have invited onto their property.

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 No parking is permitted on paved or unpaved portions of Association roads. Vehicles parked on roads in violation of this rule, parked in such a manner to delay or obstruct passage for emergency vehicles, or impede, prevent, or cause an obstruction or delay during snow removal operations may be towed away and impounded without warning at the owner's expense. A vehicle parked in violation of this rule that delays snow removal on a road will result in that road not being plowed until the vehicle is moved or towed.

NOTE: Association roads, which are Association property, extend in width from the lot line on one side of the road to the lot line on the other side of the road. The paved portion of the road does not constitute its full width.

Exceptions to this rule are as follows:

- A. Temporary parking is allowed if it does not interfere with passing of snow removal and emergency vehicles between 7:00 a.m. and 12 midnight for the following:
- Social Events and visits
 - Deliveries
 - Contractors and their employees
 - Trailheads for hikers

Recreational vehicles may be parked on the road in front of the property owner's residence with advance notice to the Association for the purposes of loading and unloading for a period not to exceed 48 hours in any 7-day period.

ARTICLE 7: RULES REGARDING WILDLIFE

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

7.02 No person shall harass wildlife per California Code of Regulations 14, Section 251.1 as it may be amended from time to time. For the purposes of this rule, harass is defined as an act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding, or sheltering.

7.03 The feeding of or providing food in any manner to bears, mountain lions, bobcats, raccoons, deer, foxes and/or coyotes is strictly prohibited on any lot or other portion of the Pine Mountain Club development. "Feeding" includes giving, placing, exposing, depositing, distributing, scattering, or allowing food or any edible material to remain in the development that may attract wildlife. Food or any edible material left outside unattended is prohibited and is considered feeding the wildlife. This prohibition will be strictly enforced and the California Department of Fish & Wildlife will be notified of any violations.

A. Feeding wild birds and squirrels is prohibited throughout the year as a public safety effort to prevent property damage by bears and avoid human-bear interaction. "Feeding" includes those actions described in Rule 7.03.

7.04 No person shall leave or permit to be left any trash containing food or any edible material outside or in an outside shed, outbuilding or motor vehicle, of any kind, on any lot or Association property.

7.05 No freezers or refrigerators may be placed outside on a member's property. No unattended ice chests, food containers or similar devices containing food may be placed outside on a member's property.

7.06 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 or any edible material left outside unsupervised is considered feeding the wildlife (per Rule 7.03).

7.07 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 feed.~~

7.08 No person shall leave or store on any lot or Association property any refuse, garbage, food product, edible material, pet food, raw compost, forage product or supplement, animal product supplements, salt, seed or birdseed, fruit, or grain in a manner that would constitute an attractant to any wildlife. Exception: Rule 7.03A.

7.09 No person shall fail to take action to avoid contact or conflict with wildlife on any lot or Association property. Encouraging bears to leave private property by hazing with noise is allowed.

7.10 No person shall expose wildlife to any toxic substance or a container that contained any toxic substance such as, but not limited to, poisons, automotive fluids, household chemicals or other harmful substances that may attract or harm wildlife.

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 at all times while on the archery range 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. No person shall willfully or negligently litter, deface, injure, or destroy property or equipment of the Association. Members may be held liable for the full cost of the loss and/or remediation for violations of this section.

9.06 There shall be no exterior fires whatsoever except for barbeques in confined receptacles designed for such purposes. Pellet smokers and propane, charcoal, and electric barbeques are permitted with a minimum 15-foot clearance from combustible material. Residents shall take all reasonable precautions to minimize smoke and eliminate sparks.

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

A. Use of Equestrian Center premises is also subject to Article 3 (General Rules) of the PMCPOA Bylaws.

B. All children must be kept under direct parental or adult supervision. Minor children 8 through 11 must be accompanied by an authorized person 15 years of age or older. Authorization must be from a parent/legal guardian.

C. All boarders who invite guests to premises must have their guests sign a guest release prior to, or upon, arrival on premises. Please obtain this guest release from the equestrian center manager. Any individual who has not signed a release is trespassing and must sign the appropriate release before permission to be on premises is allowed. In case of a minor (under 18), a parent/legal guardian must sign the appropriate release.

D. All minors who are riding a horse and mounted must wear an ASTM safety helmet, long pants and closed toe shoes with a low heel. No exceptions. All individuals, regardless of age, handling horses are not permitted to wear flip flops or open-toed shoes while doing so.

E. Equestrian center premises is a valuable asset of the PMCPOA community. Please treat others with respect, courtesy and consideration. Safe, considerate and courteous behavior of each boarder, family member and guest are required at all times! Safety is a primary goal.

F. Inappropriate and disruptive behavior by boarder or any others on premises is not permitted. This can include, but is not limited to, horse abuse/neglect, interference with equestrian center personnel, activities/behavior such as criminal acts, (or a pending accusation of same), abusive, bullying, threatening, harassing language or behavior, physical or verbal confrontation, spreading false information about fellow boarders, employees, farriers and veterinarians, rude, uncomfortable overt friendliness, intoxication, threatening actions/behavior, harassment, credible threats of violence.

11.02 HORSE RELATED RULES

A. Only horses whose legal owners have signed the equestrian center boarding agreement or a guest release for visiting horses are permitted to be on the premises.

B. Stallions and ridgelings are not allowed.

C. Colts must be gelded prior to being on premises.

D. Pregnant mares are allowed only up to the end of the tenth month from the date of fertilization.

E. Weaned foals are allowed after they reach six months of age. Boarding of green broke horses is prohibited except by advance written approval of the equestrian manager.

F. Horses are permitted only on the PMCPOA equestrian center designated and controlled round pens, arena and premises paths.

G. No horse may be moved from one assigned boarding location to another on premises without the prior written permission of the equestrian manager.

H. Only one horse at a time can be kept inside a barn stall or pipe corral. Any special arrangements for pasture use must be made in advance with the equestrian manager.

I. A PMCPOA boarder may have only up to two (2) barn stalls or pipe corrals if these areas are at occupant capacity. Pasture space does not have the 2 horses per boarder limit, but prior arrangements are to be made with the equestrian manager if more than 2 spaces are needed.

J. All horses are to be tied or in hand at all times when not in a barn stall, pipe corral or pasture, arena or being ridden.

K. All horses shall be walked in the barn stall area.

L. Horses may be placed on the hot-walker only if the horse is properly trained for its use. Horse owners must remain in the area of the hot-walker.

M. Horse owners must remain in the area of the round pen, riding arena, tie out racks and hotwalker in view of their horse at all times unless the owner has requested equestrian center personnel to provide this extra service for a fee.

N. Horses found to have behavioral issues such as, but not limited to, cribbing, biting, charging or kicking, which are deemed to be dangerous to other horses or people, will be addressed immediately with the horse owner to discuss solutions and/or potential boarding termination.

O. Please no feeding of treats to horses unless you have the horse owner's permission.

11.03 CLEANING AND TIDINESS RULES

A. Please pick up your horses' manure from the common areas, round pens, riding arena, parking lot and streets.

B. Horse owners are responsible for sweeping, cleaning and arranging stall mats in barn stalls and pipe corrals.

D. All horse grain/treats and supplements must be kept in sealed container inside an assigned tack locker.

C. Boarder may store certain tack and equipment in assigned tack lockers but are subject to clauses set forth in the equestrian center boarding agreement regarding tack and personal property.

E. No hanging of halters, blankets, fly masks, horse tack, salt licks, feed buckets, grooming supplies etc. on barn stalls, doors, walls, pipe corrals and pasture fencing. See the equestrian manager if you have any questions.

F. All signs must be approved in advance by the equestrian manager.

11.04 ARENA/ROUND PEN AND RULES

A. Riders have first priority in the arena.

B. A boarder's horse may be turned out in the arena provided it is empty and the owner remains on premises. Exceptions must be arranged with the equestrian manager in advance.

C. Exercise turnouts by individual owners will be limited to 20 minutes each if others are waiting to use the arena/round pen, and will be on a first come basis.

D. Uses of the arena and round pen for riding, training, lunging, and practicing for competitive events, shall be limited to 60 minutes if others are waiting to use the arena and will be on a first come basis.

E. All riding and exercise equipment brought into the arena must be removed when finished.

F. When rides are completed in the arena and round pen, pick up any manure left by your horse.

G. When there are multiple riders in the arena, please ride left shoulder to left shoulder when passing others from the opposite direction.

H. When there are multiple riders in the arena, slower riders should keep to the inside tracks or center areas of the arena.

11.05 RIDING INSTRUCTION RULES

A. No one is allowed to give riding lessons/instruction to persons other than members of their family unless they are approved in advance by the equestrian manager. This shall not be construed to prevent boarders from sharing knowledge or assisting a rider when requested. PMCPOA equestrian manager and his/her staff is/are permitted to provide training and instruction. If a rider desires to receive training/ instruction from an outside trainer, please seek permission from PMCPOA general manager and equestrian manager first to determine if this activity can take place. Certain releases and insurance certificates will be required in advance.

B. Only approved “employees” who are pre-qualified may give lessons on premises.

C. All lesson times must be posted in the equestrian center premises.

D. No outside clinicians are permitted to provide training/instruction unless pre-approved by the PMCPOA general manager and the equestrian manager.

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 unless during special events in designated areas and approved by the general manager or board of directors. 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. No one under the age of 3 years old shall be permitted on the golf course as a participant or spectator without the consent of the general manager or designee.

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 Spike less 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. No person shall willfully or negligently litter, deface, injure, or destroy property or equipment of the Association. Members may be held liable for the full cost of the loss and/or remediation for violations of this section.

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: FERN'S 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 wildlife 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 No person shall willfully or negligently litter, deface, injure, or destroy property or equipment of the Association. Members may be held liable for the full cost of the loss and/or remediation for violations of this section. All personal items must be removed when leaving the lake.

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.

14.11 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. Member/guest cards and the pool entry card are required to enter the pool area.

16.04 Each short-term rental, hotel, bed, and breakfast guest will pay a pool use fee per day as approved by the board of directors. Children under eight (8) are free.

16.05 The pool may only be used according to posted schedules. The pool may be closed in unsafe weather conditions or for sanitary reasons.

16.06 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 recreation/pool attendants on duty will be suspended from pool use for a determined time. Parents are responsible to ensure that their children observe all rules.

16.07 All persons using the PMCPOA pool swim at their own risk. Persons 14 years of age and younger must have a parent or guardian present while using the pool facility. Persons 15 thru 17 years of age may swim only if they have on file a PMCPOA liability release form signed by a parent or legal guardian. This privilege can be temporarily suspended by the general manager or his/her designee on duty if pool rules are violated.

16.08 Jacuzzi: No child under five (5) years of age shall be allowed in the jacuzzi in accordance with recommendations from the Center for Disease Control (CDC) and The American Association of Pediatrics (AAP).

16.09 Incontinent persons and children not toilet trained are required to wear swim diapers and separate rubber swim pants in the pool. It is recommended that all children within one year of toilet training wear the combination of a swim diaper and separate rubber swim pants in the pools.

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

16.11 Roller skates, skateboards, and bicycles are not permitted in the pool area.

16.12 Pets are not permitted in the pool area.

16.13 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.

16.14 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. Food waste must be disposed of properly. Drinks must be in unbreakable containers and all trash deposited in containers provided or taken away.

Smoking (including e-cigarettes) and/or alcohol are not permitted. No person shall willfully or negligently litter, deface, injure, or destroy property or equipment of the Association. Members may be held liable for the full cost of the loss and/or remediation for violations of this section.

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

16.16 Photography of people is not permitted in or around the pool area unless permission has been granted by the subjects or parents/guardians of minors.

16.17 All persons who are sick with diarrhea are prohibited from entering and using the pools. Urinating or defecating in the pools is prohibited. A violation of this rule by a member or a member's guest that requires the closure of either pool for health and safety reasons will result in the member being liable for the actual costs incurred to clean, sanitize, and replace the water.

ARTICLE 17: TENNIS COURTS AND PICKLEBALL 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 skateboarding, roller skating, bike riding or other non-tennis activity is allowed on the courts.

17.05 Trash must be placed in litter receptacles or taken away. No person shall willfully or negligently litter, deface, injure, or destroy property or equipment of the Association. Members may be held liable for the full cost of the loss and/or remediation for violations of this section.

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.

17.11 A special event or other activity being proposed to be held on the tennis courts must be approved by the General Manager (or designee).

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 including at the entrance gate when the site is closed is not permitted. No person shall willfully or negligently litter, deface, injure, or destroy property or equipment of the Association. Members may be held liable for the full cost of the loss and/or remediation for violations of this section.

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 and ad hoc committee shall have a charter approved by the board that sets forth the committee's purpose, authority and responsibility. The charter may also provide a minimum and maximum limitation in the number of members in the committee if the board deems that to be required for an efficient operation of the committee.

The board shall review and amend the charter of each committee annually as deemed necessary and submit the charter to the committee for comments. The board is the final authority regarding the committee's charter.

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, 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 standing and ad hoc committee with approval from the board of directors. The board liaison shall act as advisor and board resource to the standing 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 conflict with the governing documents; c) urging consistency with board policies and actions, and d) assist in bringing actionable items to the board in the form of resolutions or motions with supporting backup (ex. A-2 form, research/summary reports, etc. – the board liaison can assist with determining what might be valuable or necessary).

All committee meetings shall be open to any Association member in good standing. Members in attendance may be permitted to speak, provided that doing so does not interfere with the committee's ability to complete its scheduled work. This determination is at the discretion of the committee chair.

19.05 To become a member of a committee, an application shall be submitted including their name, lot and track numbers, reason for seeking membership, and relevant qualifications. Each committee member wishing to be reappointed to the committee at the end of a fiscal year must submit an application each June. A returning member may reapply by initialing and dating their prior application. This simplifies the process but does not guarantee automatic reappointment. The board must approve all committee members. Committee applicants submitted after the board agenda is posted but before the next committee meeting may, with board chair approval, serve temporarily with full voting rights. *(note, this has been the practice for years, but was not formally written in the rule)*

19.06 Meeting agendas shall be:

- Prepared by the committee chair,
- Submitted to the Association office for posting at least seven (7) days prior to the meeting date.

If a committee agenda includes an item that may impact the work of another committee, that committee should be invited to attend the meeting.

If the agenda includes matters related to:

- PMCPOA personnel,
- PMCPOA budget,
- PMCPOA procedures, or
- Business Policy and Procedures F-19,

The General Manager shall be notified and may choose to attend or designate a representative.

19.07 Time of service for committee members begins upon appointment by the board and continues through June 30th of the following year. Outgoing members are expected to remain active through the end of June and to attend the July committee meeting to support a smooth transition. New committee appointments will be confirmed in the July Open Board of Directors Meeting. Committee vacancies may be filled throughout the year, subject to board approval.

19.08 Members of all committees serve at the pleasure of the board and may be removed at any time with or without cause (California Corporations Code 7210). The board can delegate such authority to the committee chair or to the committee itself. A member of a standing or ad hoc committee will be removed upon the third unexcused absence.

19.09 Each committee shall choose the chair, vice chair, and secretary and any other officer wished by the committee, subject to board approval.

19.10 Each committee shall meet regularly at a designated date, time and place and shall inform the Association of its meeting schedule. If a meeting is canceled or rescheduled, the board chair and office must be notified at least seven (7) days in advance or as soon as known.

A meeting shall be cancelled if a quorum is not met. Committee meetings do not need to be cancelled if the chair is unavailable. The vice chair may preside, and if both are unavailable, any two members may call a meeting provided a quorum of committee members is present.

19.11 Special meetings of a committee may be called by the chair, vice chair, or any two committee members, regardless of the availability or status of the chair or vice chair. Notice of at least four (4) days must be given to all committee members and the board liaison, and must be posted on the lobby bulletin board, stating the time, place, and purpose of the meeting.

An emergency meeting may be called by the chair or, if unavailable, the vice chair, with not less than 24 hours actual notice provided to committee members, the board liaison, and any other involved individuals.

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

19.13 A committee shall keep minutes of each of its meetings and submit those minutes after committee approval to the board for acceptance. Meeting minutes are to be recorded by the committee's secretary or another committee member in the secretary's absence.

1. Minutes are to capture conclusions, decisions and direction (if any) of the meeting.
2. Minutes shall contain a record of action regarding items of business on the agenda.
3. Minutes are to reflect the meeting and not the individual feelings or opinions of the elected, appointed or temporary secretary.
4. Minutes should be typed on 8.5x11 paper. In most cases, one page of minutes should be adequate.
5. Minutes will include the following information:
 - a. Name of Committee.
 - b. Date, time and place of the meeting.
 - c. Officers, committee liaison, members and guests including entire names (1st and last) present for the meeting and names of acting officers in the absence of elected officers.
 - d. Record of approval of previous meeting minutes including date of and any amendments or corrections to said minutes.
 - e. Each item of business will be presented in a separate paragraph.
 - f. All action items will reflect the disposition of the item of business, whether approved, amended, withdrawn, continued, etc.
 - g. Date, time and place of next meeting.
 - h. The last paragraph should note the hour of adjournment.
 - i. Typed, stamped or written "Approved" with date of approval. If approved by email, typed, stamped or written "Approved by Email".
6. 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 ten (10) days before the Board of Directors meeting. An exception is made for the budget and finance committee to submit their minutes by noon on the Thursday before the Board of Directors meeting. Minutes are [to be sent by email to minutes@pmcpcpa.com](mailto:minutes@pmcpcpa.com) and cc'd to committee members, the committee's board liaison, and the General Manager.

See Exhibit A for sample minutes

- 19.14 The following general operating principles are proposed to guide a committee's deliberation:
- The committee's mission will be best achieved by relationships among the members characterized by mutual trust, responsiveness, flexibility, and open communication.
 - It is the responsibility of all members to work toward the committee's common goals.
 - To that end, members will:
 - Commit to expending the time, energy, and organizational resources necessary to carry out the committee's charter
 - Be prepared to listen intently to the concerns of others and identify the interests represented
 - Ask questions and seek clarification to ensure they fully understand other's interests, concerns, and comments.
 - Regard disagreements as problems to be solved rather than battles to be won
 - Be prepared to "think creatively" and develop creative solutions to address the many interests that will be raised throughout the committee's deliberations.

- Committee members will seek common ground and strive for consensus on all key issues. When consensus cannot be reached, differing views will be explained, and multiple recommendations may be presented. If consensus remains unresolved, decisions will be made by majority vote.

19.15 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.

19.16 Unless approved by the board, video and audio recording of committee meetings is not permitted.

19.17 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 the board of directors or their designee. 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.

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

19.19 The chair of a committee shall control its meeting in accordance with Robert's Rules of Order per Bylaws 5.12 and 7.10 and any modifications approved by the board of directors.

19.20 To strengthen collaboration and ensure committees effectively support the board's strategic direction, each standing and ad hoc committee shall designate a representative (chair, vice-chair, or alternate) to attend a monthly coordination meeting with the officers of the board. Representatives are expected to give short updates on what their committee is working on, and specifically any matters that could use cross-collaboration or support from other committees.

These meetings are intended to:

- Foster cross-committee communication,
- Share progress updates and resource needs,
- Align committee efforts with board priorities,
- Prevent siloed work or duplication of effort.

Attendance is required and shall follow the same expectations as regular committee meetings. Repeated unexcused absences may result in a review of the committee's status. This standing meeting is considered a core operational responsibility and reflects the board's commitment to valuing and integrating volunteer contributions.

19.21 Committees exist to support the board's mission, community priorities, and the needs of members. They are expected to operate with mutual respect, accountability, and collaboration. While committees conduct independent research and discussion, their role is advisory. All final decisions rest with the board.

The General Manager is authorized to support committees as defined in each committee's charter or enabling resolution. Committee members may not direct staff without prior approval from the General Manager.

See Exhibit A Insert

19.22 Committee Meeting Management and Attendance Protocols

This section only applies to committees and clarifies committee chair meeting management.

The committee chair (or vice chair, or any member presiding over the meeting) has sole authority to manage meeting conduct, subject to these guidelines:

(a) Verification of Attendee Status:

All attendees are required to justify attendance and fall into two categories:

- Members (Property Owners): Must provide full name, track and lot number.
- Guests (All Others): Must provide either (1) full name, track and lot number they are associated with and their relationship to that property, or (2) if unassociated with any property, full name and their reason for attending.

The presiding chair has sole discretion to permit or deny guest attendance. Committees are not responsible for determining if a member is in good standing.

(b) Disruptive Conduct: In accordance with Robert's Rules of Order (Bylaws 5.12 and 7.10), any committee member may call a point of order regarding disruptive conduct, which the presiding chair must resolve. The presiding chair has authority to:

- Rule on points of order raised by committee members
- Request that persistently disruptive individuals leave the meeting
- Adjourn or recess the meeting if order cannot be maintained

Disruptive conduct includes but is not limited to: repeated interruptions, attempting to discuss items not included on the agenda posted per section 19.06 of Article 19, discussion of matters outside the committee's charter or authority, refusal to yield the floor when requested, personal attacks, or dwelling on historical grievances unrelated to current business.

(c) Media and Recording: Consistent with section 19.16 of Article 19, individuals attending on behalf of media outlets or for publication purposes must identify themselves to the presiding chair at the start of the meeting.

- The presiding chair has discretion to: (1) allow media to observe the meeting without participation, (2) designate specific times during the meeting for media questions, or (3) offer a post-meeting interview with the committee chair or designated committee spokesperson.
- If media inquiries involve matters beyond the committee's authority or concern Association-wide policy, the presiding chair shall refer the media to the board chair or General Manager.

(d) Ejection Authority: The presiding chair may eject any individual from a committee meeting whose conduct violates these rules or prevents the committee from completing its work. This decision rests solely with the presiding chair and does not require committee vote or board approval. For in-person meetings, Association security/patrol shall be contacted to assist with the ejection. All such incidents must be reported to the board liaison and documented in meeting minutes.

(e) Board Member Authority: Board members, including the board liaison, may not override the presiding chair's meeting management decisions made under this section unless those decisions violate the Association's governing documents. This includes but is not limited to: board members may not waive the seven (7) day

agenda posting requirement, direct addition of items to a posted agenda outside the amendment process, or require discussion of non-agenda items.

APPROVED

Article 19 - Exhibit A - Sample Minutes

PINE MOUNTAIN CLUB
EMERGENCY PREPAREDNESS COMMITTEE
MINUTES MAY 31st, 2025

1. Call meeting to order: Called to order at 9:00 a.m. by Andrew Jones, Chair, in the Pavilion room.

Present: No Board Liaison; Members: Andrew Jones, Patti Minter, Ian Sawrey, Susan Maples, James Douglass, Mark Greco, Lesley McCleery, Ted Peters, Jenifer Natto, Keith Krasnov, Mitchel Hammer Guest: B.J. Saidi; Excused: Kathy Weinstein, Julia Neiman, Suzanne Vanderford.

2. Approval of April 26th, 2025 Minutes: Motion by Patti, seconded by Susan with no changes; approved unanimously.

3. Chair/ Vice-Chair Report: Discussion on active fires in Frazier Park area and power outages affecting 9 mountain communities and how to inform PMC members on availability of resources. Noted that member applications for 2025/26 are due in July.

4. Treasurer Report: Motion by Ted, seconded by Jen all approved **balance of \$1,530.**

Track 1 – EmComm Updates – James: 18 new people signed up for radios at the Lilac Festival. 2 dozen radios sold. Practice nets have slowed in the past couple of months - 150 check-ins out of 270, however, consistent with last year. 2 new net controllers have been added. (Fun detail - zip code 93222 has more GMRS licenses than 98% of US zip codes!)

Track 2 – Earthquake – Kathleen: Shelter in Place will be added to the list of quake safety measures. In the event of a 7.5 earthquake or less PMC will be isolated for a while. PMC residents need to be ready to shelter in place with sufficient supplies on hand. We are here to help the community plan. Our emergency supply and medical supply trailers are being updated. The American Red Cross is meeting with EP Committee on June 5th to begin preparations for a PMC Red Cross Team.

Track 3. Wildfire - Ted - Safety and Preparedness emphasized. Discussions on Kern Fire Safe FireWise pilot program with more Community watch/participation (in small sections) for home hardening and defensible space - possible insurance deduction. Tehachapit communities are a great example. Town Halls on Fire Preparedness and Earthquakes will be repeated and scheduled soon. There are maintained generators (fuel/propane) at CERT and Tirol locations in case of community outages. Discussion on water tanks; more ponds/lakes for fire suppression; and Cal. Fire grant. **Keith - Siren** Report will be presented to the Board.

Track 5. Community Engagement – Mark to email to the Board an EP Internet Service Provider Report (approved by all) and a Cell Tower Community Safety and Resilience Report. Looking into various Grants; other events promoting volunteers and workshops.

5. Adjournment: Motion made by Susan, seconded by Patti adjourned at 10:05 a.m.

Next meeting: June 28th, 2025, at 9:00 am in the Pavilion Room

Draft EP Committee Minutes May 31st, 2025 by Lesley McCleery, Secretary

ARTICLE 20: ELECTION RULES

PINE MOUNTAIN CLUB PROPERTY OWNERS' ASSOCIATION, INC.

I. INTRODUCTION

These Election Rules have been adopted for Pine Mountain Club Property Owners Association, Inc. (“**Association**”) to govern matters requiring a vote of the Association’s membership. The Election Procedures, including the deadlines for certain election procedures, outlined in Business Policies and Procedures A-15 remain operative to the extent that the Election Procedures do not contradict these Election Rules. All undefined capitalized terms used in these Election Rules shall have the same meaning as set forth in the Association’s Recorded Declaration of Covenants, Conditions and Restrictions (“**Declaration**”), Bylaws and applicable sections of the California Civil and Corporations Code.

II. DEFINITIONS

2.1. “Ballot” shall mean either Electronic Secret Ballot or Written Secret Ballot as defined herein.

2.2. “Electronic Ballot” shall mean a ballot conducted by an electronic voting system (i.e., email or internet website) that ensure the secrecy and integrity of a ballot pursuant to the requirements of Civil Code section 5100 *et seq.*

2.3. “Written Ballot” shall mean a physical ballot that utilizes the secret ballot procedures in Civil Code section 5115(c) and the ballot shall be mailed or delivered to the Member.

III. ANNUAL MEETING DATE

The annual meeting of the Members (“**Annual Meeting**”) shall be held on the third Saturday in the month of June, which day shall not be a legal holiday.

IV. QUORUM

4.1 Quorum. As provided for in Section 5.04 of the Association’s Bylaws, the presence either in person or by proxy at any meeting of the Members entitled to cast twenty-five percent (25%) of the total voting power of the Association shall constitute a quorum for the meeting.

4.2 Adjournment due to Lack of Quorum. If a quorum is not present or represented at any meeting, a majority of the Members present in person shall have the power to adjourn the meeting to a date not less than five (5) days and not more than thirty (30) days later, with no notice other than an announcement at the meeting. If a time and place for the reconvened meeting is not fixed by those in attendance at the original meeting or if for any reason a new date is fixed for the reconvened meeting after adjournment, notice of the time and place of the reconvened meeting shall be given to Members in the manner prescribed for regular meetings. The quorum for the reconvened meeting shall be fifteen percent (15%).

V. EQUAL ACCESS TO MEDIA & COMMON AREA

5.1 Equal Access to Association Media. If any candidate or Member advocating a point of view is provided access to Association media, newsletters, or internet websites during a campaign, for purposes that are reasonably related to that election, all candidates and Members, including those not endorsed by the Board shall have equal access to such media, newsletters, or internet for purposes that are reasonably related to the election. The Association shall not edit or redact any content from such communications

(except to the extent such content violates any applicable state, federal or local laws) but may include a statement specifying that the candidate or Member, and not the Association, is responsible for the content of such communication.

5.2 Access to Common Area Meeting Space. All candidates (including those candidates who are not incumbents) and all Members advocating a point of view (including those not endorsed by the Board) shall have access to the Common Area, at no cost, for purposes reasonably related to the election.

5.3 Campaigning Conduct. During campaigning, all candidates shall maintain professional decorum and shall not engage in conduct unbecoming of a Director. This includes, but is not limited to, the dissemination of false information and/or unsubstantiated claims about another candidate and/or Board member, as well as the use of ad hominem attacks, abhorrent language, and epithets based on a protected class. The foregoing is not meant to be an exhaustive list.

VI. CANDIDATE QUALIFICATIONS

6.1 Candidate Qualifications. Members seeking candidacy for a position on the Board must satisfy all of the following Candidate Qualifications at the time of nomination:

6.1.1 Record Owner. The person must be the record owner of a Lot or Unit within the Association's development.

6.1.2 Term Limit. Any person elected to the Board of Directors by the Members for either a full three (3) year term or to the remaining portion of a vacant term shall not be eligible to be elected again to the Board of Directors by the Members or to be appointed by the board to fill a vacancy on the board until said director has been off the board for at least fifty-two (52) weeks. A person who is elected by the Members to a term of less than one year or a person appointed shall be immediately eligible for election or appointment at the end of that term.

6.1.3 Current in Assessments. The person must be current in the payment of regular and special assessments owed to the Association. This requirement does not apply in situations where the person wishing to be a candidate for the Board has (a) paid the regular or special assessment under protest, or (b) entered into a payment plan with the Association pursuant to California Civil Code section 5665.

6.1.4 Joint Ownership Interest. The person, if elected, must not be serving on the Board at the same time as another person who holds a joint ownership interest in the same Lot or Unit as the person, and the other person is either a candidate for the current election or is an incumbent director.

6.1.5 Membership for at Least One (1) Year. The person must be a Member of the Association for at least one (1) year.

6.1.6 Past Criminal Convictions. The person must not have had a past criminal conviction that would, if the person is elected, either prevent the Association from purchasing fidelity bond coverage required by California Civil Code section 5806 or terminate the Association's existing fidelity bond coverage. Persons running for the Board shall disclose, at the time of nomination, the existence of any past criminal convictions.

6.1.7 Title in Name of Company. If title to a Lot or Unit is held by a legal entity other than a natural person (e.g., Corporation, Limited Liability Company, Limited Partnership, etc.), the

governing authority of that legal entity shall have the power to appoint a natural person to be a Member for purposes of being a candidate for the Board.

6.2 Application to Directors. The candidate qualifications identified in Section 6.1 above shall also apply to directors.

VII. ELECTION BY ACCLAMATION PROCEDURE

The following procedure shall govern director elections conducted by acclamation.

7.1 Nomination Procedures.

7.1.1 Notice of Nomination Form & Nomination Deadline. Not less than ninety (90) days before the nomination deadline, the Association shall provide via individual delivery a notice that discloses the following information (“**Nomination Form**”): (1) the number of positions to be filled, (2) the deadline for submitting nominations (“**Nomination Deadline**”), (3) the manner in which nominations can be submitted, and (4) a statement informing Members that if, at the close of the time period for making nominations, there are the same number or fewer qualified candidates as there are board positions to be filled, then the Board may, after voting to do so, seat the qualified candidates by acclamation without balloting nomination procedures and nomination deadline.

7.1.2 Reminder Notice. Not less than seven (7) and not more than thirty (30) days prior to the close of nominations, the Association shall provide individual notice of the following: (1) the number of positions to be filled, (2) the deadline for submitting nominations, (3) the manner in which nominations can be submitted, (4) a list of the names of all of the qualified candidates to fill the Board positions as of the date of the notice, and (5) a statement informing Members that if, at the close of the time period for making nominations, there are the same number or fewer qualified candidates as there are board positions to be filled, then the Board may, after voting to do so, seat the qualified candidates by acclamation without balloting nomination procedures and nomination deadline. The foregoing notice is not required if, at the time the reminder notice will be delivered, the number of qualified candidates already exceeds the number of board positions to be filled. When this occurs, the Association shall be required to comply with the balloting procedures identified below.

7.1.3 Nomination Submission. Provided that Members seeking candidacy for a position on the Board satisfy the Candidate Qualifications at the time of nomination, such Members may be nominated or nominate themselves by submitted in writing, via the Nomination Form and a Letter of Intent, to the Association’s community manager (“**Manager**”) at any time prior to the Nomination Deadline. A Member nominating another Member must first obtain the written permission of the nominee. Failure to submit a Nomination Form to the Manager prior to the Nomination Deadline will result in the candidate’s name being omitted from the ballot.

7.1.4 Acknowledgment of Receipt. Within seven (7) business days of receipt of a nomination, the Association shall provide the Member submitting the nomination with written or electronic communication acknowledging receipt of the nomination.

7.2 Nominee Review and Confirmation.

7.2.1 Qualification of Nominees. Upon receipt of a Nomination Form, the Board, the Manager at the Board’s direction, or a Nominating Committee established by the Board, shall: (1) confirm each nominated person’s eligibility under these Election Rules; and (2) confirm or cause

to be confirmed each eligible nominee's acceptance of nomination (if nominated by someone other than the nominee).

7.2.2 Confirmation of Qualification. Within seven (7) business days of receipt of nomination, the Association shall provide the Nominee with written or electronic communication indicating one of the following: (1) confirmation that the nominee is a qualified candidate for the Board, or (2) the nominee is not a qualified candidate for the Board, the basis for that disqualification, and the procedure by which the nominee may appeal the disqualification (i.e., the Association's internal dispute resolution procedure). This communication may be combined with the communication identified in Subsection 7.1.4 if the nominee and the nominator are the same person.

7.3 Election by Acclamation. If, at the close of nominations (i.e., the Nomination Deadline), the number of qualified candidates is not more than the number of vacancies to be elected, as determined by the Inspector (as defined elsewhere herein), the Association may, but is not required to, consider the qualified candidates elected by acclamation. The decision to declare candidates elected by acclamation shall be voted upon by the Board at an open meeting. The agenda shall reflect the name(s) of each qualified candidate that will be seated by acclamation if the item is approved. If the Board decides not to declare the candidate(s) elected by acclamation, the Association shall comply with the balloting procedures identified herein, starting with Section 8.5 of these Election Rules.

VIII. NON-ELECTION BY ACCLAMATION PROCEDURE

The following procedure shall govern elections not conducted by acclamation.

8.1 Nomination Procedures.

8.1.1 Notice of Nomination Form & Nomination Deadline. Not less than thirty (30) days before the nomination deadline, the Association shall provide via general delivery a Nomination Form that discloses the nomination procedures and nomination deadline. The Nomination Deadline shall not be less than thirty (30) days before ballots are distributed. The Nomination Form shall be delivered by individual notice pursuant to California Civil Code section 4040 if requested by a Member.

8.1.2 Nomination Submission. Provided that Members seeking candidacy for a position on the Board satisfy the Candidate Qualifications at the time of nomination, such Members may be nominated or nominate themselves by submitting in writing, via the Nomination Form, to the Manager at any time prior to the Nomination Deadline. Failure to submit a Nomination Form to the Manager prior to the Nomination Deadline will result in the candidate's name being omitted from the ballot.

8.1.3 Qualification of Nominees. After collecting all properly submitted nominations, the Board, the Manager at the Board's direction, or a Nominating Committee established by the Board, shall: (1) confirm each nominated person's eligibility under these Election Rules; (2) confirm or cause to be confirmed each eligible nominee's acceptance of nomination (if nominated by someone other than the nominee); and (3) prepare or cause the preparation of correspondence to any nominee who was disqualified to run for the Board and the reason(s) for that decision.

8.1.4 Disqualification & IDR. The Association shall not disqualify a person from nomination if the person has not been provided the opportunity to engage in Internal Dispute Resolution

(“**IDR**”) with the Association, in accordance with the Association’s established IDR Procedures. The Nomination Form may include an offer of IDR to all persons who may be subject to disqualification due to their failure to meet the Candidate Qualifications at the time of nomination.

8.1.5 Write-in Candidates. Write-in candidates are permitted; provided, however, they meet the required Candidate Qualifications. These Election Rules shall serve as an offer to participate in IDR with any write-in candidate that may be subject to disqualification due to the fact that said nominee fails to satisfy one or more of the Candidate Qualifications identified above.

8.2 Notice of Candidates. Thereafter, and not less than thirty (30) days prior to the distribution of Ballots, the Board shall provide general notice of the following:

- (a) the list of all candidates that will appear on the ballot;
- (b) the date, time and address of where ballots are to be returned by mail or handed to the Inspector;
- (c) (if applicable) the date and time by which Electronic Secret Ballots are to be transmitted to the internet-based voting system and preliminary instruction on how to vote by electronic secret ballot upon commencement of the voting period;
- (d) the date, time and address of the meeting at which Ballots will be counted;
- (e) a statement of each Member’s right to verify the accuracy of their individual information on both the Candidate List and the Voter List (as defined below);
- (f) a statement of each Member’s right to request individual delivery of the foregoing items; *and*
- (g) a statement that the Board may call a subsequent meeting at least 20 days after a scheduled election if the required quorum is not reached, at which time the quorum of the membership to elect directors will be twenty percent (20%) of the Member. The foregoing shall be delivered by individual notice pursuant to California Civil Code section 4040 to any Member requesting individual notice.

8.3 Eligibility to Vote. A person is eligible to vote if, at the time Ballots are distributed, (i) the person is a Member of the Association, or (ii) the person has a general power of attorney for a Member. Members may cast one (1) Ballot per Lot or Unit owned by that Member within the Association. If more than one (1) person is the record owner of a Lot or Unit, the vote for that Lot or Unit shall be decided by said parties between themselves. In the event one or more persons who share ownership of a particular Lot or Unit each cast separate Ballots, the Ballot received first by the Inspector shall be treated as the Ballot representing that Lot or Unit.

8.4 Written Ballot Procedure.

8.4.1 Written Ballot Requirements. The Written Ballot must satisfy the requirements set forth in the Civil Code and these Election Rules. Written Ballots shall not identify the voter’s name, address or Lot or Unit number. The Written Secret Ballot itself shall not be signed by the voter. It must be inserted into a sealed envelope. That sealed envelope must then be sealed within a second outer envelope. The outer envelope shall have, in the upper left-hand corner, space for

the voter to print and sign the voter's name and print their address within the Association. The outer envelope is pre-addressed to the Inspector(s) who will be counting the votes. The envelope containing the Written Ballot shall then be hand delivered or mailed as set forth herein. A Member of the Association may request a receipt for delivery.

8.4.2 Official Ballots Only. Only official Written Ballots will be counted. Any unauthorized reproduction of balloting materials, including, but not limited to, the Written Ballot, will render the Written Ballot "unofficial," and therefore will not be counted. A Member of the Association whose Written Ballot has been disqualified will not be entitled to notification of such action and shall not have the right to cast another vote in the present election. Such disqualified Written Ballots shall not be counted in any subsequent recount or challenge to the election procedures.

8.4.3 Casting of Written Ballots. Written Ballots and related materials required for voting shall be sent to Members at least thirty (30) days, but not more than ninety (90) days, prior to the deadline for voting. Any Written Ballots received after the applicable deadline will be disqualified and will not be counted by the Inspector. A Member whose Written Ballot has been disqualified will not be entitled to notification of such action and shall not have the right to cast another vote in the present election. Such disqualified Written Ballots shall not be counted in any subsequent recount or challenge to the election procedures. Members may cast their Written Ballots by any one (1) of the following methods (or as otherwise directed by the Inspector):

(a) Return by Mail Prior to Voting Deadline. Members may mail their Written Ballots to the location designated by the Inspector provided that any Written Ballot so mailed is received no later than the close of business on the date designated for the deadline for voting.

(b) Physical Delivery Prior to Voting Deadline. Members may deliver their Written Ballots (or have their ballots delivered) to the location designated by the Inspector no later than the close of business on the date designated for the deadline for voting; or

(c) Deposit at Ballot Counting Meeting. Members may deposit their Written Ballots with the Inspector at the meeting in which votes are to be tabulated prior to the time set by the Inspector for the closing of the polls.

8.5 Electronic Voting Procedure. The Association may also conduct an election by Electronic Ballot. The voting procedures shall follow the same voting procedures as described in this Article 8, except as otherwise noted in this Section 8.6.

8.5.1 Method of Voting. Members that have identified electronic mail as their preferred delivery method for receiving notices pursuant to Civil Code section 4041 shall automatically receive an Electronic Ballot unless the Member changes their preferred method of voting. A Member must affirmatively opt in to receive an Electronic Ballot. To receive an Electronic Ballot, a Member must (1) elect to vote electronically by submitting the required Notice of Electronic Voting Opt-In, and (2) provide a valid email address to the Association no later than the deadline for distribution of Electronic Ballots. Members who do not opt in to electronic voting, or who fail to provide a valid email address by the applicable deadline, will be sent a Written Ballot.

8.5.2 Deadline to Change Preferred Method of Voting. A Member may change their preferred voting method no later than ninety (90) days before an election by notifying the Manager or Inspector in writing.

8.5.3 Notice of Member's Ability to Change Preferred Voting Method. At least thirty (30) days prior to the deadline for changing a Member's preferred voting method, the Association shall provide individual notice of the following:

(d) The Member's current voting method.

(e) If the Member's current voting method is by Written Ballot and the Association has an email address for the Member, the email address of the Member that will be used for voting by Electronic Ballot if the Member opts in to vote by Electronic Ballot.

(f) An explanation that the Member is required to opt in to voting by Electronic Ballot if the Member elects to vote by Electronic Ballot.

(g) An explanation of how a Member may opt in to voting by Electronic Ballot.

(h) The deadline by which the Member is required to opt in to voting by Electronic Ballot if the Member elects to exercise that right.

8.5.4 Notice of Electronic Voting. The Association shall deliver individual notice of the Electronic Ballot to each Member at least thirty (30) days before the election via electronic submission to an address, location, or system designated by the Member. The individual notice shall contain instructions on both of the following:

(a) How to obtain access to that internet-based voting system; *and*

(b) How to vote by Electronic Ballot.

8.5.5 Write-in Candidates Prohibited. Notwithstanding Subsections 8.1.5 above, write-in candidates are prohibited in elections where Electronic Ballots are being used.

8.6 Election to Approve an Amendment to Governing Documents. If the Association conducts an election to approve an amendment to the governing documents by Electronic Ballot, the Association may deliver, by electronic means, the text of the proposed amendment to those members who vote by Electronic Ballot. The Association shall also deliver a written copy of the text of the proposed amendment to those Members upon request and without charge. If a Member votes by Written Ballot, the Association shall deliver a written copy of the text of the proposed amendment to the Member with the Written Ballot.

8.7 Ballots Must Contain Same Items. Electronic Ballots and Written Ballots shall contain the same list of items to be voted on.

8.8 Ballots are Irrevocable. Once a Ballot is received by the Inspector, it is irrevocable.

8.9 Tabulated Results.

8.9.1 Tabulation of Votes. All votes shall be counted and tabulated by the Inspector in public at a properly noticed meeting of the Board for the Association and/or Members of the Association after the deadline for voting. Any Member of the Association may witness the counting and tabulation of the votes. No person shall open or otherwise review any Ballot prior to the time the Ballots are counted and tabulated by the Inspector. In an election of directors, the candidate(s) receiving the greatest number of votes shall be elected to office, and the number of candidates elected shall be dependent upon the number of seats open for election.

8.9.2 No Advance Review of Electronic Ballots. No person, including a Member of the Association or an employee of the management company, shall open or otherwise review any tally sheet of votes cast by Electronic Ballot before the time and place at which the Ballots are counted and tabulated.

8.9.3 Tie Votes. In the event of a tie vote among the candidates (“**Tied Candidates**”), all other newly elected directors who are not Tied Candidates will immediately begin serving their terms. An incumbent director who is also a Tied Candidate will continue to serve on the Board until the tie is resolved. In lieu of a run-off election and if the Tied Candidates agree, a coin toss may be used to resolve the tie and determine the winner. However, if the Tied Candidates do not agree to resolve the tie with a coin toss, or where a tie involves more than two (2) Tied Candidates, the tie shall be resolved by a run-off election. A new ballot marked “RUN-OFF” containing only the names of the Tied Candidates will be mailed to the Members. These Rules shall apply in the run-off election and shall be enforced to the same degree as in any other election. The person receiving the highest number of votes will be elected.

8.9.4 Notice of Tabulated Results. The results of the election, as tabulated by the Inspector, shall be (a) promptly reported to the current Board, (b) recorded in the minutes of the next meeting of the Board, and (c) be made available for review by Members of the Association. Within fifteen (15) days of the election, the Board shall give general notice of the tabulated results of the election.

IX. ASSOCIATION ELECTION MATERIALS

9.1 Candidate List & Voter List. The Association shall retain, as association election materials, both a candidate registration list (“**Candidate List**”) and voter list (“**Voter List**”). The Voter List shall include the name, voting power, and the physical address of the Member’s Lot or Unit. The mailing address for the ballot shall be listed on the Voter List if different from the physical address of the Member’s Lot or Unit.

9.2 Right to Verify Accuracy of Individual Information. Members shall have the right to verify the accuracy of their individual information on the Candidate List and Voter List at least thirty (30) days before ballots are distributed. The Association or Member shall report any errors or omissions to the Candidate List or Voter List to the Inspectors who shall make the corrections within two (2) business days.

9.3 Custody of Election Materials. The sealed ballots, signed voter envelopes, Voter List, proxies, Candidate List, and tally sheet of votes cast by Electronic Secret Ballot shall at all times be in the custody and control of the Inspector, or at such location designated by the Inspector, until after the final tabulation of votes, and until the time allowed by California Civil Code section 5145 for challenging the election has expired, after which time the custody and control of the ballots shall be transferred to the Association. If there is a recount or other challenge to the election process, the Inspector shall, upon written request, make the ballots available for inspection and review by the requesting Member. Any recount shall be conducted in a manner that preserves the confidentiality of the vote.

X. INSPECTOR OF ELECTIONS

10.1 Appointment of Inspector. The Board shall appoint either one (1) or three (3) independent third parties to serve as the inspector or inspectors of elections (collectively, “Inspector”).

10.2 Qualifications of Inspector. The independent third-party Inspector may be a volunteer poll worker with the county registrar of voters, a licensee of the California Board of Accountancy, or a notary public. An independent third party may be a Member, but may not be a Board member, candidate for the Board, or a person related to a Board member or candidate for the Board. An independent third party may not be a person, business entity, or subdivision of a business entity who is currently employed or under contract to the Association for any compensable services other than serving as Inspector.

10.3 Functions of Inspector. The Inspector shall:

10.3.1 Have the responsibilities described in Civil Code section 5110, or any successor statute, and shall perform their duties impartially, in good faith, to the best of their ability, and as expeditiously as practical. The Inspector shall have the authority to consult with the Association’s legal counsel in the event of uncertainties in the interpretation of these Election Rules, the Association’s governing documents, applicable law, or as might otherwise be necessary to ensure a fair election. All such consultations shall be protected by the Association’s attorney-client privilege and shall be kept confidential from all persons other than the Board of Directors.

10.3.2 Deliver, or cause the delivery of, at least thirty (30) days before an election, to each Member the following documents:

(a) The ballot or ballots; and

(b) A copy of these Election Rules. For purposes of this subsection, the delivery of these Election Rules may be accomplished by either of the following methods: (i) Posting the Election Rules to an internet website and including the corresponding internet website address on the ballot together with the phrase, in at least 12-point font: “The rules governing this election may be found here.”; or (ii) individual delivery pursuant to California Civil Code section 4040.

10.3.3 Receive reports of errors or omissions contained on the Candidate List and Voter List (both defined elsewhere herein) and shall correct said errors within two (2) business days.

10.3.4 If there are three (3) Inspectors, the decision or act of a majority shall be effective in all respects as the decision or act of all Inspectors.

10.3.5 The Inspector shall have the right to appoint and oversee such additional persons as the Inspector deems appropriate to verify signatures and to count and tabulate votes, provided that the persons are independent third parties.

10.3.6 Members requesting a ballot during the Annual Meeting may be required to provide the Inspector with proof of residency (e.g., a utility bill, driver’s license, grant deed)

ARTICLE 21: ENVIRONMENTAL CODE

The maintenance of a high-quality environment that is always healthful and pleasing to the senses and intellect for the people of Pine Mountain Club now and in the future is a matter of Association concern. Every member has a responsibility to contribute to the preservation and enhancement of the environment.

The board of directors will;

- Ensure that the long-term protection of the environment shall be a guiding factor in Association decisions to create and maintain conditions under which the people of PMC and nature can exist in productive harmony by taking reasonable actions to protect, rehabilitate, and enhance the environmental quality of PMC through enforcement of the Environmental Control Code.
- Take reasonable steps to minimize fire hazards.
- Ensure that the Environmental Control Committee (ECC) and Environmental Control Officer (ECO) explores alternatives or feasible mitigation measures available which would lessen the significant environmental effects of projects.

The purpose of this code is to establish procedures for application of those provisions of the CC&Rs which govern the powers, duties, obligations and responsibilities of the Association as provided in the bylaws. Neither the Association, the board, the ECC, or the ECO shall be liable for any damages from any decision made while enforcing or interpreting the Environmental Control Code by reason of mistake in judgment, negligence or nonfeasance unless due to willful misconduct or bad faith.

CONSTRUCTION AND ARCHITECTURAL STANDARDS

21.01 Construction plans, requirements and approval

No building, mobile home, modular building, prefabricated unit, garage, shed, patio, fence or other structure shall be constructed, erected, altered, remodeled, placed, maintained or be permitted to remain on any lot in the tract or any portion of it until approved by the board of directors.

21.02 Approval process, building application package and fees

A. To obtain a PMCPOA permit for construction or alterations that require a Kern County permit, a properly completed PMCPOA building packet and all applicable fees including a performance deposit must be submitted to the environmental control committee (ECC). The PMCPOA building packet is available in the environmental control office and on the PMCPOA website. Plans and construction must conform to all PMCPOA governing documents and all provisions in the building packet. After the completed packet is submitted, the ECC will review the packet and make a recommendation to the board of directors who have the final authority for granting a permit. A decision will be made at a regular open board meeting. For minor construction projects or alterations, including but not limited to fences, sheds (120 sq. ft. or less), painting, roofing, or dog runs, a permit may be directly granted by the environmental control officer (ECO).

B. It is the owner's responsibility to comply with applicable state and Kern County building codes and regulations. A Kern County certificate of occupancy or other certification, if applicable, is required prior to a refund of the performance deposit.

C. In the event of any change to the plans prior to or during construction the owner is required to inform the ECC to seek further approval. Changes to the plan without notification to and approval from the ECC may result in a stop work order, a citation, and/or withholding of the performance deposit at completion.

21.03. Right of appeal

A property owner has the right to appeal the board's decision. If an appeal is filed, a hearing will be held at a regular or special meeting of the board at which time the matter will be submitted to the board for a decision.

21.04 Construction site inspections

A. For each construction project there shall be a minimum of three inspections conducted by the ECO:

1. A preliminary inspection before plan approval. In addition to all other requirements, a construction permit will not be issued where hazardous fire conditions exist.
2. Inspection of the foundation construction before pouring occurs. The owner is responsible for notifying the ECO at least 24 hours prior to pouring the foundation. Confirmation by ECO regarding this notification is required.
3. Final inspection after site cleanup.

B. The final inspection will occur after construction is completed and final site cleanup has occurred. At a minimum, the following items shall be completed before the final inspection:

1. Exterior conformity to plans
2. Material usage and color conformity to plans
3. Screening of propane tank on all sides
4. Erosion control
5. Removal of debris and final site cleanup
6. Easement encroachment or destruction mitigation
7. Utility boxes installed
8. Repair of damage to adjoining property
9. Installation of house numbers
10. All hazardous fire conditions removed
11. Final Kern County certificate of occupancy for home construction, garages and room additions

12. Any other conditions of approval presented at the time of permit approval.

C. If additional or repeated inspections are required due to failure to make corrections in a timely manner, or due to repeated or continued violations, the owner shall be charged a fee for each additional inspection. Any such fee shall be reasonably related to the costs and time expended by the Association to secure the owner's compliance with approved plans, specifications, the EC code and the governing documents. Any fees incurred enforcing codes will be deducted from the owner's performance deposit.

21.05 Construction site rules

- A. Food trash must be removed from the site on a daily basis.
- B. At least one 40-pound ABC MFPA approved fire extinguisher must be located on site at all times.
- C. The volume of any audio devices must be limited to a level that will not interfere with neighbors.
- D. No dogs are allowed on site.

21.06 Restriction on hours of construction

Construction activities are limited to 7 am to 7 pm, Monday thru Friday and 8 am to 7pm on weekends. Exceptions to these time periods must be approved by the ECO.

21.07 Temporary structures used during construction

- A. During the period of construction of a permanent residential structure, an RV may be permitted on a lot for a maximum of one year. The size and condition of the RV must be approved in advance. Upon request, a six-month extension may be granted by the ECO.
- B. Portable toilets must be placed on a construction site when a work crew is present and no inside bathroom facilities are available. When the work crew has completed their work and no more crews are scheduled, the portable toilet must be removed within two weeks.

21.08 Construction signs

- A. During the time of construction of any improvement, job identification signs are permitted. These signs shall:
 - 1) have a maximum face area of six (6) square feet, and
 - 2) be standard construction signs of the type usually employed by contractors and sub-contractors. A maximum of three signs may be posted on one lot.
- B. No construction signs may be erected until both of the following are obtained: 1) approval by the ECC and the board of directors and 2) issuance of a Kern County building permit. The ending date for construction is the date of the ECO final inspection. All construction signs must be removed at that time.

21.09 Parking of mobile and prefabricated structures

No mobile or prefabricated home may be parked on Association roads during the period awaiting permanent installation. The Association may charge a storage fee for any structure parked at an Association storage facility.

21.10 Setbacks and parking

A. Single Family Residences.

Only one single family residence shall be placed, erected or maintained on any of the following lots: Tract 3402, Lots 1-14, 19-265, 275-309, 355-396, and 428-525, inclusive; Tract 3405, Lots 1-101, inclusive; Tract 3507, Lots 1-461, inclusive; Tract 3508, Lots 1-740, inclusive; Tract 3566, Lots 1-641, inclusive; Tract 3567, Lots 1-349, inclusive.

1. Front and Rear Setback.

No portion of any building or structure (other than retaining walls necessary for the construction of the building) shall be placed, erected or maintained on any such lot within twenty-five (25) feet of the front lot line or twenty (20) feet of the rear lot line with a minimum clearance of seven and one-half (7 ½) feet from eaves or other cantilevered projections to said lot line. For the purposes of this subsection, any access strip connecting a lot to a road shall not be deemed to be a part of that lot.

2. Side Yard Setback.

No portion of any building or structure (other than retaining walls necessary for the construction of the building) shall be placed, erected, or maintained on each such lot within ten (10) feet of all side lot lines, with a minimum clearance of seven and one-half (7-1/2) feet from eaves or other cantilevered projections to said lot line.

3. Parking Facilities.

Each such lot shall have off-the-road parking facilities of at least three hundred and twenty (320) square feet.

B. Multi-Residential Buildings.

No residential structure other than one building per lot containing a maximum of four (4) residential units, each unit designed as a single family residence, shall be constructed, erected or maintained on the following lots: Tract 3402, Lots 266 - 274, 310 - 354, and 397 - 427, inclusive.

1. Front & Rear Setback.

No portion of any building or structure, (other than retaining walls necessary for the construction of the building), shall be placed, erected or maintained on any of such lots within fifteen (15) feet of the front or rear lot line with a minimum clearance of seven and one-half (7 ½) feet from eaves or other cantilevered projections to said lot line. For the purposes of this subsection, any access strip connecting a lot to a road shall not be deemed to be a part of that lot.

2. Side Yard Setback.

No portion of any building or structure (other than retaining walls necessary for the construction of the building) shall be placed, erected, or maintained on each such lot within ten (10) feet of all side lot lines to the exterior wall of any structure, with a minimum clearance of seven and one-half (7-1/2) feet from eaves or other cantilevered projections to the lot line.

3. Parking Facilities.

Each such lot shall have off-the-road parking facilities of at least three hundred and twenty (320) square feet for each residential unit to be constructed on the lot.

C. Restriction on Manufactured (Mobile) Homes as defined in 1.12 (of the CC&Rs).

Manufactured homes designed as a single-family residence shall not be constructed, erected or placed on any lot in this development except on Lots 102 through 233 inclusive of Tract 3405. Used mobile/manufactured/modular homes may not be placed on any lot within PMC. Such homes must conform to the Association's environmental control code with the following setback requirements:

1. Front and Rear Setback.

No portion of any building or structure (other than retaining walls necessary for the construction of the building), shall be placed, erected or maintained on any of these lots within twenty-five (25) feet of the front lot line or twenty (20) feet of the rear lot line with a minimum clearance of seven and one-half (7 ½) feet from eaves or other cantilevered projections to said lot line. For the purposes of this subsection, any access strip connecting a lot to a road shall not be deemed to be a part of that lot.

2. Side Yard Setback.

No portion of any building or structure (other than retaining walls necessary for the construction of the building) shall be placed, erected, or maintained on each of these lots within ten (10) feet of all side lot lines to the exterior wall of any structure, with a minimum clearance of seven and one-half (7-1/2) feet from eaves or other cantilevered projections to the lot line.

21.11 Setback variances

If an owner wants to construct or install improvements that violate the setback requirements of this document and the CC&Rs, a setback variance must be obtained. In order to apply for a setback variance, all of the following procedures must be followed:

A. The applicant must present to the ECC a plot plan of the proposed location with plans and specifications. A four-corner survey by a licensed land surveyor is required as determined by the ECO. A complete survey of the lot by a licensed land surveyor and/or contour maps may be required by the ECC. The cost of the survey will be paid by the owner of the lot.

B. The applicant must pay a non-refundable processing fee and the cost of the certified postage.

C. A hearing before the board of directors will be scheduled.

D. All properties within 300 feet of the proposed variance will be notified about the nature of the variance and the date of the variance hearing.

E. At the hearing the board will consider the shape and/or topography of the lot and all other mitigating factors submitted by the applicant and either approve or disapprove the request.

21.12 Improvements placed on Association property

An owner is not allowed to place improvements on Association property. If, contrary to this rule, improvements are placed, erected, or installed on Association property adjacent to the paved portion of a roadway, the property owner shall indemnify and hold the Association and its directors, officers, agents, and employees harmless from any damage that might occur as the result of activity undertaken by the Association pursuant to the governing documents. The property owner takes full responsibility for any damage to Association equipment or injury to Association directors, officers, agents, or employees resulting from the placement of any improvements.

21.13 Architectural standards

Preservation of the aesthetic qualities and the beauty of the natural setting must be paramount in the design of any building constructed in Pine Mountain Club. All new construction, including remodels, must conform to the following standards:

A. Design elements: All structures must have an architectural character that retains the feel of the existing community and is in harmony with the natural mountain and forest environment. Planning assistance with achieving an acceptable design can be requested from the EC office.

B. Proportions: Support structures, including posts, beams, and eaves, should be designed to bear heavy snow loads and carry substantial insulation. Steep roof pitches are recommended to shed snow. Windows, fascia and wide roof overhangs that create strong shadow patterns are encouraged. Gable roofs are an established design in the community. The design and size relationships of such elements should be consistent throughout the building.

C. Design consistency: The architectural theme and design employed on the main or front elevation must be carried out on all other elevations. This includes all exterior textures, window trim, and finishes. Generally, the same materials must be used on all sides of the house.

D. Reflectivity: Exterior materials shall not be bright or reflective as designated by the manufacturer.

E. Structure Size: Ground floor square foot area must be a minimum of four hundred eighty (480) square feet.

F. Site planning: During the design, planning and construction phases, the following principles shall be followed:

1. The site shall be altered as little as possible.

2. Buildings and structures shall be built to merge with the natural terrain. Building design shall take into account grade changes, location of trees, boulders, and orientation to sun and views.

3. Natural watercourses and existing native vegetation shall be preserved and included in the plan. Any disturbed areas not covered with construction will be restored to their original state or re-landscaped as approved by the ECC.

4. The appearance of the structure from all angles shall be considered.

5. The privacy of neighboring properties should be considered both in site planning and in designing the architectural elements of the structure.

G. A particular design approved for a particular lot does not establish a precedent for that design or any of its features on any other lot. Each design is considered strictly on its own merits in the light of its proposed setting.

H. Applicants should understand the ECC must make subjective judgments regarding a proposed design. The design must be in harmony with the environment in which the structure is placed and in harmony with the surroundings.

21.14 Color and building materials

A. All exterior materials shall be made of wood or products having the appearance of wood. Fire-resistant material that closely resembles wood is encouraged. Stone or split faced blocks are permitted, if appropriate.

B. Roofs shall be of colors approved by the ECC. In no case shall they be highly reflective. Class A or Class B noncombustible roof covering or roof assembly shall be required. No wood shake or wood shingle roofs will be permitted. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire stopped to preclude entry of flames or embers. One-hour rated fire-resistive construction shall be required for eave assemblies or noncombustible assembly approved by the fire chief. Protection shall be required on the exposed underside by materials approved for a minimum of one-hour rated fire-resistive construction. Fascias are required and must be protected on the backside by materials approved for a minimum one-hour rated fire-resistive construction or two-inch nominal dimension lumber. Construction shall meet urban and wildland interface standards established by the state of California as they apply to this area.

C. Colors used on structures shall be of hues approved by the ECC and the board of directors. Charts and/or chips of acceptable colors are maintained in the office of the ECO for public inspection. The property owner will provide a sample of the color(s) to be used. These samples will be kept in the appropriate tract and lot file in the office of the ECO. Colors approved in advance by the ECO may not appear to be the same color when applied to a surface of a house based on surface textures. It is the responsibility of the member to ensure the color approved is the final color following the application.

D. Manufactured and prefabricated structures that must be refinished to meet the color requirement must be refinished within thirty (30) days after installation.

E. Repainting of an existing structure requires a no-cost permit from the ECO. All colors must be selected from the approved color chart and be approved in writing by the ECO.

F. Exposed concrete structural walls and foundations exceeding twelve (12") inches in height must be faced or constructed with a natural material such as stone, or a natural-appearing material such as manufactured

stone, split face block or other material that is in keeping with the natural stone of PMC and approved by the ECC.

21.15 Exterior lighting.

A. Pine Mountain Club is a dark skies community. Exterior lighting shall follow all recommendations for maintaining a night sky that supports astronomical observation. Exterior lighting, including but not limited to all outdoor fixtures, decorative, landscaping, and safety, shall be designed, installed, and operated to control glare, prevent light trespass onto adjacent properties, minimize direct upward light emission, promote effective security, and avoid interference with the safe operation of motor vehicles.

B. Exterior lighting shall be installed and operated according to the following restrictions:

1. Street lights, mercury vapor and low-pressure sodium fixtures and lamps are prohibited. Lighting intensity shall not exceed the following limits: Static Lights (like porch lights) may not exceed 2.5 LUX measured 5 feet from the source. Motion Lights may not exceed 13.5 LUX measured 5 feet from the source.
2. Searchlights, colored lights (except for lights used to reduce glare), laser lights or similar high intensity outdoor lights are prohibited.
3. Lighting fixtures mounted in such a way as to illuminate a roof or an awning are prohibited.
4. Lighting intended to illuminate landscaping is prohibited.
5. Lighting fixtures mounted to aim light only towards a property line are prohibited.
6. Lighting that is blinking, moving or which changes in intensity except small temporary lighting fixtures installed and used only during periods as set forth for holidays in section 21.19 of this code is prohibited.
7. Exterior lights are to be shielded in such a way as to direct illumination downwards.
8. The bulb in porch lights shall not be visible below the shield.
9. Exterior security lights are to be set on motion sensors.
10. Ambient porch lights on all sides of property are to be turned off by 10 pm.
11. Driveway or garden solar lights are to be limited to one per 10 feet.
12. Low-wattage lights mounted on exterior stair steps for safety purposes are permitted.

21.16 Fences and retaining walls

A. All fences must be reviewed and approved by the ECO prior to construction. For definition purposes, the term "fence" shall also refer to gates. No fences, sheds, structures, or any construction may be placed, erected, or installed on any lot unless there is an approved plan for a residence.

- B. All fencing, including all gates, constructed upon any lot shall be made of wood or products having the appearance of wood and be of an approved color.
- C. All fencing must be of an open nature with a minimum spacing of two inches (2") between boards so as to allow for the passage of small native animals.
- D. The only electric fences permitted are invisible collar-activated pet perimeter electric fences.
- E. Fences are restricted to three feet in height within the front setbacks from the front edges of the structure to the front property line, and five feet in height within the boundaries of the remainder of the property from the front edges of the structure to the back property line. Fences must not cross property lines onto neighboring lots unless agreed to by both owners and approved by the ECO.
- F. A plot plan must be furnished to the ECO showing the proposed fence location, all existing structures on the lot (with full dimensions), the fence style to be utilized, and the finish to be applied.
- G. Fences shall be maintained in good condition and repair at all times.
- H. A site inspection shall be conducted by the ECO after the plans are submitted. Stringing of the lot is required prior to this inspection so that placement is explicit.
- I. Existing fences will be required to meet these criteria whenever a fence is replaced, or greater than 60% of the fence needs repair.
- J. All retaining walls, embankment retention devices, and decorative walls must comply with 21.14 F above in regard to materials. Any embankment retention device exceeding three feet (3') in height and/or 35 degrees from horizontal requires ECC approval. Retaining walls must meet Kern County requirements. Decorative walls and borders must be approved by the ECC prior to installation and shall not exceed three feet (3') in height.

21.17 Screening of storage facilities

- A. All trash receptacles, clotheslines and storage areas, and maintenance equipment shall be screened from public view. Commercial receptacles are only allowed during construction and clean-up. Temporary storage units, dumpsters and moving pods require ECO approval and will require a timeline determined by the ECO. For restrictions on trash outside, refer to Article 7.04 Wildlife Rules.
- B. Propane tanks and all fuel receptacles shall be screened from the public view. Material used for screening shall be fire resistant. A two inch gap must be maintained at the bottom of the screen. This applies to all new construction and any replacements or repairs of damaged screens.
- C. Sheds: Placement of all non-residential buildings, such as sheds and outbuildings, not including garages and carports, shall be limited to two structures not totaling more than 240 square feet.

21.18 Antennas

No exterior antenna or satellite dish over 40 inches in diameter shall be installed or maintained on any residential lot unless approved by the ECC.

GENERAL ENVIRONMENTAL RULES

21.19 Holiday decorations and decorative flags or banners

"Holiday decorations" shall mean and refer to any seasonal decorations.

- A. Winter holiday decorations may not be placed on the lot or residence prior to November 15 and must be removed no later than January 15.
- B. Decorations for other generally recognized holidays that occur during the year may be placed one (1) week prior to the holiday and must be removed within ten (10) days following the holiday.
- C. Decorative flags or banners may be displayed in the following prescribed manner:
 - 1. Must be displayed from a pole affixed to the residence.
 - 2. Limited to a size not to exceed 15 square feet as a cumulative total.
 - 3. No more than three (3) decorative flags or banners may be displayed at any one time.
- D. The above restrictions do not apply to the flag of the United States of America.

21.20 Hazards

- A. There shall be no exterior fires whatsoever. There shall be no exterior burning of wood, including in BBQ stoves, fire pits, or campfires. There are no propane fire pits or table-style propane pits permitted. Tiki torches and all other open flames are not permitted. Exceptions are BBQs in confined receptacles with lids designed for such purposes. This includes charcoal, propane and electric BBQ's along with pellet and electric smokers. All BBQs must have a ten (10) foot clearance from combustible material, lids for cooking and a readily available fire extinguisher and a water supply nearby. Reasonable precautions to minimize smoke and eliminate sparks shall be taken. BBQ's must always be attended by a responsible adult when in use.
- B. Ashes from barbeques and fireplaces shall not be discarded on the ground and must be allowed to completely cool, be placed in a metal container, and disposed of at the transfer site in the ash bin.
- C. Discharge of fireworks is strictly prohibited.

21.21 Reforestation

Each tree removed from any lot or Association property shall be replaced as determined by the ECO. No tree exceeding 4" in diameter at 4' in height may be removed without written prior approval by the ECO. Clear cutting shrubs from a lot requires approval from the ECO.

21.22 Signs

A. House numbers are required and shall be at least 3 inches in height and placed on the house facing the street. If the numbers are not clearly visible from the street, an additional set shall be placed on a signpost, fence, mailbox, etc., so as to be visible from the street.

B. Legal procedures: Signs required by legal procedures are permitted but, unless specified by law, they will be restricted to one (1) square foot. Prior to posting the sign, the person posting a "legal procedure" sign shall furnish the EC office with a copy of the legal procedure.

C. For sale and for rent: Not more than one "for sale" or "for rent" sign, having a maximum face area of one (1) square foot, is permitted on each lot or residence. The signs are to be removed on the date of rental, the date escrow closes or the date the listing expires. This is applicable whether the offering is by owner or by a real estate company or other agent.

D. A maximum of four (4) "open house" signs, needed to designate a single route to the property, is permitted. These signs may be of the "tent-style", having a maximum face area (on each side) of four (4) square feet. The signs must be removed by sunset each day.

E. Not more than one security sign on each side of a lot facing the street, having a maximum face area of one (1) square foot, is permitted. No such sign will be permitted, however, if it is for the sole purpose of advertisement.

F. Sign material and rules for posting: Signs, posters, flags, or banners may be made of paper, cardboard, cloth, plastic, or fabric and may be posted or displayed from the yard, window, door, balcony, or outside wall of the separate interest, but may not be made of lights, roofing, siding, paving materials, flora, or balloons, or any other similar building, landscaping, or decorative component, or include the painting of architectural surfaces. Temporary signs for a party or a yard sale may be of cardboard or heavy construction paper. Signs cannot be attached to trees, telephone poles, mailboxes, street sign posts or any other structure in any manner. Signs must be self-supporting, as on their own wooden stake. Rope banners, or "feather flag" signs, are not permitted.

G. Other signs: All other signs are not permitted unless approved in writing by the ECC. Vehicle for sale signs are limited to one per lot.

H. Noncommercial signs or flags on private property: Noncommercial signs or flags on private property must comply with California civil code §4705 and 4710 as they may be amended.

I. Sign material and rules for posting: All commercial signs that will be posted longer than three days must be of a durable material, such as metal, plastic or wood. An ECC approved noncommercial sign, poster, flag, or banner may be made of paper, cardboard, cloth, plastic, or fabric and may be posted or displayed from the yard, window, door, balcony, or outside wall of the separate interest, but may not be made of lights, roofing, siding, paving materials, flora, or balloons, or any other similar building, landscaping, or decorative component, or include the painting of architectural surfaces. Temporary signs for a party or a

yard sale may be of cardboard or heavy construction paper. Signs cannot be attached to trees, telephone poles, mailboxes, street sign posts or any other structure in any manner. Signs must be self-supporting, as on their own wooden stake. Banners, rope banners, or "flag" signs used for advertising purposes, are not permitted.

J. All signs posted contrary to these rules will be removed by the ECO or PMC patrol and will not be returned.

21.23 Vehicles

Vehicles must not be parked on a lot in a quantity and manner which is a nuisance or causes unreasonable disturbance or annoyance to other owners in the enjoyment of their lots or Association property (CC&R 5.6). Inoperable vehicles, commercial vehicles, construction equipment, trailers, and recreational vehicles shall be subject to the following prohibitions and restrictions:

A. All inoperable motor vehicles shall be stored wholly within an enclosed garage or off the property unless covered in compliance with this section. All proposed covers must be approved, in writing, by the ECO prior to storing the vehicle. "Inoperable" shall be defined by California vehicle code §22658.a.3 and Kern County code of ordinances §10.28.030, as they may be amended.

B. Car covers for any vehicle are permitted if earth tone in color, maintained in good condition, designed to cover the vehicle, remain in place during a high wind event and all other aspects of section 21.25 are complied with. All debris must be kept clear from under the vehicle, i.e. leaves, cobwebs, trash, oil and fluids.

C. No commercial vehicle bearing commercial insignias or names (except pick-up trucks and light duty vans) shall be parked on any lot in view of adjoining property, unless the vehicle is temporarily parked for the purpose of providing service to the lot. Pick-up trucks and light duty vans include trucks which do not exceed a weight of five tons and are not box trucks or tractor-trailers.

D. Vehicles with advertising decals may be parked on the property, but in no case can any advertising decal be larger than 200 square inches (e.g. 12" x 16.6") and no more than three such decals on any vehicle. If a vehicle has any advertising decal larger than 200 square inches and/or more than three (3) decals as described above, the signage must be screened from view and approved in writing by the ECO.

E. No construction equipment including but not limited to backhoes, cranes, dump trucks, graders, and/or other heavy equipment or trailers for hauling such equipment may be parked or stored on a lot unless it is being used for construction on that lot. Bobcats, including similar compact and subcompact utility vehicles that fall within this category, may be stored on property as long as they are limited to one such vehicle and are properly covered including attachments and implements with the approval of the ECO.

F. Trailers, including but not limited to utility, cargo, and horse trailers must be screened when not in use.

G. As used in this document, the term "recreational vehicle" shall include, without limitation, motor homes, buses, trailer coaches, camping-type trailers, all-terrain vehicles, dirt bikes, boats or other watercraft, aircraft or campers and other similar vehicles and equipment.

H. All recreational vehicles stored in Pine Mountain Club on a lot shall be stored wholly within an enclosed garage, or shall be stored at a designated site on Association property, or shall be covered. One (1) motor home or camping-type trailer may be stored on a lot, provided it is covered. All proposed covers of such vehicles must comply with 21.23 section B, and must be approved, in writing, by the ECO. Recreational vehicles may not be stored in the front twenty-five (25) foot setback of a lot.

I. A recreational vehicle may only be parked in front of a residence for a period not to exceed forty-eight (48) hours in any seven (7) day period while it is being loaded or unloaded.

J. No vehicle work shall endanger the safety or infringe on the rights of other members of the community.

21.24 Destroyed and partially built structures

No structure which has been partially or totally destroyed shall be allowed to remain on any lot in such state for more than six (6) months from date of destruction. No structure on which construction has stopped shall be allowed to remain partially built for more than six months. Extensions may be approved by the ECO.

21.25 Maintenance of lots

Members shall maintain their lots and all improvements in a neat, clean, and sanitary condition and in good repair and in such manner as not to create a dangerous fire condition or a public nuisance. Fire hazards such as dead trees, overgrown vegetation, debris, weeds, and rubberized landscaping material, shall not be permitted on any lot. Slash, mulch, or similar material will not be permitted within five (5) feet of a residence, propane tank enclosure or other structure with combustible exteriors, such as wood or vinyl. Commercial mulch shall not exceed 4" in depth for landscaping. Vegetation on any lot shall be maintained in such a manner as to prevent or retard erosion and to encourage the growth of indigenous ground cover.

21.26 Unimproved lots

No unimproved lot may be used for storage of any kind including vehicles. No structures, including fences of any type, may be placed on an unimproved noncontiguous lot. An unimproved lot shall mean for this section, a lot without an approved permitted residential structure.

If a member wishes to build a structure, including fencing, on an unimproved lot, which is contiguous with an owned lot that has an approved permitted residential structure already on it, an approval by the Association will be required.

21.27 Yard sales

Property owners must apply for a permit, issued by the ECO, to conduct a yard sale. Upon approval of the ECO, the sale may be conducted subject to the following rules:

A. No more than two (2) yard sales are permitted, per lot, per calendar year.

B. One sign, having a face area of one (1) square foot, is permitted on each lot. A maximum of four (4) directional signs, having a maximum face area of one (1) square foot each, are permitted on PMC property

(road easement or right of way). All signs must be self-supporting such as on a wooden stake. No sign shall be attached to sign posts, telephone poles, mailboxes, trees or any other structures. All signs posted contrary to these rules will be removed by the ECO or PMC patrol and will not be returned.

C. Yard sales can be no longer than three (3) consecutive days.

D. All yard sale items must be removed from public view at the end of the final sale day.

E. All signs must be removed at the end of the final sale day

F. Yard sales can be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

21.28 Temporary Occupancy.

No vehicle, trailer, recreational vehicle, bus, garage, or temporary building or structure of any kind shall be used at any time for a residence, whether it be temporary or permanent and whether on the lot or the street, except as may be used during construction or remodeling with the prior written consent of the Association as in 21.07. Such temporary structures shall be removed immediately after the completion of construction. Camping will be allowed in the designated campground only.

21.29 Association property

The following restrictions shall apply to all Association property:

A. The use of Association property shall be subject to all rules as are prescribed by the Association.

B. The use of Association property shall be subject to the easements and reservations of rights of the Association.

C. The use of Association property may be subject to the right of an owner of a lot adjacent to Association property for the location, construction and maintenance of a leach line or leaching field. Permission may be granted when a written confirmation from the Health Department of Kern County is presented by the lot owner, confirming that it is not possible to properly locate a leach line or leaching field on the lot itself. Any damages to Association property which occur as a result of placing or maintaining such improvements will be borne by the current and/or future property owners.

D. There shall be no use of Association property which injures, erodes or scars the area or vegetation, or increases the cost of maintenance, unless expressly permitted by the Association.

E. Members or their guests shall not use Association property to store or otherwise abandon personal or discarded property. Removal of such property shall be at the member's expense.

F. No improvement, excavation or work which in any way alters Association property shall be made or done except upon strict compliance with the following provisions of this section.

G. With the exception of the water company, the Association, or an owner of a lot (by right of easement for leach line or leaching field), or a public utility or governmental agency (by right of easement), no person shall have the right to construct any improvement upon, or shall change the natural or existing drainage of,

or shall destroy or remove any tree, shrub or other vegetation from, or plant any tree, shrub or any vegetation, upon Association property. Vegetation management for fire mitigation and/or planting may be undertaken if approved by the ECO.

H. If the Association or any person or entity proposes to construct, reconstruct, or to refinish or alter the exterior of any improvement located or to be located upon the Association property, to make or create any excavation or fill, or to change the natural or existing drainage of surface waters, or to remove any trees, shrubs or ground cover, it shall not do so until a permit has been obtained from the board of directors. The Association, person or entity proposing to do such work shall submit to the ECC for recommendations to the board for approval, one set of final plans and specifications pursuant to this paragraph only if all of the following conditions have been satisfied:

1. If the plans are to construct any new improvement, including any alteration of the exterior appearance of any existing improvement upon Association property, the ECC finds that such improvement complies with the CC&Rs; and
2. That such improvement is reasonably necessary for any utility installation serving any property within the development or any property for which an easement has been reserved or granted by the Association; or is desirable in order to provide or improve access to; or is desirable to protect or preserve any property within the development; and
3. That in the case such improvement is a leach line or leaching field to serve a lot or lots, the ECC finds it necessary to properly serve said lot or lots by location of such improvement on Association property in order to provide said lot with an adequate sewage system; and
4. The ECC finds that the proposed work shall not materially prejudice the development or any owner in the use and enjoyment of this property.

21.30 Nuisance and noxious activities

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. Without limiting any of the foregoing, no exterior speakers, horns, whistles, bells, or other sound devices, except security devices used exclusively to protect the security of the lot and its improvements, shall be placed or used upon any lot without the prior written approval of the Association. No activity producing noxious odors affecting neighboring lots shall be allowed. Criminal activity corroborated by law enforcement or activity that presents a clear and present danger on a lot or Association property is a violation of this rule.

21.31 Illegal Marijuana Cultivation

No person or entity may plant, cultivate, harvest, dry, or process marijuana plants inside a residence, or inside an accessory structure to a residence such as but not limited to a garage, greenhouse, or shed located on a lot, in excess of the limitations imposed by California Health and Safety Code section 11362.2.

21.32 Cottage industries

A. No gainful occupation, profession or trade shall be maintained on any lot or in any structure on any lot without the prior approval of the ECC.

B. The ECC shall have the power and authority to approve or disapprove of any cottage industry or home occupation, based on the following:

1. All cottage industries or home occupations must conform to the requirements of chapter 19.94.020, Permitted Home Occupations, 19.94.030, Home Occupations not Permitted, and 19.94.040, Minimum Standards, of the Kern County zoning ordinance and any changes thereto, as adopted by the County of Kern and amended from time to time.
2. Applicants for cottage industry permits shall make application to, and obtain approval from, the board of directors through the ECC and, if required, Kern County Planning and Community Development and provide the documentation to PMCPOA prior to the commencement of any cottage industry.
3. Cottage industries shall post no signs, posters, or other advertising on the lot on which the cottage industry is permitted.
4. Parking on the lot shall be limited to a maximum of three customer cars at any time, and no parking shall occur on PMC streets.
5. All cottage industry permit holders shall, from time to time, submit reasonable information regarding their activities upon request of the ECC or the board.
6. Cottage industry permits are subject to revocation upon recommendation of the ECC and approval by the board in the event of a violation of CC&Rs, Association bylaws, EC code or Association rules and regulations.
7. Written notice of violation of PMCPOA rules will be issued to the owner of the lot where a cottage industry is being conducted, in the event of violation as they relate to the activities of a particular cottage industry.
8. Appeals of Association permit conditions, permit denials or permit revocation may be filed, within 30 days of such action, to the board.
9. Applicants must provide proof of liability insurance if a vehicle is used for business.
10. Applicants must provide a copy of a Kern County Health Department permit if providing food service and/or if a Kern County permit is required for any other reason.

DEFINITIONS

A. ASSOCIATION (for the purpose of this document)

“Association” shall mean Pine Mountain Club Property Owners Association, Inc., a California nonprofit mutual-benefit corporation which consists of all owners of lots in that certain real property planned development known as Pine Mountain Club and situated in Pine Mountain Club, California.

B. ASSOCIATION PROPERTY

“Association property” shall mean all real and personal property owned by the Association, including without limitation: greenbelts; entrance monuments; Association roads; a recreational center with a clubhouse, swimming pool, miscellaneous game areas, picnic and barbecue areas, and parking areas; equestrian center with tack rooms, corrals, paddocks and parking areas; parks; campgrounds; equestrian trails; golf course; tennis courts; transfer site; storage areas; and any other facilities, recreational or otherwise, owned and maintained or controlled for the common use, benefit and enjoyment of the owners of real property within the development.

C. AUTHORIZED GUESTS

Authorized guests(s): The term “guest, tenant or lessee” as used in this document shall mean a person(s) who has been authorized by a member in good standing including a tenant or lessee residing in a member’s residence to use association property and the facilities of the Association and subject to the condition that the member shall have full responsibility for such guest(s), tenant(s) or lessee(s) while they are using Association property or facilities of the Association.

D. BOARD

“Board” shall mean the Board of Directors of the Association.

E. BYLAWS

“Bylaws” shall mean the duly adopted bylaws of the Association, including any amendments.

F. CHAIR

"Chair," for the purpose of this code, shall mean the chair of the ECC.

G. DEVELOPMENT

“Development” shall mean the planned development situated in Kern County, California, known as Pine Mountain Club and any lot or lots included in the tracts identified in section 1.7 of the CC&Rs.

H. ENVIRONMENT

"Environment" shall mean the beauty, tranquility, atmosphere, and/or the natural surroundings of the PMC. The environment shall include, but is not limited to, structures, trees, shrubs, vegetation, residential, commercial and Association property, national forest property, water company property and natural water flows.

I. ENVIRONMENTAL CONTROL COMMITTEE

"Environmental Control Committee (ECC) shall mean the committee created pursuant to the Association bylaws.

J. GREENBELT AND RECREATIONAL

"Greenbelt and recreational" is defined in in section 4.6 of the CC&Rs as follows: "greenbelt" shall mean undeveloped land intended to preserve open space and a natural environment and "recreational" shall mean recreational activities that do not conflict with greenbelt as defined in this section.

K. IMPROVEMENTS

"Improvements" shall mean all buildings, structures, roads, pools, courts, paddocks, corrals, driveways, parking areas, fences, retaining walls, stairs, decks, poles, signs, alterations to lots, structures of any type above or below ground and other facilities of the development.

L. LOT

"Lot" shall mean any real property designated as a "lot" or "parcel" in title documents bearing legal descriptions within this development subject to the CC&Rs.

M. MANAGEMENT

Management shall mean the general manager and/or all department managers.

N. MEMBER

The term "member" shall refer to all persons or entities having an ownership interest in a single family residential lot, or a multi-residential or commercial lot, except any such lots as are owned by the association. The collective members-owners of a lot constitute a membership. A membership is attached to the lot and may not be separated from that lot. Each person or entity shall automatically become a member of the Association upon obtaining an ownership interest in a lot, excluding Association property, and shall remain a member until he or she ceases to have an ownership interest in such lot. If title to a lot is held in the name of a trust, the trustee(s) shall be deemed the member for purposes of membership rights and privileges.

O. MOBILE/MANUFACTURED HOME

"Mobile Home" or "Manufactured Home" shall mean a new, not previously occupied, manufactured home, as defined in the California Health and Safety Code §18007 and §18008, as they may be amended, built upon a permanent chassis, transported into PMC and mounted on a foundation upon lots 102 through 233 inclusive within tract 3405 of the community.

P. MODULAR HOME

"Modular Home" shall mean a new, not previously occupied, prefabricated home that meets the requirements as set forth in the California Building Standards Code, Title 24 and the International Residential Code to be placed upon a foundation on the lot or parcel. A modular home may be placed upon any buildable lot within the community of PMC.

Q. MULTI-RESIDENTIAL LOT

"Multi-residential lot" shall mean a parcel of land intended to be used for residential purposes upon which the construction of a residential building containing no more than four (4) residential units is allowed under the restrictions.

R. NOTICE

"Notice" shall mean any communication or notice of any kind permitted or required herein. Notice may be delivered as provided in the CC&Rs and shall be in writing and may be served, as an alternative to personal service, by mailing same as follows:

To a member: To the post office box of the lot or unit, or such other address as the member may designate in writing to the Association.

To Association: To the Board of Directors, PO Box P,
Pine Mountain Club, CA 93222-0016

All notices or demands to be served by mail shall be by first-class mail with postage prepaid. Service shall be deemed to be completed three (3) business days after such mailing.

S. OFFICE OF RECORDER

"Office of Recorder" shall mean the Office of Recorder, County of Kern, State of California.

T. OWNER

"Owner" shall mean any person who holds a recorded title ownership interest in real property subject to the CC&Rs, excluding any person having an interest in the property merely as security for the performance of an obligation.

U. PERFORMANCE DEPOSIT

"Performance deposit" shall refer to a deposit collected from the owner prior to issuing a permit for improvements.

V. PERSON

"Person" shall mean a natural person, corporation, partnership, trust, association or other similar entity as defined by law.

W. RECREATIONAL VEHICLE

"Recreational vehicle" shall include, without limitation, motor homes, buses, trailer coaches, camping-type trailers, trailers, all-terrain vehicles, dirt bikes, boats or other watercraft, aircraft or campers and other similar vehicles and equipment.

X. RESIDENCE

“Residence” shall mean a building used for residential purposes, together with garage or carport, if any. Residence shall include single-family residences, multi-residential buildings and manufactured/modular homes.

Y. RESIDENTIAL LOT

“Residential lot” shall mean any lot or lots included in the tracts identified in section 1.7 of the CC&Rs upon which the CC&Rs authorize construction of a single-family residence, a multi-unit residence, or a manufactured/modular home.

Z. ROAD

"Road" shall mean any vehicular way designated on a subdivision map by street name and as "Not a Dedicated Street." The term "Not a Dedicated Street" refers to a parcel of land or non-exclusive easement not owned by the county, a city or state or federal governments, and which is not offered for dedication to public use. Association roads are not limited to the paved portions of the vehicular ways as defined.

AA. SETBACK

"Setback" shall mean that portion of any lot upon which no portion of any building or structure shall be placed, erected or maintained.

BB. STOP WORK ORDER

A "stop work order" shall mean the legal tool used by the Association to shut down work on a construction jobsite until the issue is fixed or the parties reach an agreement.

CC. STRUCTURE

"Structure" shall mean anything constructed or erected, the use of which requires location on the ground.

DD. SUBDIVISION MAP

"Subdivision Map" shall mean (1) any final map within the meaning of the provisions of Division 4, Part 2, Chapter 2, of the Business and Professions Codes of the State of California, and (2) any final record of survey map within the meaning of the provisions of Division 3, Chapter 15, Article 5, of the Business and Professions Code of the State of California, as such provisions may from time to time be amended.

EE. WATER COMPANY

"Water Company" shall mean the Mil Potrero Mutual Water Company, a California Corporation.

ARTICLE 22: RENTALS

22.01. The general rules of Article 3 also apply to this Article 22.

22.02. For purposes of this Article 22, (i) the term “tenant” shall mean individually and collectively the person(s) who intend to, or occupy, all or a portion of a property, regardless of whether rent is or is not paid; (ii) the term “lease” shall mean any arrangement, in writing or oral, under which a property or any part thereof is

occupied by a tenant, for any length of time (iii) the term “property” shall mean all lots on which a home is or may be built and all areas and improvements on that lot; and (iv) the term “Short-Term Rental” shall mean all leases under which an owner agrees to lease property to a tenant for a term of less than thirty (30) days.

22.03. Any owner who leases property to a tenant, or who advertises, promotes, or publicizes the property for lease to a tenant, must complete the PMCPOA rental registration form and provide a copy of their rental agreement for that property. An owner must ensure the name, phone number and email address of the responsible tenant, as well as the dates of occupancy, be submitted to the PMCPOA office before each new tenant takes occupancy. This rule applies to long-term and short-term rentals.

22.04 Any owner who intends to lease, or to advertise, promote, or publicize for lease, their property as a short-term rental, must additionally submit a certificate of authority from Kern County to collect transient occupancy taxes. Owners must comply with the Transient Occupancy Tax ordinance of Kern County to include registration with Kern County to acquire a certificate of authority to collect transient occupancy taxes.

22.05 Long-term and short-term rental property owners must pay to the Association an annual rental registration fee, which shall be based upon a reasonable good faith estimate of the amount necessary to defray the costs to the Association of facilitating, accommodating, and overseeing rentals.

22.06 The registration fee covers a period of one (1) calendar year, billed on a prorated basis for partial years. Owners who intend to continue using their property for rentals, thereafter, must pay their next rental fee not later than thirty (30) days following expiration of their current registration.

22.07. No owner shall rent or otherwise utilize their real property in violation of CC&R Article 5.6.

22.08. Each owner must provide every tenant, lodger, and boarder with a current copy of the Association’s Rules and fines prior to or on the date each tenant, lodger, or boarder takes occupancy.

22.09 Each owner must notify every tenant, lodger and boarder in writing prior to the date of occupancy that any violations of the PMCPOA governing documents (including the Rules) may be enforceable by fines imposed on the owner as well as on the applicable tenant, lodger and boarder.

22.10 A. While a Short-Term Rental is rented, the owner or local contact person shall be available 24 hours per day, 7 days a week to respond within 60 minutes to complaints or calls to PMC Patrol or the PMCPOA office regarding the operation of or tenant conduct at the short-term rental property and/or on Association property.

B. A short term rental owner will designate a local contact person in writing to the PMCPOA office in advance of a rental to comply with this section if they are unable to fulfill the requirement to respond within 60 minutes to complaints or calls.

C. An owner of a long-term rental will designate a local contact person in writing to the PMCPOA office in advance of a rental if they are not available to address complaints or calls to PMC patrol or the PMCPOA office regarding the operation of or tenant conduct at the rental and/or on Association property.

ARTICLE 23: DOG PARK

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

23.02 The general manager, members of the patrol department and the environmental control officer have the authority to issue citations to the owners of animals in violation of dog park rules. Persons in violation of the dog park control rules are subject to fines and potential restrictions.

23.03 The dog park is open daily between dawn and dusk.

23.04 The dog park is used at the dog owner's own risk.

23.05 NO MORE than 10 dogs are to be in the large dog park, and no more than 10 dogs in the small dog park at any one time. If there are more than 10 dogs, the owner must wait until someone leaves before entering.

23.06 The small dog park is to be occupied only by dogs under 25 pounds.

23.07 Children under the age of 16 must be accompanied by an adult.

23.08 Dog owners are responsible for the behavior of their dogs at all times.

23.09 Dogs are not to be left unattended at any time. Owners are required to stay within the fenced area of the park with their dog(s).

23.10 All dogs using the dog park must be spayed or neutered (NO intact dogs are allowed), be current on vaccinations and be free from contagious disease and parasites. Puppies under 6 months of age are not allowed.

23.11 Aggressive, or potentially aggressive dogs must be muzzled while in the dog park when other dogs are present.

23.12 Dogs must be leashed when entering/exiting the dog park.

23.13 Pinch, chain or spiked collars are not allowed when the dog is allowed off leash.

23.14 No food of any kind is allowed in the dog park.