

Rules for Mountain Lakes Property Owners Association
Governing
RV Storage and RV Park Usage

Adopted by Mountain Lakes POA on _____
And Amended In _____

Section 1: Introduction: The responsibility for operating and maintaining the facilities known as the RV Park and RV Storage facility belongs to the Mountain Lakes Property Owner Association (POA) as it represents the interests of all property owners. For the common good of all property owners, the RV Committee of the POA maintains and enforces these rules to insure fair and equitable use of these facilities by all members. The towing of non-compliance vehicles will be also governed by this policy. All actions taken pursuant to these Rules must be in accordance with Texas law. Where any conflict between the Rules and Texas law exists, Texas law will govern.

Section 2: General Rules

1. All Mountain Lakes property owners and their guests are responsible for upholding and enforcing these rules. Any violation of these rules should be reported to the RV Committee chairperson or Committee designee. (See Appendix F – Contact Sheet)
2. Notice will be given orally if possible and written through a return receipt letter. However, no additional Actual Notice or the mailing of Written Notice is required when Written Notice was attached to an unauthorized vehicle and the owner or operator of the vehicle leaves the vehicle in another location where parking is unauthorized for the vehicles according to the notice [012(d)] (See Appendix G, Chapter 684, Texas Transportation Code).
3. All Mountain Lakes property owners are responsible for communicating in advance any intention outside the normal realm set forth in this document to the RV Committee-Chairperson for review and approval/disapproval by the Committee.
4. Mountain Lake Property Owners will hold harmless any and all of the Mountain Lake RV Committee members and the POA for enforcing the rules of RV Storage facility and RV Park.
5. These rules and contact information for all RV Committee members shall be continuously available on the internet web site and will be published at least annually in the newsletter.
6. Any questions about the rules may be addressed by contacting the RV Committee Chairperson or Committee designee or by sending a written inquiry to the RV Committee at the address listed in Appendix F – Contact Sheet.

Section 3: RV Storage Rules

1. The RV Storage area is for the exclusive use of Mountain Lakes property owners who are in good standing with the POA. Access to the RV Storage Area will be denied in response to non-payment of annual POA dues.

2. Types of vehicle allowed to be stored in the Mountain Lakes RV Storage Facility (aka Storage) are:
 - Travel/ Recreational Vehicle
 - Pop-Up Trailer
 - Boat/Watercraft (i.e. SeaDo) (Must be on a trailer)
3. The number of recreation vehicles stored per property owner household will be limited to two (2) in any combination.
4. All recreation vehicles must have a current registration with the State of Texas (or residential state) according to Motor Vehicle laws of the state.
5. All recreation vehicles must be road ready, that is, in working condition.
6. All recreation vehicles must be properly registered with Mountain Lakes POA. This form may be found in the mailbox at the storage compound or on the POA web site. It may be returned by
 - a. Placing it back into the mail box at the RV Storage area
 - b. Via US Postal Service to the contact names listed on the form
 - c. Any RV Committee Member
7. All properly registered storage items will receive a Recreational Vehicle tag issued by a member of the RV Committee after confirmation by the finance committee that the member is current with POA dues for that year. This sticker will be displayed on the back left bumper or affixed on to the vehicle it self in the location corresponding with the back left side.
8. Requests to store items of a type not listed above or to exceed the number of items must be made in writing to the Chairperson of the Mountain Lakes RV Committee for review and approval by the committee. The committee decision will be made within 30 days of receipt of request.

Section 4. RV Park Rules

1. Definitions for length of stay.
 - a. A weekend may be up to 5 nights
 - b. A vacation is up to 14 continuous nights
 - c. An extended stay is anything over 14 continuous nights
2. All property owner immediate families in good standing are entitled to stay free for 5 nights stays without limitation during the year.
3. All property owner immediate families are entitled to one vacation stay per calendar year of up to 14 continuous nights with out charge.
 - a. The RV Committee must be notified in advance of an intention to use the park for a vacation.
 - b. Vacation stays may not be accumulative in nature
 - c. Excess time may be arranged at a charge of \$15.00 per night up to 30 nights.
 - d. The completed and approved approval form must be displayed on the vehicle while in the RV Park.
4. Any property owner immediate family needing an extended stay during construction of their primary resident on their Mountain Lake property may do so with the following guidelines

- a. The owner must notify the RV Committee in advance requesting permission to use the park on an extended stay and specifying reason for request.
 - b. The completed and approved approval form must be displayed on the vehicle while in the RV Park.
 - c. The owner must have received approval by the Architectural Committee of their construction plans and have a confirmed start date and estimated completion date from their builder.
 - d. Owner will pay the Mountain Lakes POA on a month-to-month basis at a rate of \$5.00 per night (\$150.00) based on proposed use over and above the first 14 days to offset the cost of utilities. Amount will be due and payable in advance the first of each calendar month for the duration of the owner's stay. Non-payment will be addressed following the procedures outlined in Section 5 below. Checks should be made out to Mountain Lakes Property Owners Association and mailed to the Finance Committee at

Mountain Lakes Property Owner Association
Attention: Finance Committee
PO Box 189, Bluff Dale, Texas 76433-0189
 - e. Stays that exceed 6 months. Should extenuating circumstances arise; the property owner will submit a letter to the RV Committee.
 - f. The committee has the right to limit the number of extended stays that occupy space within the park at any one time.
 - g. The committee reserves the right to assign the space occupied for any extended stay.
- 5. All RVs will be placed in the storage compound after use. At no time will a RV be allowed to remain parked unoccupied without permission from the RV committee.
 - 6. The speed limit in the park/storage area is 5 mph for all vehicles
 - 7. The garbage dump is for the use of campers only. No Mountain Lake resident shall use the dump for personal use.
 - 8. Quiet Time in the park will be from 10:00 pm to 7:00 am Sunday – Thursday. Hours for Friday and Saturday will be from midnight to 8 am. For holidays that fall on a Monday, Sunday quiet time hours will be the same as Saturday.
 - 9. All Property owners residing in the park will be held liable for their pets. Pets should be on a leash or under voice command and must be supervised at all times. Pet owners are responsible for policing the area in order to keep the park clean. At no time will the Mountain Lake POA or the RV Committee be held liable for actions of a pet.
 - 10. All MT Lakes Property Owners, with RV committee approval, are allowed one (1) Guest RV in a hook-up parking pad (excluding holiday weekends) and cannot exceed a 5-night stay. This occupancy will not be in addition to the owner occupying a space, rather in lieu of the owner occupation so that only one space per owner at any one time will be allowed.

11. Owners may share a site with Guests thus having multiple RVs occupying a single site.
12. Tent camping is allowed, but will be confined to the MT Lakes Property Owners' campsite (pad). Pad areas will be reserved for RV vehicles use only. Any additions to the RV Park designed for tent campers and/or popup campers will be designated as such and no RV vehicles will be allowed to occupy those designated sites.

Section 5. Violations of RV Storage and RV Park Rules

The RV Committee will address violations of the rules in the following manner.

For RV Storage Violations:

1. A letter will be sent to the owner of the offending recreation vehicles. In the letter, a time frame for correcting the problem will be given. The time frame shall be no less than 14 days from the date of the letter. (See sample letter number one)
2. If the violation has not been corrected within the allotted time frame, a "return receipt required" letter will be sent with a time frame for a second chance to correct the problem. The time frame shall not be more than 15 calendar days after the postmark of the letter. (See sample letter two)
3. Should no response be received or the correction not made, a commercial business dealing with towing will be called to remove the offending item into a Vehicle Storage Facility that is off site.
4. The recreation vehicles/trailer owner will be held responsible for all charges incurred with towing and storage.
 - a. Cost for towing could range from \$100 – \$300 dollars depending on the type of vehicle being towed and the towing company responding
 - b. Administrative fine may be levied in the amount of \$50.
 - c. Additional fines may be levied should the vehicle not be properly registered with the POA in the amount of \$50
5. All Violations will conform to Texas Chapter 684, Texas Transportation Code found in Appendix G.

For RV Park Violations:

6. An oral notification/phone call will be made to the owner of the offending recreation vehicle. The owner will be given a time frame for correcting the problem. The time frame shall be no more than 7 days from the date of the call.
7. If the violation has not been corrected within the allotted time frame, a "return receipt required" letter will be sent with a time frame for a second chance to correct the problem. The time frame shall not be more than 15 calendar days after postmark. (See sample letter two)
8. Should no response be received or the correction not made, a commercial business dealing with towing will be called to remove the offending item into a secure location within the storage compound.
9. The recreation vehicles/trailer owner will be held responsible for all charges incurred with towing and storage.

- a. Cost for towing could range from \$100 – \$300 dollars depending on the type of vehicle being towed and the towing company responding
 - b. Administrative fine may be levied in the amount of \$50.
 - c. Additional fines may be levied should the vehicle not be properly registered with the POA in the amount of \$50
10. All Violations will conform to Texas Chapter 684, Texas Transportation Code found in Appendix G.

Committee Governance

- 1 The RV Committee shall be governed by the Texas Transportation Code Chapter 684, which serves as guidance to handling violations of these rules.
- 2 The RV Committee will post signs stating that the POA has the right to tow any vehicle in non-compliance after proper notification has been given.
- 3 The RV Committee shall have the right to investigate and approve a set number of contractors to perform this action.
- 4 The RV Committee and Mountain Lakes POA when causing the removal of an unauthorized vehicle is not liable for damages arising from the removal or storage of the vehicle if the vehicle was removed in compliance with Chapter 684 of the transportation code and is removed by a towing company insured against liability for property damage incurred in towing a vehicle and stored in a vehicle storage facility insured against liability for property damage incurred in storing a vehicle.
- 5 Per regulations under this Chapter, a minor variation of a required or minimum height of a sign or lettering is not a violation of this chapter.
- 6 Copies of Chapter 684, Texas Transportation Code governing towing may be obtained from members of the RV committee.
- 7 Collection of all monies owed to the POA shall comply with the process set forth by the Finance Committee.

Appendix A: Sample Letter for first time violations:

Dear _____

In order to maintain the RV Storage Facility/Park guidelines and policies, it has been determined that your vehicle, _____, is in non-compliance with the Rules and Regulations as stated in the By Laws dated MM/DD/YY.

Please correct the above condition by

If you have any questions regarding the regulations, please don't hesitate to contact

Thank you

Mountain Lake RV Committee

Appendix B: Sample Letter for second time violations

Dear _____

The vehicle in question, _____ continues to be in violation of the Mountain Lakes RV Storage Facility regulations

You must bring your vehicle in compliance, or the RV Committee will take corrective action 15 days from the postmark of this letter pursuant to Texas State policy for Texas Transportation Code— Chapter # 684. Should you not comply, corrective action may include removal of your vehicle into a storage facility outside of Mountain Lake facilities by a professional agent.

The 24 hour number of this service provider is: _____

If you have any questions about the regulations, please contact _____.

Thank you

Mountain Lake RV Committee

Appendix C: Definitions and Glossary

Term	Definition
Actual Notice	Oral notice given in person to the owner/operator of a vehicle in violation of this Policy that the vehicle will be owed at the owner's or operator's expense if not removed or notice in writing of the same delivered in person to the owner/operator of a vehicle in violation of this Policy.
Towing Company	A person operating a tow truck registered under Chapter 1135, Acts of the 70 th Legislature, regular session, 1987 (Article 6687-9b, Vernon's Texas Civil Statutes). This term includes the owner, operator, employee, or agent of a towing company, but does not include a political subdivision of the State.
Vehicle Storage Facility	A facility operated by a person licenses under Article 6687-9a, Texas Revised Statutes
Written Notice	<p>For Written Notice under this Policy to be effective, it must meet the requirements of both statements below:</p> <p>A conspicuous written notice attached to a windshield of a vehicle in violation of this policy or if the vehicle has no windshield, attached to a conspicuous part of the vehicle that states or details the following:</p> <ol style="list-style-type: none"> 1. The vehicle is not authorized to be parked where it is 2. a description of all other unauthorized parking areas on the property 3. The vehicle will be towed at the owner's or operator's expense if it remains where it is parked and 4. the area code and number of a telephone that is answered 24 hours a day to enable to the owner/operator of the vehicle to locate same if towed <p>AND</p> <p>Notice must be mailed to the owner of the vehicle by Certified mail; return receipt requested to the last address shown for the owner according to vehicle registration records of the relevant state. This notice must:</p> <ol style="list-style-type: none"> 1. State that the vehicle is in a space in which the vehicle is not authorized to park 2. Describe all the other unauthorized parking areas

	<p>on the property</p> <p>3. Contain a warning that the unauthorized vehicle will be towed at the expense of the owner/operator the vehicle is it is not removed from the property before the 15th day after the past mark date of the notice and</p> <p>4. State the area code and number of a phone that is answered 24 hours a day to enable the owner operator to locate the vehicle if towed.</p>
MLPOA	Mountain Lake Property Owners Associations
Recreation Vehicles (RV)	A vehicle, such as a camper or motor home, used for traveling and recreational activities. This may include Personal Watercraft, All Terrain Vehicles, Campers, Pop Ups Trailers, Travel Trailers, 5 th Wheel Vehicles and other Trailers used for recreational purposes.
Trailer	A transport vehicle for boats, watercraft, PWCs and ATVs designed to be hauled by a car or truck.
Travel Trailer-	A vehicle, such as a camper or motor home, used for traveling and recreational activities.
Pop-Up Trailer	A furnished vehicle drawn by a truck or automobile and used when parked as a dwelling. This type of vehicle is characterized by its compact size that expands in height and length through un folding the top and sides.
5 th Wheel	A type of RV that is characterized by a connection within the bed of the vehicle that will pull it.
Boat w/ trailer	A relatively small, usually open water capable craft of a size that might be carried aboard a ship.
Watercraft w/ trailer	A lightweight vessel usually less than 16 ft (5 m) long that uses an inboard water jet pump, powered by an internal-combustion engine, as its primary source of propulsion.
ATV w/ Trailer	All Terrain Vehicles that will be located on a trailer
PWC w/ Trailer	Personal Water Craft such as a Sea Do that is operated by a person or persons sitting, standing, or kneeling on it, rather than inside it, as in a conventional boat.

Appendix D: Mountain Lake Storage Registration Form

Please fill out and mail to:

Mountain Lakes Property Owners Association
Access Committee
PO Box 189, Bluff Dale, TX 76433

Name: _____ Date: _____
Street _____
City _____ State: _____ Zip: _____

Phone number: _____
Alt Phone #: _____

Lot # _____ Access Card # _____

Type of Item to be stored:

- ☐ Recreational Vehicle
☐ Motor Home
☐ Pop Up Camper
☐ Utility Trailer
☐ Boat
☐ Other: _____

License number and State Registered

Signature: _____ Date: _____

Finance check: Dues current? Y ☐ N ☐

Reviewed : _____

mm/dd/yy _____

☐ Approved

☐ Disapproved

If disapproved, reason: _____

Sticker # Issued: _____

Appendix E: Mountain Lake Request for Extended Stay Form

Please fill out and mail to:

Mountain Lakes Property Owners Association, Attn: RV Park Committee, PO Box
189, Buff Dale, Texas 76433-0189

Name: _____

Date: _____

Phone number: _____

Alt Phone #: _____

Lot # _____

Requested Dates for stay: From: _____ To: _____
mm/dd/yy mm/dd/yy

Purposed of stay:

☐ Extended Vacation

☐ Construction Date of ACC approval: _____
mm/dd/yy

Date for Construction start: _____
mm/dd/yy

Date for Construction end: _____
mm/dd/yy

☐ Other

Signature: _____ Date: _____

Finanee check: Dues current? Y ☐ N ☐

Reviewed : _____
mm/dd/yy

☐ Approved

☐ Disapproved

If disapproved, reason:

This form must be displayed for the entire duration of stay

Appendix F: Contact Sheet for RV Committee Members

Pam & Jeff Bush	972-492-2339 972-365-0631 (c)	<u>PAS146@Hotmail.com</u> <u>JCB289@hotmail.com</u>
Colisa and Roy Gillespie		<u>colisa.gillespie@ngc.com</u> <u>Roy.A.Gillespie@LMCO.com</u>
Penny and Tony West		<u>PLwest@Cisco.com</u> <u>Anthony.West@verizon.com</u>
Marshal Goldberg		<u>Marshall.Goldberg@sbcglobal.net</u>
Kerry Strange		<u>kerrystrange@sbcglobal.net</u>
Phyllis and George McGrath		<u>Magrathg.p@juno.com</u>
RV Committee	Mountain Lakes POA Attention: RV Committee PO Box 189 Buff Dale, Texas 76433-0189	

Appendix G

LEGAL OVERVIEW Chapter 684. Texas Transportation Code

1. A Property Owners' Association may, without the consent of the owner or operator of an unauthorized vehicle, cause the vehicle and any property on or in the vehicle to be removed and stored at a vehicle storage facility at the vehicle owner's or operator's expense if
 - A. The appropriate signs have been posted for at least 24 hours and remain installed; and
 - B. The owner gives actual notice that the vehicle will be towed at the owner's or operator's expense if it is not removed; or
 - C. Appropriate written notice is given in accordance with the statute; or
 - D. The vehicle is left in violation of 684.011; or
 - E. The vehicle is in or obstructing a portion of a paved driveway or abutting public roadway used for entering or exiting the Property.
2. A vehicle is in violation of Section 684.011 if:
 - A. It obstructs a vehicular traffic aisle, entry or exit to the Property;
 - B. It prevents a vehicle from exiting a parking space on the Property;
 - C. It is in or obstructs a properly marked fire lane; or
 - D. It is in a parking space properly designated for the exclusive use of a vehicle transporting a disabled person and does not have the appropriate license plates or parking placard authorizing such parking.
3. A Property Owners Association who causes the removal of an unauthorized vehicle is not liable for damages arising from the removal or storage of the vehicle if the vehicle
 - A. Was removed in compliance with Chapter 684 of the Transportation Code; and
 - B. Is
 - 1) Removed by a towing company insured against liability for property damage incurred in towing a vehicle; and
 - 2) Stored by a vehicle storage facility insured against liability for property damage incurred in storing a vehicle.
4. Civil Liability
 - A. A towing company or Property Owners Association who violates this chapter is liable to the owner or operator of the vehicle that is the subject of the violation for
 1. Damages arising from the removal or storage of the vehicle; and
 2. Towing or storage fees assessed in collection with the vehicle's removal or storage.
 - B. A vehicle owner or operator is not required to prove negligence of a Property Owners Association or towing company to recover under the section above
 - C. A towing company or Property Owners Association who intentionally, knowingly or recklessly violates this chapter is liable to the owner or operator of the vehicle that is

- the subject of the violation for \$300 plus three times the amount of fees assessed in the vehicle's removal, towing, or storage
- D. In a suit brought under this chapter, the prevailing party is entitled to recover reasonable attorneys' fees.
5. Fine: A violation of this chapter is punishable by a fine of not less than \$200 Or more than \$500.
6. Injunction; A violation of this chapter may be enjoined under Subchapter E, Chapter Business & Commerce Code.
7. A minor variation of a required or minimum height of a sign or lettering is not a violation of this chapter.

Mountain Lakes
Access Card Request Form

Please fill out and mail to:
Mountain Lakes Ranch Property Owners Association
Attn: Access Committee
PO Box 189
Bluff Dale, TX 76433

=====

RESIDENT INFORMATION:

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

Phone number: _____

Alt Phone #: _____

Lot #: _____ Current Card #s: _____

REASON FOR REQUEST:

LIMIT 2 CARDS PER FAMILY

☐ NEW OWNER

☐ REPLACEMENT CARD, lost card # _____

☐ EXTRA CARD

Owners will not be issued extras or replacements while two or more cards are still active. New owners are allowed one free card and one extra. Replacement or extra cards will cost \$20 each. Please remit fees as applicable.

As a property owner, I understand it is my responsibility to report lost or stolen access cards to the Mountain Lakes Access Card Committee.

Signature: _____ Date: _____

_____ for CMA use only _____

Finance check: Dues paid? Y ☐ N ☐

Review date: _____ ☐ Approved ☐ Disapproved

If disapproved, reason: _____

Card # Issued: _____