

PSHA Open Space Rules & Regulations

(Established in 1989;
Amended in 1996 & 2001)

A. RULES.

1. No cutting of trees over 1" in diameter on the Open Space.
2. No cutting of brush past the tree line on the Open Space, without prior written approval of the Open Space Committee.
3. No digging, gardens, bonfires, or dumping on the Open Space. No homeowner shall alter the Open Space or traffic islands in any way without written approval from the Open Space Committee.
4. No motorized vehicles (*other than lawn mowers*) on the Open Space (*including, but not limited to, trailers or campers designed to be pulled by another vehicle, boats, commercial trucks or vans, motorcycles, mopeds, motor scooters, and other motorized vehicles*). Vehicles parked on the Open Space, including access routes, shall be subject to immediate removal by the Open Space Committee at the owner's expense.
5. No storing of equipment or personal property on the Open Space (*including, but not limited to, boats, trailers, cars and snowmobiles*) without written approval from the Open Space Committee. No mechanical repairs or maintenance shall be performed on any vehicle on the Open Space. Changing auto fluids (*oil, power steering fluid and antifreeze, etc.*) is expressly prohibited.
6. No member shall use, possess or own any individual private dock rights on the existing shoreline abutting the Open Space. Therefore, no homeowner shall leave an unattended boat on the shoreline of any Open Space.
7. Engaging in activities that threaten the safety of residents and others is prohibited (*including, but not limited to, firearms, fireworks, paintball shooting, bike jumps and wrestling matches, etc.*).
8. The enforcement of the above rules is to be administered by the Open Space Committee. With regard to Association-sponsored activities, the Committee may suspend the enforcement of any or all of these rules for the preparation, accomplishment

or clean-up of those events or activities. Rules may be suspended for the enforcement of any rule (*e.g., allowing a truck to remove a violator's trailer*). Any expenses incurred by the Association in the enforcement of rules shall be charged to the violator.

B. OPEN SPACE COMMITTEE.

1. The Open Space Committee shall consist of a chairman, assistant chairman and usually five additional members, totaling seven.
2. Vacancies on the Open Space Committee shall be filled by the Board of Directors or possibly election by the entire Association at a constituted Annual Meeting.
3. Complaints against violators of these Rules & Regulations may be initiated by any PSHA member or tenant and submitted to the Open Space Committee chairman or any Committee member.
4. Complaints must clearly indicate the nature of the violation, date, time, location, house number, and/or, if possible, the name of the violator(s).
5. Violations are labeled by Levels:
 - **Level One.** A Level One violation is the first, or initial violation of the rules. The action or penalty for this violation could be a warning letter from the chairman. Complaints must be in writing signed by the complainant, although no corroborative witness is required at this level.
 - **Level Two.** This level is for a second violation of the rules. At this level, the violator will be asked to attend a meeting of the Committee regarding the alleged violation. Violations at this and all subsequent levels require the complaint to be in writing, be signed by the complainant, and include a signature of a second corroborating witness.
 - **Level Three.** A Level Three violation is a third violation of rules, which includes a fine of fifty dollars (\$50.00).
 - **Level Four.** At this level, the fine is seventy-five dollars (\$75.00).
 - **Level Five and above.** The fine is one hundred dollars (\$100.00).
6. Duties of the Chairman. The chairman shall receive and evaluate all complaints. The chairman may dismiss the complaint, record it with no corrective action being taken, mail a letter, and/or convene the Committee as needed for Level Two violations and higher.

C. HEARING AND APPEAL PROCEDURES.

1. An accused violator will have up to fifteen (15) days to respond to any letter or action of the Open Space Committee. Failure by the accused individual to respond to any notification or action with a written response or attendance at a hearing will be construed as an admission of the violation or agreement with the accusations. Should the accused individual respond to a complaint within the fifteen (15) days, the Committee would consider this response.

2. If the complaint is dropped, the complainant will be notified, in writing, as to why the action was taken. The complainant may request a reconsideration of the complaint by the chairman.

3. If the complaint is recorded, the complainant will be notified and an explanation given as to why no further action is being taken. The violator will also be notified, in writing, that a complaint has been filed and that no further action will be taken at this time.

4. If the chairman agrees with an accusation at Level Two or any other higher level, the chairman shall notify the accused and members of the Committee of a forthcoming meeting. The accused shall be notified in writing, with proof of mailing obtained from the Post Office, of the nature, date, time and location of the violation. Such notification will set a hearing date along with time and location of such hearing. At that meeting, the Committee shall listen to testimony, consider all aspects, causes, seriousness and/or extenuating circumstances, and take action on the complaint.

5. Any dollar assessment levied will be due and payable within thirty (30) days of a complaint being upheld or admitted. If such assessment is not received at that time, the amount of the assessment will be levied a late fee on the first of the months following the due date. Standard collection procedures will apply including placing a lien on the property, if necessary. Any costs so levied shall be payable to PSHA.

D. AMENDMENT PROCEDURES.

I. Any member or tenant who feels that an amendment to the Rules & Regulations is warranted may submit a request for such a change, in writing, to the Open Space Committee. The request must indicate the present rule, the proposed amendment or change, and the reason for the amendment or change.

2. The Open Space Committee, at its next meeting, will weigh the merits of the proposed change. If the proposal is disapproved, the Committee will notify the originator of the proposal, in writing, of its decision and the reason for disapproval. The originator may again present his or her proposal, in person, at the next Committee meeting if (s)he feels that further discussion is warranted. The Committee will hear such further arguments and another vote will be taken.

3. Should the Committee agree with the proposed amendment or change, the originator of the amendment will be advised of its approval, and the approved change will be forwarded to the Board of Directors with the Open Space Committee's recommendation for approval. The Board shall consider all such proposals and make the final determination of such a request.
