

**SIERRA VIEW ASSOCIATION
RULES AND REGULATIONS**

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Rules and Regulations

(Ratified June 9, 1995)

Amended January 16, 2005

Amended March 20, 2005

Amended November 19, 2006

1. Guidelines for Property/ Buildings

- A.** Lots may be used for residential purposes only.
- B.** Homes are to be single-family dwellings not to exceed 2 ½ stories in height.
- C.** Private garages, attached or detached may not exceed more than a two car garage.
- D.** The building or structure must be completed within six months after building operations start.
- E.** Individual water supply system and septic systems may be installed that conforms to and is maintained according to the standards of the Commonwealth of Pennsylvania Department of Environmental Resources. Installation must occur simultaneously with construction.

2. Property Building Boundaries Guideline

- A.** No building shall be located on any lot nearer than 50' to the front line or nearer than 30' to any side line.
- B.** Easement for installation and maintenance of utilities, roads, and drainage facilities reserved.

3. Restrictions

- A.** No temporary structure (trailer, basement, tent, shack, mobile home, garage, barn or other out building) may be used as a residence either temporarily or permanently.
- B.** No animals, livestock, or poultry of any kind shall be raised, bred or kept on lots. Cats, dogs, or other household pets are exempt provided they are not kept, bred or maintained for commercial purposes.
- C.** No lot shall be kept in an unsightly manner. A lot will be considered unsightly when rubbish, trash, garbage, waste, junk vehicles, construction equipment or debris is kept on the property in a disorganized and/or dangerous manner.

- C.1) For this purpose the term “vehicle” shall mean any conveyance such as a car, truck, motor home, camper, utility trailer, etc. that must be registered and inspected to travel on roads of the Commonwealth of Pennsylvania.
- C.2) A vehicle shall be considered junk when it cannot be operated on the roads of the Commonwealth due to body damage, mechanical problems and/or is in a deteriorated condition preventing it from being registered or inspected.
- C.3) No vehicle shall be kept on a lot in plain view that does not have a current legal registration and inspection sticker.
- D. No signs for advertising purposes shall be erected or maintained on any lot.
- E. No lot owner shall clear his lot of brush, trees or vegetation except for home construction or improvement of landscaping.
- F. No excavation or removal of earth or sand shall be made on the premises except for the purpose of building thereon and only at the time when building operations are to start.

4. Enforcement of Township/State Laws

- A. Township speed limits and regulations will govern all roads.
- B. No parking on any roads due to Chestnuthill and Tunkhannock Township parking regulations.
- C. Dumping and/or littering will not be tolerated.
- D. Hunting and/or discharging of firearms within Sierra View are prohibited.
 - D.1) Use of any device capable of launching a projectile with potential to cause property damage or physical injury to others within the boundaries of Sierra View is prohibited
- E. All recreation vehicles must be registered with the Pennsylvania Department of Transportation. ATV’s, dirt bikes, scooters, minibikes, motorized go-carts, or any unregistered recreational vehicles are prohibited on the roads within Sierra View.
- F. Dogs are not permitted to roam free in Sierra View. A restraining method must be utilized (leash, running line, pen, fencing, etc). Owners are responsible to pick up after their dogs when walking on roads. Owners are responsible for damages incurred by their pets’ behavior.

5. Association Specifics

- A.** All lot owners shall be members of the Sierra View Association.
- B.** All lot owners shall pay to the Association assessments or dues for the operations of the Association, for the creation, acquisitions, and the maintenance of common property and to provide funds for carrying out the purposes of the Association.
- C.** Failure to pay dues, assessments, or fines shall result in lien credit reporting, and/or sheriff sales.
- D.** All property owners shall abide by the By-laws of Sierra View Association and the rules and regulations of the community.
- E.** Repair and replacement caused by damage/vandalism to Sierra View common areas will be the financial responsibility of the individual or individuals responsible for the damage/vandalism. If the individual is a minor, the financial responsibility belongs to his/her parent or legal guardian. If the individual is a guest of Sierra View property owner, responsibility belongs to that owner.
- F.** Members must be in “good standing” to be entitled to use the pool, clubhouse, attend social functions and be recognized at meetings in voice or vote and other services.
- G.** At the Clubhouse, recreation areas, Association meetings, and social functions; member, member tenants and guests are expected to conduct themselves in a courteous and polite manner at all times. Loud boisterous conduct or profanity will not be tolerated. Offenders will be asked to leave.

6. Rentals

- A.** Homeowners will notify Sierra View Association upon rental of their home.
- B.** Homeowner will provide name, address and phone number of tenants as well as a current address and phone number of property owner.
- C.** Owners shall post Sierra View Association Rules and Regulations for their tenants.
- D.** Sierra View Association rules and policies bind tenants. The owner is financially responsible to Sierra view Association for damage caused to the amenities and/or common areas by their tenants.
- E.** Tenants of homeowners who are not Sierra View Association members in “good standing” will not be allowed to utilize any Association amenity or attend Association functions, meeting, etc.

7. Trash Regulations

- A.** Trash shall not be put out for collection until the day before or the day of removal. Empty trash containers shall be removed after pickup.
- B.** If for some unforeseen circumstance, the trash contractor fails to pick up on the designated day, the trash may be left out for a reasonable amount of time (24 to 48 hours) for pick up. It **shall not** be left out until the next scheduled pick up day.
- C.** If the homeowner is a weekender and wishes to put trash out prior to leaving (keeping regulation 1 in mind) he needs to make arrangements to have the trash put out and the empty cans removed.
- D.** If you rent your property, you are responsible for your renter's trash. All the above rules apply.
- E.** If a homeowner has an enclosure that hold trash bags or cans and is visible from the road, it shall be so constructed so the bags or cans cannot be seen.
- F.** At no time shall trash be left out in plain view of a homeowner's property unless it's the day before or the day of collection.
- G.** If there is anything that's not picked up by the contractor on the designated day, is shall be removed by homeowner.
- H.** While the trash is awaiting pickup and for some reason that it happens to get scattered, it is the homeowner's responsibility to clean it up.

8. Public Order and Safety – ADOPTED NOVEMBER 19, 2006

- A.** Fireworks of any and all types are prohibited within the boundaries of SVA, with the exception of sparklers when used in the presence of an adult. This rule is enacted due to the high probability of resulting brush fires.
- B.** Persons are prohibited from engaging in any act or undertaking, which unreasonably disturbs or harasses or alarms any member or person within the SVA community.
- C.** A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he/she engages in fighting or threatening, or in violent or tumultuous behavior makes unreasonable noise, uses obscene language or makes an obscene gesture, creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.
- D.** Any person who creates any condition (loud, boisterous activity excessive volume, etc.) shall be guilty of public nuisance when such activity interferes with another person's right to peace, or is capable of interfering with another person's right to peace.

- E.** Any person who erects, sets up, establishes, maintains, keeps or continues, or causes to be erected, set-up, established, maintained, kept or continued, any condition (loud, boisterous activity, excessive volume, etc.) shall be guilty of a 'Public Nuisance' when such activity interferes with another person's right to peace and quiet, or is capable of interfering with another person's right to peace and quiet. The following definitions and exceptions apply:
- E.1)** Noise is a 'Public Nuisance' if it continues and/or is incessant for a period of ten (10) minutes to the disturbance of any person at any time of the day or night regardless of whether the noise is emanating in, from or upon private property or a vehicle on SVA roadways or amenities
 - E.2)** Noise is a 'Public Nuisance' if it is intermittent for one-half (1/2) hour or more to the disturbance of any person at any time of the day or night regardless of whether the noise is emanating in, from or upon private property or a vehicle on SVA roadways or amenities.
 - E.3)** A dog that is left out and barks incessantly for a period of 15 minutes shall be considered a public nuisance.
- F.** A person will be issued a citation if he appears in any public place manifestly under the influence of alcohol or portrays characteristics of being under the influence of drugs and/or alcohol to the degree that he may endanger himself or other persons or property, or annoys persons in his vicinity. Underage drinking is prohibited on any SVA property. A zero tolerance approach will be taken in the enforcement of this rule.

Fines

1. Unregistered Vehicle
 - a) State registration - \$75
2. Uninspected vehicle - \$50
3. Illegal Parking
 - a) Parking on shoulder of road-\$ 25
 - b) On-Street Parking - \$25
4. Illegal Dumping and Littering - \$300
5. Damage to Amenities - \$250 + Repair or Replacement
6. Health and Sanitation - \$50

7. Illegal Burning - \$500 **

8. Badge Violation - \$25 + lose of privileges

9. Rental Policy Violation - \$100

This violation applies to home renters. If they violate SVA Rules & Reg. Etc, property owner could be fined

10. ATV, dirt bike, scooters, minibike, motorized go-carts; any unregistered recreational vehicle Violation - \$200 **

11. Firearm Violation - \$500 **

a) Use of any device capable of launching a projectile with potential to cause property damage or physical injury to others within the boundaries of Sierra View - \$500

12. Fireworks Violation - \$ 100

13. Public Order and Decency - \$100

14. Pet Violation - \$100 *

15. All Other Violations - \$50

* FINES DOUBLED for subsequent violations. A third repeat violation will result in Association Mandated Sanctions. All escalating fine structures as written in the SVA Rules and Regulations will be for one year from the original incident. Administrative costs will be added to all fines.

** No Warnings Given - ZERO Tolerance.

Enforcement of Rules and Regulations

ADOPTED NOVEMBER 19, 2006

1. A violation of SVA Rules and Regulations may result in a citation being issued and an appearance before the Disciplinary Committee as provided for in Section 8 of the By-Laws. Violation of a rule or regulation may result in a monetary fine, suspension of the property owner's privileges or Both as well as possible Civil Action to recover sums due for damages.

2. Any fine imposed by the Board of Directors for a violation of the Rules and Regulations shall be considered a charge against the property owner. If the fine is not paid within 30 days of the written notification, the fine will be entered on the member's account as due to the Association and may be pursued for collection through the Magistrate's Court.

3. Members will be responsible for all fines levied against their relatives, guests, tenants, and visitors for violations of the Rules and Regulations of the Association.*

4. Chronic offenders of the Rules and Regulations may be suspended from using any of the amenities for forty (40) days upon recommendation of the Disciplinary Committee after three (3) citations have been issued. A ninety (90) day suspension may be instituted for subsequent offenders with the approval of the Board of Directors. If a suspended offender is found utilizing the amenities during suspension, he/she may be charged with defiant trespass along with whatever additional violations and fines are deemed appropriate.

Enforcement Procedures

The original copy of a citation will be filed with the SVA Disciplinary Committee and a copy will be sent to the member/offender by certified mail. Within ten (10) days of forwarding of the citation, the member shall:

1. Plead guilty by forwarding to the Civic Association an amount equal to the fine and costs set forth in the Citation and waiving to the extent allowed notice or further adjudication.
2. A hearing date will be fixed and the cited member and/or violator or designated representative of the member shall be entitled to a defense hearing prior to further action. Member and/or violator or designated representative of the member should notify the SVA Office within five (5) days of such hearing of their intent to appear before the Disciplinary Committee.
3. If not satisfied with the decision before the Disciplinary Committee, the violator may request an appeal hearing before the BOD. This request must be in writing and delivered to the Association Secretary within ten (10) days after the first decision of the Disciplinary Committee.
4. Where citation or notices of Decision are mailed, receipt and forwarding shall be the date of depositing same in the United States Mail.
5. Failure to respond within the time limits specified above will result in necessary legal steps to collect the fine and costs set forth in the citation.