Bear Valley Springs

Association Rules

RESTATED COVENANTS, CONDITIONS AND RESTRICTIONS FOR

Bear Valley Springs Association

January 1, 2024

IF THIS DOCUMENT CONTAINS ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS DISABILITY GENETIC INFORMATION, NATIONAL ORIGIN, OR SOURCE OF INCOME AS DEFINED IN SUBDIVISION (p) OF SECTION 12955 OF THE GOVERNMENT CODE, OR ANCESTRY, THAT RESTRICTION VIOLATES STATE AND FEDERAL FAIR HOUSING LAWS AND IS VOID, AND MAY BE REMOVED PURSUANT TO SECTION 12956.2 OF THE GOVERNMENT CODE. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF THE OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

Revisions			
Adopted	**Effective**	**Action**	**Sections Affected**
11/17/01	11/17/01	Amend	Sec. 108, Board Advisory Committees Sec. 1704(a), Notice of Hearing Sec. 1706, Application
12/15/01	12/15/01	Amend Repeal	Sec. 307, Guest Passes Secs. 401(c) & (d), 402(c), 403(a), Archery Range Secs. 501(c), (e) & (f), 502, 503(a), 505, Campgrounds Sec. 1401(a), Member Responsibilities
2/16/02	2/16/02	Amend	Sec. 108, Board Committees. (b)(1) and (b)(2) Sec. 109, Parliamentarian Authority at Board Meetings
5/18/02	5/18/02	Amend	Sec. 108, Board Advisory Committees Sec. 2.201(a), Preliminary Letter Sec. 2.204(a),(c),(d),(e),(h), Ballot Proposals

NOTE: Formatting and pagination were changed to accommodate additions and changes to the Rules.			
12/21/02	12/21/02	New	Sec. 100.1, Rule Change Procedure
3/15/03	3/15/03	Amend Amend/Add Amend	Secs.105(c)(4) & (5); 105(d) & (h), Open Board Meetings Secs.601(d); 602(a), 603(a), (f) & (i); 605(a); Sec. 601(e), Equestrian Etiquette, Fees, and Safety. Sec. 702(i), Horseback Riders' Responsibilities
4/19/03	4/19/03	Amend	Sec. 1702(a)(2), Enforcement Procedures (fines for ECC Rules violations)
10/18/03	10/18/03	Amend/Add	Sec. 2.213(a)(1-3) and (c), Pre- & Post-Meeting Procedures Sec. 900(e) and (f), Boating Equipment Sec. 902(o), Member Responsibilities
4/17/04	5/1/04	Amend Repeal Repeal Adopt	Sec. 100, Adoption Sec. 100.1, Rule Change Procedure Art.2, Annual Membership Meetings Art. 2.2, Annual Membership Meetings; Procedures New Art. 2, Annual Membership Meeting and Election of Directors
6/17/06	7/1/06	Repeal Add	Art. 2, Annual Membership Meetings and Election of Directors New Art. 2, Association Membership Meeting and Voting Rules
10/21/06	10/21/06	Amend Repeal	Secs. 1600, 1601, 1602, 1702, 1703 Sec. 1704
11/18/06	11/18/06	Amend Repeal Add Re-letter	Secs. 200(k)(2) & (k)(5), 201(g), 202(g), 209(c), 213(a) Secs. 202(m); 213(b) Sec. 203 (e) Subdivisions (c) thru (j) of Sec. 213
3/24/07	3/24/07	Repeal Renumber	Sec. 1704 Secs. 1705 (to 1704); 1706 (to 1705)
10/20/07	12/10/07	Amend	Sec. 301 (a) Sec.. 309 (b)

11/17/07	01/10/08	Amend	Sec. 102 Sec. 105 (h) Sec. 107 (a) Sec. 1000 (b,c) Sec. 1001 (b) Sec. 1004 (f) Sec. 1005 (d-g) Sec. 1103 (a) Sec. 1105 (b,c) Sec. 1201 (a,b) Sec. 1203 (j)
12-15-07	2-10-08	Amend	Sec. 100 (b) Sec. 1203 (j) Sec. 900 (a)
01-19-08	3-10-08	Amend Add Repeal Add	Sec. 1602 (a,b) Sec. 1602 (c,d,e) Sec. 1004 (i) New Sec. 1004 (i)

02-16-08	4-10-08	Repeal Amend Amend Amend	Sec. 302 (b) & (c) Sec. 1903 (d) Sec. 1702 (a)(2) Sec. 700 (c)
05-17-08	6-10-08	Repeal Adopt New	Art. 18 in its entirety Art. 18
06-21-08	8-10-08	Amend Repeal	Sec. 100 (b) Sec. 105 (c)(5) Sec. 106 (a) Sec. 107 (a) & (b) Sec. 209 (a) Sec. 603 (g) Sec. 213 (a) Sec. 2.100 Sec. 306 (b) & (c) Sec. 403 (b) Sec. 500 (d) Sec. 504 (e)(1) & (e)(8) Sec. 702 (b) Sec. 802 (a) Sec. 1000 (a) Sec. 1102 (c) Sec. 1104 (a), (c), (d), & (i) Sec. 1105 (b) & (d) Sec. 1201 (a) & (c) Sec. 1203 (a) Sec. 1304 (a) Sec. 1401 (i), (j) & (v) Sec. 1500 (r) Sec. 1502 (f) Sec. 1701 (a)(3) & (a)(4) Sec. 1702 (a) Sec. 1703 (a) Sec. 212 (a) Sec. 603 (f) Sec. 1000 (d) Sec. 1005 (b) Sec. 1104 (f) Sec. 1400 (c)
07-19-08	9-10-08	Amend	Sec. 305(n)
01-05-09	2-10-09	Amend	Sec. 1602 (a), (b), (c), (d), & (e)
05-16-09	7-10-09	Amend Add	Sec. 305 (n), (j) Sec. 1301 (a) Sec. 1304 (c) New Art. 21, RC Model Facility and Model Boat Use
01-16-10	3-10-10	Add Amend	Sec.1800 (b)(7)(F) Sec.1800 (b)(7)(A)
03-20-10	5-15-10	Amend	Sec. 101(f) Sec. 108(b)(1) Sec. 209(c)

06-19-10	8-10-10	Add	Article 22 Rules for Beaubien Field
07-17-10	9-10-10	Amend Add Renumbered	Sec. 1701 (a) Enforcement Procedures without hearings and Notice. Subdivisions (a) and (b) of Sec. 1702, Enforcement Procedures With Notice and Hearing Subdivision (a) to Sec. 1703, Written Complaint Subdivision (b) of Sec. 1704, Hearing (former 1705) New Subsection (2) to subdivision (a) of Section 1702 Subdivision (b) to Section 1703, Written Complaint Section 1702
09-18-10	11-10-10	Amend	Sec. 305 (h) – Use Privilege Cards
10-16-10	12-10-10	Amend Repeal	Sec. 307 (e)(6) – Guest Passes Sec. 303, Emergency Care - Minors
12-18-10	02-10-11	Amend Add	Sec 1802 (a)(2) Fees & Deposits Subdivision (f) of Sec. 1901, General Subdivision (h) to Sec. 801, Fishing
01-15-11	03-10-11	Amend	Sec. 305(i) – Use Privilege Cards
02-19-11	04-10-11	Amend	Sec. 306 (c) & (e), Member Responsibilities Sec. 108(b)(10), Board Advisory Committees Sec. 1903 (c), Farm Animals (alpacas) Sec. 504(d)(3), Member Responsibilities Sec. 1600, Definitions
03-19-11	05-10-11	Add Amend	Subdivisions A, B, C, D, E, F to Sec.108(b)(1) Sec. 701(g), Hiker's Responsibilities Sec. 702 (d) & (h), Horseback Rider's Responsibilities
05/21/11	06-10-11	Amend Repeal Add	Sec. 600 Boarding Sec. 602 (a) & (b) Fees Sec. 603(a) Safety Sec. 604(a)(3) Horse Trailers Sec. 604(b) Horse Trailers Sec. 605(a) Management Responsibilities Sec. 605(b) Management Responsibilities Sec. 601(f) Etiquette Subsection (c) to Section 603(e)(1) Safety Subsection (j) & (k) to Sec. 603 Safety Sec. 606(a) Definitions Subsection (k) to Sec. 1104 Member Responsibilities
6/11/11	Bylaws change voted by the membership on 6/11/11	Amend	Sec. 102. Regular Board Meetings
7/16/11	8/10/11	Amend Add	Sec. 305(f)(2), Use Privilege Cards Sec. 305(g), Use Privilege Cards Sec. 1800(b)(7)(C), Purpose & Scope (recognized clubs) Sec. 2103(a)(1), Radio Control Subsec. (g) to Sec. 601, Etiquette (at Equestrian Center) Subsec. (i) to Sec. 1800(b)(7)(C), Purpose & Scope (recognized clubs)

			Subsec. (e) to Sec. 1903, Farm Animals Article 23, Rules for Cub Lake Dog Park
10/15/11	11/10/11	Amend	Subsec. (a)(2)(A) to Sec. 108, Board Advisory Committees
12/17/11	01/10/12	Add	Subsec. (a)&(b) to Sec. 216, Pre and Post Meeting Procedures
05/19/12	06/10/12	Amend	Subsec. 108(b)(10), Board Advisory Committees
06/16/12	07/10/12	Amend	Sec. 101(f), Definitions, Members in Good Standing Sec. 105(b), Open Board Meetings Sec. 108(c)(4), Board Advisory Committees
08/20/12	09/10/12	Amend Add	Sec. 100(b), Adoption of Rules Sec. 1800(b)(7)(F)(ii), Recognized Clubs Sec. 306(j), Projectile Devices on Trails
11/19/12	12/10/12	Amend	Sec. 1800(b)(7)(D) & (E), Recognized Clubs Sec. 309(b), Alcohol Beverage Use at Amenities & Facilities
12/17/12	01/10/13	Amend	Sec. 108(b)(10), Committee Formation
01/21/13	02/10/13	Add Amend Repeal Re-letter Amend Repeal Amend Add Re-number Re-number Add	Subsection C. to Section 108(a)(2). Board Advisory Committees Subsection 108(b)(1) A. Formation Subsection 108(b)(1)(F) Subsection 108(b)(1) F to E, Formation Subsection E, Formation Subsection 108(b)(11), Formation Subsection 108(c)(4),(5),(6)&(7), Procedures Section 605, Milano Arena Section 605 to Section 606 Section 606 to 607 Subsection 607(b), Definitions
03/18/13	04/10/13	Add Amend	Revised Subsection (e) to Section 306 and re-letter existing Subsections (e) thru (j) to (f) thru (k). Member Responsibilities. Section 1500(i). Golf Course and Driving Range Section 1502(d), (e) and (g). Power Golf Carts Section 1503(a) Enforcement
05/20/13	06/10/13	Amend & Renumber	Section 1702 (1)(2)(3) & (4), Enforcement Procedures
06/17/13	08/10/13	Amend	Section 801(3) Catch limits per day per person
06/17/13	08/10/13	Amend	Section 1104(k) Member Responsibilities
06/17/13	08/10/13	Amend	Section 1202(b) Open Play
06/17/13	08/10/13	Amend	Section 1809(a)(4) and (5) Service Providers
06/17/13	08/10/13	Add & Renumber	Section 1809(c) and (d) Service Providers
07/15/13	09/10/13	Add	Section 2000(g) Tobacco Smoking at Association Operated Facilities
07/15/13	09/10/13	Add	Article 24 Bear Valley Nature Path
07/15/13	09/10/13	Amend	Section 305(h) Use Privilege Cards
09/16/13	12/10/13	Add Amend Add Amend	Section 403(g) Member Responsibilities Section 404(c) Management Responsibilities Section 504(e)(11) Member Responsibilities Section 506(e) Management Responsibilities

		Amend	Section 606(c) Management & Member Responsibilities
		Add	Section 608(a) Equestrian Center
		Amend	Section 703 Management & Member Responsibilities
		Add	Section 802(k) Member Responsibilities
		Amend	Section 803(b) Management Responsibilities
		Add	Section 902(p) Member Responsibilities
		Amend	Section 903(d) Management Responsibilities
		Amend	Section 1004(f) Member Responsibilities
		Add	Section 1004(j) Member Responsibilities
		Amend	Section 1005(g) Management Responsibilities
		Amend	Section 1106(c) Enforcement
		Add	Section 1203(k) Member Responsibilities
		Amend	Section 1204(b) Management Responsibilities
		Add	Section 1304(h) Member Responsibilities
		Amend	Section 1305(e) Management Responsibilities
		Add	Section 1401(z) Member Responsibilities
		Add	Section 1401(aa) Management Responsibilities
		Add	Section 1402(c) Management Responsibilities
		Amend	Section 1503(c) Enforcement
		Amend	Section 1604 Enforcement
		Add	Section 2104 Member and Management Responsibilities
		Add	Section 2203 Member & Management Responsibilities
		Amend	Section 2303 Dog Park Rule
01/20/14	02/10/14	Amend	Section 1703(a)and(b) Written Complaint
04/21/14	05/10/14	Amend	Section 200(b) Membership Meetings, Annual Meeting, and Election of Director
		Amend	Section 2000 Complete Ban
		Amend	Section 2001 Restricted Smoking Permitted
		Amend	Section 2002 Unrestricted Smoking Permitted
		Amend	Section 2003 The Oak Tree Country Club Bar
		Amend	Section 2004 Enforcement
Adopted	**Effective**	**Action**	**Sections Affected**
04/21/14	05/10/14	Amend	Section 2101(a),(b),(c) Hours of Operation
		Amend	Section 2102 Safety
		Amend	Section 2103 Radio Control
		Amend	Section 2103 1.(a)(1) Operation
08/06/13	07/10/14	Amend & Add	Section 307 (d)(3) Sports Pass

07/21/14	08/10/14	Amend Amend Amend Amend	Section 1002 (b) Reservations Section 1003 (a), (b) Catering Services Section 1004 (a),(b),(f),(g),(h),(i) Member Responsibilities Section 1005 (e) Management Responsibilities
10/20/14	11/10/14	Amend	Section 1903 (c),(d) Farm Animals
12/15/14	01/10/15	Amend	Section 1101 Attire Section 1102 (d) – (o) Pool Rules Section 1103 (a),(d), and (e) Food & Beverages Section 1104 (d) – (k) Member Responsibilities Section 1105 (a) Management Responsibilities Section 1106 (a), (b) Enforcement Section 1600 Definitions Section 1601 (a) Unimproved Lots Section 1602 (a),(b),(e) Screening or Storage of RV
01/19/15	02/10/15		Section 601 (h) Etiquette Section 603 (a)(c)(e)(k) Safety & Practice Section 604 (a) Horse Trailers Section 606 (d) Management & Member Responsibilities Section 607(c) Definitions Section 700 (a)(b)(c)(d)(e) General Section 702 (k) Horseback Riders' Resonsibilities
02/17/15	03/10/15	Amend Amend Amend Amend Added	Section 1500 (a) through (r) Golf Course Section 1501 (d) Driving Range Section 1502 (d)(e)(f)(g)(h)(i)(j) Power Golf Carts Section 1503 (c)(d) Enforcement and Management Responsibilities Section 1504 (a)(b)(c)(d) Member Responsibilities
06/15/15	07/10/15	Amend	Section 108 (b)(1) Formation
09/28/15	10/10/15	Add & Amend	Section 305 (f) Use Privelege Cards and Section 306 (a) Member Responsibilities
10/26/15	11/10/15	Amend	Section 105 (h) Open Board Meetings and Section 106 (a) Agemda for Regular Board Meetings
02/16/16	03/10/16	Amend	Section 1602 (c)(d)(e) Screening or Storage of RVs
07/19/16	08/10/16	Amend	Section 1902 (c) Animals Permitted in BVS General
07/19/16	08/10/16	Amend	Section 700(a) General
07/19/16	08/10/16	Amend	Section 1102(o) Pool Rules
Adopted	**Effective**	**Action**	**Sections Affected**
07/19/16	08/10/16	Amend Amend Amend Add	Article 20 SMOKING AT ASSOCIATION OPERATED FACILITIES Section 2000 Complete Ban Section 2001 Restricted Smoking Permitted Section 2003(a),(b) & (c) Definitions

07/19/16	08/10/16	Amend	Section 2301(a) Dog Park Conduct Rules
07/19/16	08/10/16	Amend	Section 2401(g) Bear Valley Nature Path Conduct Rules
10/18/16	11/10/16	Amend Amend Add	Article 21 RC MODEL AND DRONE FACILITY Section 2101 Safety (1) Section 2101 Safety (12)
12/20/17	01/10/17	Amend	Section 1500 Golf Course (a)
12/20/17	01/10/17	Add Add	Section 900, Safety (d) and (e) Section 901, Member Responsibilities (o); Renumbered (o) and (p)
01/17/17	02/10/17	Amend Add	Section 307, Guest Passes (a) and (e)(2) Section 307, Guest Passes (d)(4)
01/17/17	03/10/17	Amend	Section 1401, Member Responsibilities (c)
04/18/17	05/10/17	Amend	Article 10, OAK TREE COUNTRY CLUB AND FOOD AND BEVERAGE SERVICE AT BVSA AMENITIES/FACILITIES
04/18/17	05/10/17	Add	Section 1000, General (e)
04/18/17	05/10/17	Amend	Section 1003, Catering Services and Food and Beverage Service at BVSA Amenities (c)
04/18/17	05/10/17	Amend	Section 1004, Member Responsibilities (a)
08/15/17	09/10/17	Amend Add Amend Add Amend	Section 900, Boating Equipment (a)(4) and (6), (f) and (g) Section 900, Boating Equipment (e) Section 901, Safety (b) Section 901, Safety (d) and (e) Section 903, Member Responsibilities (i) and (n)
08/15/17	09/10/17	Amend Add	Section 801, Fishing, (b)(1) and (i) Section 801, Fishing, (h)
11/21/17	12/10/17	Amend	Article 13, Rifle and Trap Range
01/16/18	02/10/18	Amend	Article 15, Golf Course and Driving Range
03/20/18	04/10/18	Amend	Article 13, Firearm Restrictions Article 19, Farm Animals
05/15/18	06/10/18	Add	Article 7, Section 700, Equestrian Center and Hiking Trails
05/15/18	06/10/18	Add	Article 16, Section 1602, Screening of Recreational Vehicles Not Parked or Stored within Approved Structures (a) (c)
06/19/18	07/10/18	Amend	Section 305, Use Privilege Cards, (f)
06/19/18	07/10/18	Amended	Section 305, Use Privilege Cards, (g)(2).
Adopted	**Effective**	**Action**	**Sections Affected**
09-18-19	10-10-19	Amend	Article 11, Section 1101 Swimming Attire
01-15-19	02-10-19	Amend	Article 11, Section 1102 Pool Steps, Keep Clear
03-19-19	04-01-19	Amend	Section 1703 Written Complaint (a) ECC Violations

03-19-19	04-01-19	Amend	Section 307 Guest Passes
04-16-19	05-10-19	Added	Article 3, Section 305 I (A) Use Privilege Cards
04-16-19	05-10-19	Amended	Section 1101 Swimming Pool, Hours of Operation
04-16-19	05-10-19	Amended	Section 1101 Swimming Pool, Attire
04-16-19	05-10-19	Amended	Article 17, Section 1702 Enforcement Procedures
04-16-19	05-10-19	Amended	Section 1801 Special Use Request Form
04-16-19	05-10-19	Amended	Section 1807 Special Use Request and Agreement Provisions
04-16-19	05-10-19	Amended	Section 1808 Time Limits
04-16-19	05-10-19	Amended	Section 1811 Special Use Request and Agreement
09-17-19	10-10-19	Added	Section 305, Sub-section (g)(4) Use Privilege Cards
02-01-20	03-17-20	Amended	Section 500, General
03-18-20	04-17-20	Amended and Restated	Article 2, Election Rules
07-21-20	08-10-20	Amended	Article 9, Four Island Lake Boating
5-18-21	06-01-21	Added	Article 3, Sub-section (g)(4), Use Privilege Cards
6-15-21	08-01-21	Amended	Article 17, Enforcement Procedures
2-16-21	3-1-21	Amended	Article 21 RC Model and Drone Facility
9-21-21	10-15-21	Amended	Article 3, Section 306 Member Responsibilities
9-21-21	10-15-21	Amended	Article 8, Section 802 Member Responsibilities
9-21-21	10-15-21	Amended	Article 9, Section 900 and 902 Boating Equipment
9-21-21	10-15-21	Amended	Article 17 Introduction
12-21-21	01-10-22	Amended	Article 3, Section 305, Use Privilege Cards
06-21-22	07-10-22	Amended	Article 1, Section 108, Board Advisory Committees
10-25-22	11-01-22	Amended	Article 3, Section 305, Use Privilege Cards
10-25-22	11-01-22	Amended	Article 14, Section 1401 Member Responsibilities
11-30-22	11-30-22	Amended	Article 15, Golf Course and Driving Range
04-01-23	06-01-23	Amended	Article 24, Bear Valley Nature Path and Cub Lake Walking Path
06-01-23	07-01-23	Amended	Article 3, General Rules, Use Privilege Cards
7-18-23	09-01-23	Amended	Article 8, Cub Lake and Fishing At Cub and Four-Island
7-18-23	09-01-23	Amended	Article 9, Four-Island Lake -Boating
11-21-23	12-01-23	Amended	Article 17, Enforcement of Association Rules, By-Laws and C&R's

1-19-24	2-10-24	Amended	Article 3, General Rules for Amenities and Facilities
3-19-24	4-10-24	Amended	Introduction to BVSA Rules
3-19-24	4-10-24	Amended	Article 1, General Definitions, Board of Directors' Meetings;Committees
3-19-24	4-10-24	Amended	Article 2 Association Membership Meeting and Voting Rules
3-19-24	4-10-24	Amended	Article 4 Archery Range
4-16-24	5-10-24	Added	Article 18, Section 1811 Independence Day Parade Rules
4-16-24	5-10-24	Amended	Article 5, Campgrounds
5-21-24	6-5-24	Amended	Article 18, Amenity Special Activities Use by Individuals or Groups
8-25-24	9-10-24	Amended	Article 9, Four Island Lake
03-10-25	03-10-25	Amended	Article 13, Rifle and Trap Range
9-16-25	10-10-25	Amended	Article 24, Section 2400, General Rules
11-18-25	12-10-25	Amended	Article 18, Section 1802, Fees and Deposits
11-18-25	12-10-25	Amended	Article 18, Secion 1800, Amenity Special Use by Individuals and Groups
11-18-25	12-10-25	Amended	Article 20, Smoking at Association Operated Facilities
12-16-25	01-10-26	Amended	Article 18, Section 1802, Fees and Deposits
04-21-26	05-05-2026	Amended and Re-numbered	Article 17, Enforcement of Association Rules, By-Laws and C&R's
09/18/26	10/10/26	Amended	Article 3, Section 305-307, General Rules for Amenities and Facilities

BEAR VALLEY SPRINGS ASSOCIATION

ASSOCIATION RULES

INTRODUCTION

The Board of Directors of the Bear Valley Springs Association has previously adopted the following Association Rules that govern the operations of the Association and the use of the Community Facilities.

The primary consideration in adopting Rules has always been to enable Association Members, their families, their guests, and tenants to obtain maximum enjoyment from the use of the facilities while giving consideration to the health, safety and general welfare of those who use the facilities.

These Rules are subject to change by the Board of Directors pursuant to the Davis-Stirling Common Interest Development Act (CID Act), the Covenants and Restrictions, the Bylaws, and the Association Rules. Proposed changes will be delivered to Members for comment as provided under the CID Act.

The Board urges all Members to retain and become familiar with these Rules and to make their family members, their guests and their tenants aware of them. They are printed in loose-leaf form to facilitate later changes.

Please note that all Members, family members, guests and tenants use the facilities at their own risk. The Association assumes no responsibility for injury or accidents to persons, or damage or loss of property while using the facilities operated by the Association.

Reasonable effort will be made by the Association Board to further publicize the Rules and all subsequent changes. However, it is Members' responsibility to know the current Rules and to comply with them.

BOARD OF DIRECTORS
BEAR VALLEY SPRINGS ASSOCIATION

Table of Contents

ARTICLE 1 ..... *1*

GENERAL; DEFINITIONS; BOARD OF DIRECTORS' MEETINGS; COMMITTEES *1*

SECTION 100. ADOPTION *1*
SECTION 100.1. RULE CHANGE PROCEDURE *1*
SECTION 101. DEFINITIONS *3*
SECTION 102. REGULAR BOARD MEETINGS *3*
SECTION 103. SPECIAL BOARD MEETINGS *4*
SECTION 104. TELEPHONIC BOARD MEETINGS *4*
SECTION 105. OPEN BOARD MEETINGS *4*
SECTION 106. AGENDA FOR REGULAR BOARD MEETINGS *5*
SECTION 107. PARTICIPATION BY MEMBERS AT BOARD MEETINGS *5*
SECTION 108. BOARD ADVISORY COMMITTEES *6*
SECTION 109. PARLIAMENTARY AUTHORITY AT BOARD MEETINGS *9*

ARTICLE 2 ..... *10*

ASSOCIATION MEMBERSHIP MEETING AND VOTING RULES *10*

SECTION 200. INTRODUCTION ..... *10.*
SECTION 201. MEMBERSHIP MEETINGS, ANNUAL MEETING AND ELECTION OF DIRECTOR ..... *10.*
SECTION 202. INSPECTOR OF ELECTION *14*
SECTION 203. SECRET BALLOT PROCEDURES *16*
SECTION 204. PROXIES *17*
SECTION 205 EFFECT OF SUBMITTING SECRET BALLOT *18*
SECTION 206. REGISTRATION OF SECRET BALLOTS AT THE MEETING ..... *18.*
SECTION 207. REGISTRATION OF MEMBERS IN PERSON *19*
SECTION 208. REGISTRATION OF PROXIES/DETERMINATION OF QUORUM *20*
SECTION 209. ADJOURNED FOR LACK OF QUORUM *21*
SECTION 210. OBSERVATION/CUSTODY OF BALLOTS, ETC. *21*
SECTION 211. CONSULTATION WITH ASSOCIATION COUNSEL ..... *21.*
SECTION 212. TABULATION, COUNTING, INSPECTOR'S CONDUCT *22*
SECTION 213. AFTER TABULATION ..... *22.*

SECTION 214. ACCESS TO ASSOCIATION FACILITIES AND COMMUNICATIONS/USE OF ASSOCIATION FUNDS ..... 24.
SECTION 215. PRE AND POST-MEETING PROCEDURES ..... 24.

ARTICLE 2.1 25

SPECIAL MEMBERSHIP MEETINGS 25

SECTION 2.100. CALL FOR SPECIAL MEETING 25
SECTION 2.101. NOTICES 25
SECTION 2.102. PRESIDING OFFICER 25
SECTION 2.103. QUORUM 25
SECTION 2.104. ELECTION INSPECTOR; APPOINTMENT; POWERS AND DUTIES .. 26
SECTION 2.105. VOTING 26
SECTION 2.106. PROXIES: FORM 27
SECTION 2.107. PARLIAMENTARY AUTHORITY 28

ARTICLE 3 29

GENERAL RULES FOR AMENITIES AND FACILITIES 29

SECTION 300. ACCIDENTS 29
SECTION 301. ASSOCIATION EMPLOYEES 29
SECTION 302. BULLETIN BOARDS 29
SECTION 303. EMERGENCY CARE – MINORS – (Repealed, effective 12/10/10) 29
SECTION 304. HOURS OF OPERATION 29
SECTION 305. USE PRIVILEGE CARDS 29
SECTION 306. MEMBER RESPONSIBILITIES 32
SECTION 307. GUEST PASSES 33
SECTION 308. ENFORCEMENT 34
SECTION 309. ALCOHOLIC BEVERAGE USE AT AMENITIES AND FACILITIES 35

ARTICLE 4 37

ARCHERY RANGE 37

SECTION 400. LETHAL WEAPON 37
SECTION 401. EQUIPMENT 37
SECTION 402. RANGE COURTESY 37
SECTION 403. MEMBER RESPONSIBILITIES 37
SECTION 404. MANAGEMENT RESPONSIBILITIES 38

ARTICLE 5 ..... *39*

CAMPGROUNDS *39*

SECTION 500. GENERAL *39*
SECTION 501. RESERVATIONS *39*
SECTION 502. FEES *40*
SECTION 503. PERMITS *40*
SECTION 504. MEMBER RESPONSIBILITIES *40*
SECTION 505. TENT-CABIN RENTALS *40*
SECTION 506. MANAGEMENT RESPONSIBILITIES *42*

ARTICLE 6 ..... *43*

EQUESTRIAN CENTER *43*

SECTION 600. BOARDING *43*
SECTION 601. ETIQUETTE *43*
SECTION 602. FEES *44*
SECTION 603. SAFETY *44*
SECTION 604. HORSE TRAILERS *45*
SECTION 605. MILANO ARENA *45*
SECTION 606. MANAGEMENT AND MEMBER RESPONSIBILITIES *46*
SECTION 607. DEFINITIONS *46*
SECTION 608. PETS *46*

ARTICLE 7 ..... *47*

EQUESTRIAN RIDING AND HIKING TRAILS *47*

SECTION 700. GENERAL *47*
SECTION 701. HIKERS' RESPONSIBILITIES *47*
SECTION 702. HORSEBACK RIDERS' RESPONSIBILITIES *47*
SECTION 703. MANAGEMENT AND MEMBER RESPONSIBILITIES (Amended 12/10/13) *48*

ARTICLE 8 ..... *49*

CUB LAKE AND FISHING AT CUB AND FOUR-ISLAND LAKES *49*

SECTION 800. PROHIBITIONS *49*

SECTION 801. FISHING *49*
SECTION 802. MEMBER RESPONSIBILITIES *50*
SECTION 803. MANAGEMENT RESPONSIBILITIES *50*

ARTICLE 9 ..... *52*

FOUR-ISLAND LAKE - BOATING *52*

SECTION 900. BOATING EQUIPMENT *52*
SECTION 901. SAFETY *53*
SECTION 902. MEMBER RESPONSIBILITIES *53*
SECTION 903. MANAGEMENT RESPONSIBILITIES *54*

ARTICLE 10 ..... *55*

OAK TREE COUNTRY CLUB AND FOOD AND *55*

SECTION 1000. GENERAL *55*
SECTION 1001. HOURS OF OPERATION *55*
SECTION 1002. RESERVATIONS *55*
SECTION 1003. CATERING SERVICES AND FOOD AND BEVERAGE SERVICE AT BVSA AMENITIES *56*
SECTION 1004. MEMBER RESPONSIBILITIES *56*
SECTION 1005. MANAGEMENT RESPONSIBILITIES *57*

ARTICLE 11 ..... *58*

SWIMMING POOL *58*

SECTION 1100. HOURS OF OPERATION *58*
SECTION 1101. ATTIRE *58*
SECTION 1102. POOL RULES *58*
SECTION 1103. FOOD AND BEVERAGES *59*
SECTION 1104. MEMBER RESPONSIBILITIES *59*
SECTION 1105. MANAGEMENT RESPONSIBILITIES *60*
SECTION 1106. ENFORCEMENT *60*

ARTICLE 12 ..... *61*

TENNIS COURTS *61*

SECTION 1200. ATTIRE *61*

SECTION 1201. RESERVED PLAY ... 61
SECTION 1202. OPEN PLAY ... 61
SECTION 1203. MEMBER RESPONSIBILITY ... 61
SECTION 1204. MANAGEMENT RESPONSIBILITIES ... 61

ARTICLE 13 ... 63

RIFLE AND TRAP RANGE ... 63

SECTION 1300. RANGE SAFETY OFFICERS/RANGE MASTERS (Added 08/08/17) ... 63
SECTION 1301. LETHAL WEAPONS (Renumbered 08/08/17) ... 63
SECTION 1302. FIREARM RESTRICTIONS (Amended 12/15/17) ... 63
SECTION 1303. ALLOWABLE FIREARMS ... 63
SECTION 1304. ETIQUETTE AND SAFETY ... 64
SECTION 1305. ON THE FIRING LINE ... 64
SECTION 1306. MEMBER RESPONSIBILITY ... 65
SECTION 1307. MANAGEMENT RESPONSIBILITIES ... 65

ARTICLE 14 ... 67

WHITING CENTER ... 67

SECTION 1400. GENERAL ... 67
SECTION 1401. MEMBER RESPONSIBILITIES ... 67
SECTION 1402. MANAGEMENT REPONSIBILITIES ... 68

ARTICLE 15 ... 69

GOLF COURSE AND DRIVING RANGE ... 69

SECTION 1500. GOLF COURSE ... 69
SECTION 1501. DRIVING RANGE ... 70
SECTION 1502. POWER GOLF CARTS ... 71
SECTION 1503. ENFORCEMENT AND MANAGEMENT RESPONSIBILITIES (Amended 02/03/15) ... 71
SECTION 1504. MEMBER RESPONSIBILITIES ... 71

ARTICLE 16 ... 73

PARKING AND STORAGE OF RECREATIONAL VEHICLES ... 73

SECTION 1600. DEFINITIONS ... 73

SECTION 1601. UNIMPROVED LOTS ... *73*
SECTION 1602. SCREENING OF RECREATIONAL VEHICLES NOT PARKED OR STORED WITHIN APPROVED STRUCTURES ... *73*
SECTION 1603. ADMINISTRATION ... *74*
SECTION 1604. ENFORCEMENT ... *74*

ARTICLE 17 ... *75*

ENFORCEMENT OF ASSOCIATION RULES, BYLAWS AND C&RS ... *75*

SECTION 1700. INTRODUCTION ... *75*
SECTION 1701. ENFORCEMENT PROCEDURES WITHOUT HEARINGS AND NOTICE ... *75*
SECTION 1702. ENFORCEMENT PROCEDURES WITH NOTICE AND HEARING ... *76*
SECTION 1703. WRITTEN COMPLAINT ... *79*
SECTION 1704. HEARING (former 1705) ... *81*
SECTION 1705. APPLICATION (Former 1706) ... *81*

ARTICLE 18 ... *82*

AMENITY SPECIAL ACTIVITIES USE BY INDIVIDUALS OR GROUPS ... *82*

SECTION 1800. PURPOSE AND SCOPE ... *82*
SECTION 1801. SPECIAL USE REQUEST AND AGREEMENT ... *83*
SECTION 1802. FEES AND DEPOSITS ... *84*
SECTION 1803. UNUSUAL AMENITY HOURS ... *84*
SECTION 1804. CLOSURE OF FACILITIES ... *85*
SECTION 1805. INDEMNIFICATION AND INSURANCE ... *85*
SECTION 1806 ADVERTISING ... *85*
SECTION 1807. SPECIAL USE REQUEST AND AGREEMENT PROVISIONS ... *86*
SECTION 1808. TIME LIMITS ... *86*
SECTION 1809. SERVICE PROVIDERS ... *86*
SECTION 1810. WAIVER OF PROVISIONS ... *87*
SECTION 1811. APPLICATION FOR RECOGNIZED CLUB STATUS ... *87*

ARTICLE 19 ... *89*

ANIMAL CONTROL ... *89*

SECTION 1900. ADOPTION; PURPOSES AND APPLICATIONS; DEFINITIONS ... *89*
SECTION 1901. GENERAL ... *89*

SECTION 1902. ANIMALS PERMITTED IN BVS - GENERAL *90*
SECTION 1903. FARM ANIMALS *91*
SECTION 1904. CATTLE *91*
SECTION 1905. BEES *91*
SECTION 1906. APPLICATION OF NUMERICAL LIMITS *91*
SECTION 1907. ADMINISTRATION OF ARTICLE *91*
SECTION 1908. ENFORCEMENT *91*
SECTION 1909. WAIVER OF PROVISIONS *91*

ARTICLE 20 ..... *92*

SMOKING AT ASSOCIATION OPERATED FACILITIES *92*

SECTION 2000. COMPLETE BAN *92*
SECTION 2001. RESTRICTED SMOKING PERMITTED *92*
SECTION 2003. DEFINITIONS *92*
SECTION 2002. ENFORCEMENT *93*

ARTICLE 21 ..... *93*

RC MODEL AND DRONE FACILITY *93*

SECTION 2100. HOURS OF OPERATION (Renumbered 05/10/14) *93*
SECTION 2101. SAFETY (Renumbered 05/10/14) *93*
SECTION 2102. RADIO CONTROL AND FLIGHT PATTERN *94*
SECTION 2103. MEMBER AND MANAGEMENT RESPONSIBILITIES *96*

ARTICLE 22 ..... *97*

RULES FOR BEAUBIEN BASEBALL FIELD *97*

SECTION 2200. GENERAL SITE RULES *97*
SECTION 2201. BALLFIELD CONDUCT RULES *97*
SECTION 2202. BALLFIELD SAFETY RULES: *98*
SECTION 2203. MEMBER AND MANAGEMENT RESPONSIBILITIES: *98*

ARTICLE 23 ..... *99*

RULES FOR CUB LAKE DOG PARK *99*

SECTION 2300. GENERAL RULES *99*
SECTION 2301. DOG PARK CONDUCT RULES *99*

SECTION 2302. DOG PARK SAFETY RULES: *100*
SECTION 2303. DOG PARK RULE ENFORCEMENT: *100*

ARTICLE 24 ..... *101*

BEAR VALLEY NATURE PATH *101*

SECTION 2400. GENERAL RULES *101*
SECTION 2401. BEAR VALLEY NATURE PATH CONDUCT RULES *101*
SECTION 2402. MANAGEMENT AND ENFORCEMENT OF BEAR VALLEY NATURE PATH RULES *102*

INDEX

BEAR VALLEY SPRINGS ASSOCIATION RULES

ARTICLE 1
GENERAL; DEFINITIONS; BOARD OF DIRECTORS' MEETINGS; COMMITTEES

(Adopted 9/19/87)

SECTION 100. ADOPTION

(a) Unless otherwise specified these Association Rules are adopted under authority of Civil Code Section 4340 et seq.; Par.11d(9), 11e(2) (j) of the C&Rs and Article X, Section 5 of the Bylaws. *(Amended 5/01/04)*

(b) Unless the Board finds that immediate action is necessary in an emergency to address an imminent threat to public health or safety of its Members or an imminent risk of substantial economic loss to the Association, except as provided in Civil Code Section 4360 (d), any proposed change in the Association Rules shall be first considered for delivery to Members at a regular monthly Board meeting and, if approved for delivery, the text of the proposed change and a description of the purpose and effect of the proposed rules change shall be published in the "Bear Tracks" periodical or a similar periodical that is "…delivered by one of the methods provided in Civil Code Section 4045" *[Ref: Civil Code, Sec. 4045(a)(2)]*, and delivered to Members at least 30 days prior to the Board meeting at which the proposed change will be acted upon. Following 30 days' notice to the membership and following Board of Directors' consideration of member's comments concerning the proposed rule change, the Board of Directors may adopt the proposed rule(s) change at any regular or special open meeting where the proposed change approval is an agenda item. As soon as possible after making a rule change, but not more than 15 days after making the rule change, the Board of Directors shall deliver notice of the rule change to every Association Member. [Ref: Civil Code Sec. 4360 (c)]. An emergency rule change is effective for 120 days unless the rule change provides for a shorter effective period. *(Added 3/20/93, 4/17/93; Amended 8/19/00, 5/01/04, 2-10-08, 8-10-08, 9/10/12, 6/05/24) [Ref: Civil Code, Sec. 4360(d)]*

(c) *(Deleted 5/01/04)*

SECTION 100.1. RULE CHANGE PROCEDURE

(a) Except for emergency proposals under Section 100(b) and Board actions taken under Civil Code Section 4360(d), all proposals for changes in the Association Rules shall be referred to the Board Advisory Rules Committee ("Committee").

(b) Proposals submitted shall include the exact citation and text of the proposed changes. Deletions shall be shown in ~~strikethrough~~ type and additions in **bold**

underlined type, with an explanation of the purposes, intended effects and reasons for the proposed changes.

(c) The Committee shall prepare the proposals in proper form for any posting, and for delivery to Members as designated by the Board, including a Notice of Proposed Change in Association Rules that contains the name of the person, club or committee submitting the proposal, a summary of any existing Rule that is changed and the effects on existing Rules produced by the proposed changes.

(d) The Committee may edit the text and form of any proposal submitted provided that no substantive change is made by the Committee. As used in this section, the term "substantive change" means any change in the text of the proposal that is required to prevent a conflict with, or to conform to, Federal, State, or local law, the Association's Articles of Incorporation, Bylaws, Rules or the C&Rs.

(e) At the Committee's meeting, called pursuant to Section 108(c) to review the proposal, the chair shall invite the person, club or committee submitting the proposal to participate in the meeting and to respond to any comments or questions from the Membership.

(f) The Committee shall forward to the Board the text of all proposals that, by majority vote, it determines to meet the following criteria:

- (1) To be within the jurisdiction of the Association.
- (2) Are not illegal and do not conflict with other provisions of law, the Articles of Incorporation, C&Rs, Bylaws or Association Rules.
- (3) Do not include matters the Board may act on in closed session, including:
  - (A) Litigation.
  - (B) Matters relating to the formation of contracts with third parties.
  - (C) Personnel matters.
  - (D) Any matter relating to the disciplining of a Member.
  - (E) Any matter relating to meeting with members regarding the member's payment of assessments.

(g) Prior to forwarding proposals to the Board, the Committee shall prepare a report to the Board with the Committee's recommendation for any changes to be made by the Board and whether the proposals should be posted in addition to delivery to Members. The Board may approve these proposals for posting and delivery (or delivery without posting) as submitted, change them or reject them.

(h) If the Board, after review of the report from the Rules Committee, approves the proposals, it shall: (1) set the date for any posting and for delivery to Members; (2) set the date for Board action on the proposals; and (3) direct staff to arrange for any posting and to deliver the Notice of Proposed Changes in Association Rules to Members.

(i) Following posting, if any, and delivery to Members, and on the date specified, the Board shall open the change proposal agenda item for open debate and additional information. The Board may then adopt the proposed change as delivered, or with amendments provided no substantive changes are made. If the Board makes substantive changes, the proposal shall be reposted, if previously posted, and delivered to Members with the Board's changes before final Board action is taken.

(j) Following adoption of a rule change, the Board shall direct staff to, within 15 days, (1) prepare, post, if the prior Notice was posted, and deliver to Members, a Notice of Change in Association Rules containing the text of the rule change as adopted, with additions in **bold underlined** type and deletions in ~~strikethrough~~ type, the purpose and effect of the change, the expiration date if an emergency change, and (2) prepare and forward to the Association Secretary for distribution, a revised copy of the Association Rules containing the Rule changes adopted by the Board.

(k) Except for emergency rule changes and Board actions taken under Civil Code Section 4360(d), Association rule changes adopted under the provisions of this section may be reversed by a vote of a majority of a quorum of the Members, subject to the provisions of Civil Code Section 4365(d).

(l) Notices of Proposed Changes in Association Rules and Notices of Changes in Association Rules required by this section shall be delivered to Members as provided in Civil Code Section 4045.

(Section added 12/21/02; Amended 5/01/04, 6/5/24)

SECTION 101. DEFINITIONS

(a) The definitions included in Par.3 of the C&Rs are incorporated herein by reference.

(b) The definitions included in Article I of the Bylaws are incorporated herein by reference.

(c) "BVS" means Bear Valley Springs.

(d) "Bylaws" means Bylaws of Bear Valley Springs Association.

(e) "C&Rs" means the Declaration of Covenants and Restrictions, Tract No. 3417, Bear Valley Springs, made September 11, 1970, by Dart Industries, Inc., as amended and supplemented by documents or record in the Kern County Recorders Office. *(Amended 2/17/01)*

(f) "Member" means an Association Member in good standing whose rights have not been suspended by the Board for the failure of a person to comply with Association, ECC or District rules, the Bylaws or the C&Rs, including, but not limited to, the failure to pay delinquent Association general and special assessments or fines. Additionally, a member in good standing status, for purposes of BVSA committee membership, shall not be conferred or assigned to a renter from a property owner.

(1) The following shall be members for purposes of the BVSA committee membership: a trustee of a trust, an officer of a corporation or Limited Liability Company, a partner of a partnership, a general partner of a limited partnership.

(Added 8/12/8; Amended 5/15/10)

(g) "Section" means a section of these Association Rules unless some other rule or statute is specifically mentioned. "Subdivision" means a subdivision of the section in which the term appears unless some other section is expressly mentioned. [Ref: Corp. Code, Sec. 10] *(Added 1/18/92)*

(h) The masculine gender includes the feminine and neuter.
[Ref: Corp. Code, Sec. 12] (Added 1/18/92)

SECTION 102. REGULAR BOARD MEETINGS

Regular meetings of the Board shall be held on a day of each month following the annual meeting of the membership and election of Directors in June. The meeting day and time may be established and changed by a unanimous vote of the entire Board of Directors at their first regular Board meeting in June. The meeting will be held within Bear Valley Springs at a place selected by the Board.
(Amended 8/12/89, 9/9/89, 11/18/00, 2/17/01, 01-10-08; 6/11/11)

SECTION 103. SPECIAL BOARD MEETINGS
Repealed 3/16/96
SECTION 104. TELEPHONIC BOARD MEETINGS
Repealed 1/18/92

SECTION 105. OPEN BOARD MEETINGS

(a) Board Meetings shall be conducted as provided by the Common Interest Development Open Meeting Act. *(Repealed & Added 3/16/96)*
(b) Except as provided in subdivision (c), all Board meetings are open to Members. Non-members may only attend Board meetings as invited guests of the Board. *(Amended 1/18/92)*

(c) The Board may adjourn an open meeting to an executive session to consider the following matters:
  (1) Litigation;
  (2) Matters that relate to the formation of contracts with third parties;
  (3) Personnel matters;
  (4) Any matter relating to the discipline of a Member, including a fine or penalty, to be held in executive session if requested by the Member, and the Member shall be entitled to attend the meeting. *(Amended 3/15/03)*
  (5) To meet with a Member concerning a Member's payment of assessments, as specified in Section 4935 and 5665 of the Civil Code. *(Added 3/15/03; Amended 8/10/08, 6/5/24)*

(d) Any matter discussed in executive session shall be generally noted in the minutes of the immediately following meeting that is open to the entire membership. *(Amended 3/15/03)*
(e) Except for minutes of executive sessions, the minutes, proposed minutes, or a summary of the minutes, shall be available to Members within 30 days of the meeting and shall be distributed to any Member upon request and payment of the Association's cost in making the distribution.
(Added 1/18/92; Amended 3/16/96, 1/27/01)

(f) Members shall be given written notice of their right to have copies of the minutes of Board meetings and how to get them. *(Added 3/16/96)*

(g) As used in this Section, "meeting" includes any congregation of a majority of the members of the Board at the same time and place to hear, discuss, or deliberate upon any item of business scheduled to be heard by the Board, except those matters that may be discussed in executive session. *(Added 3/16/96)*

(h) Except for emergency meetings, notice of open meetings shall be posted at the Association Office, the Whiting Center, the Oak Tree Country Club, the Equestrian Center and the District Office, and emailed or mailed to any Member who has requested notice of open meetings by mail, at the address requested by the Member, at least four days prior to the meeting.
(Added 3/16/96; Amended 8/19/00, 3/15/03, 01/10/08; 11/10/15)

(i) The Association president or any two other members of the Board may call an emergency meeting if circumstances that could not have been reasonably foreseen require the immediate attention and possible action by the Board and make it impracticable to provide the notice required by this section. *(Added 3/16/96; Amended 11/10/15) [Ref: Civil Code Sec. 4923]*

SECTION 106. AGENDA FOR REGULAR BOARD MEETINGS

(a) A meeting agenda will be posted for all regular Board meetings, at least four days before the meeting time, at the Association Office, the Whiting Center, the Oak Tree Country Club, Equestrian Center and District Office. *(Amended 8/19/00, 8/10/08)*

(b) Members wishing to place an item on the agenda must furnish it in writing to the Association Office not later than 12:00 Noon on the Monday prior to the meeting day. *(Amended 8/19/95, 7/19/98, 7/15/00)*

SECTION 107. PARTICIPATION BY MEMBERS AT BOARD MEETINGS

(a) Members are encouraged to attend and participate in all open Board meetings. The Board will provide a reasonable time period during which a Member may speak to the Board, not to exceed five minutes. *[Ref: Civil Code Sec. 4925] (Amended 9/20/97, 7/16/00, 01/10/08, 6/5/24)*

(b) The Board of Directors may take action on any item of business not appearing on the agenda posted and distributed pursuant to subparagraph (h) of Section 105, under any of the following conditions:

(1) Upon a determination made by a majority of the Board present at the meeting that an emergency situation exists. An emergency situation exists if there are circumstances that could not have been reasonably foreseen by the Board, that require immediate attention and possible action by the Board, and that, of necessity, make it impracticable to provide notice.

(2) Upon a determination made by the Board by a vote of two-thirds of the Board members present at the meeting, or, if less than two-thirds of total membership of the Board is present at the meeting, by a unanimous vote of

the members present, that there is a need to take immediate action and that the need for action came to the attention of the Board after the agenda was posted and distributed pursuant to subdivision (n) of Section 105.

(3) The item appeared on an agenda that was posted and distributed pursuant to subdivision (h) of Section 105 for a prior meeting of the Board of Directors that occurred not more than 30 calendar days before the date that action is taken on the item and, at the prior meeting, action on the item was continued to the meeting at which the action is taken.

(4) Before discussing any item pursuant to this paragraph, the Board shall openly identify the item to the members in attendance at the meeting.

(Amended 8/10/08)

SECTION 108. BOARD ADVISORY COMMITTEES

(a) Purpose and Definitions:

(1) Purpose: Board Advisory Committees serve at the pleasure of the Board and are formed to provide assistance as directed by the Board. The purpose of this section is to provide guidance and consistency for the formation and operation of committees appointed by the Board.

(2) Definitions:

A. The term "advisory committee" means a Board appointed committee that has a continuing existence from the time of its appointment until the end of the calendar year, and may be reappointed by the successor Board for the next calendar year, with one exception. In the case of the Finance Advisory Committee the time of appointment will expire at the end of each fiscal year and may be reappointed by the successor Board for the next fiscal year.
(Amended effective 11/10/11)

B. The term "special committee" means a Board Advisory committee that goes out of existence upon completion of its specified task, except as provided in subdivision (d)(1). The term "committee" when used alone includes both standing and special Board Advisory committees.

C. The Environmental Control Committee is not an Advisory Committee.
(added 02/10/13)

(b) Formation:

(1) All members of a committee shall be appointed by the Board and may consist of three or more members. Committee members must be BVS property owners in good standing. Member in good standing status, for purposes of BVSA committee membership, shall not be conferred or assigned from a BVSA property owner to a renter. Committees shall usually consist of an odd number of members. Committees formed pursuant to provisions of the C&Rs, Association Bylaws, and Section 7212 of the California Corporation Code are not subject to this section. *(Amended 2/16/02; 5-15-10)*

A. Advisory Committee member's term of service expires annually on December 31 of the current calendar year, with the exception of the Finance Advisory Committee. The Board of Directors will vote on the "Board Advisory Committee Annual Requests to be Appointed" in the December Regular Open Board Meeting and the new committees' term of service begins on January 1, of the next calendar year. Finance Advisory Committee member's term of service expires on the 2nd Saturday in June each year, to coincide with the BVSA budget process. *(Added 5/10/11; Amended 02/10/13; Amended 07/10/15)*

B. Members in good standing may be appointed or re-appointed to an Advisory Committee at the Regular Monthly Board Meeting each December; and in the case of the Finance Advisory Committee, each June. *(Amended 1/10/15)*

C. Each of the outgoing Committee Chair Persons shall submit a written request to the Board of Directors, for those who wish to be seated, or re-seated, on their respective committee, for approval at the Regular Monthly Board Meeting in December; and in the case of the Finance Advisory Committee, each June. *(Added 5/10/1; Amended 1/10/15)*

D. The written request to be seated must be submitted to the Board Secretary no later than the Monday prior to the Regular Monthly Board Meeting in December, for placement on the agenda; and in the case of the Finance Advisory Committee, each June. *(Added 1/10/15)*

E. Committee members may be replaced, or added by the Board during the term, as needed. *(Added effective 5/10/11; Repealed and re-added with amendments).*

The form submitted is named "BVSA Board Advisory Committee Individual Request to be Appointed". The second line of this form should read: The Advisory Committee Chair, the secretary, the assigned BVSA staff committee member or the Board of Director assigned to the committee or GM may sign as the name and title of the requestor for the BVSA Board Advisory Committee Individual Request Form. Request for Committee Appointments must only come through these individuals.

(2) The Board shall give specific written instructions to committees that are binding on the committees. *(Amended 2/16/02)*

(3) Unless expressly authorized to do so, a committee may not add additional members to its membership.

(4) If a special committee is appointed to carry out an action taken by the Board, it should be small and should consist only of those in favor of the action to be carried out.

(5) If a special committee is appointed for deliberation or investigation, it should often be larger and should represent, as far as possible, all points of view on the subject matter in order to carry maximum weight.

(6) If appointed by the Board, the chair of the committee shall call a first meeting of the committee as soon as practicable.

(7) If not appointed by the Board, the chair of a committee shall be selected by majority vote of a quorum of the committee members. A quorum shall consist

of a majority of the committee members and is required in order to conduct a meeting.

(8) If the chair of a committee is not selected by the Board, the first person appointed to the committee shall call a first meeting of the committee as soon as practicable and shall act as temporary chair until a permanent chair is selected.

(9) If the chair of a committee fails to call a meeting, any two members of the committee may call a meeting, presided over by an acting chair selected by majority vote of the committee.

(10) The General Manager or other employees may be appointed to any advisory committees as non-voting members. All Board members are ex officio members of all committees. Up to two Board members shall be appointed by Board assent at the first open meeting of each Board year according to their individual interests and expertise, and may attend, participate, count toward quorum and vote. Board members not appointed to a committee may also attend any Advisory Committee meeting as members of the Association but shall not participate in the meeting. *(Amended 4/10/11; 6/10/12; 01/10/13, 6/5/24)*

(11) *(Repealed 02/10/13)*

(c) Procedures:

(1) A committee shall post a notice of the time and location and an agenda for its meeting, not less than 24 hours prior to the meeting, at the Association office.

(2) A committee chair not only has the right to make and debate motions but is usually the most active participant in the discussions and work of the committee. Minutes of meetings shall be prepared, normally by the chair, but by any other committee member present at the meeting.

(3) In order that there be no interference with the Board having the benefit of the committee's matured judgment, a motion to close or limit debate is not allowed. Motions may be voted on without a second.

(4) Generally, all committee meetings are open to Association Members. In rare cases, the Committee Chair may, with concurrence of the ex officio Board Members, designate a portion of the agenda as a CLOSED SESSION. Non-members may attend meetings only at the invitation of the Advisory Committee. Prior to a committee's debate and vote on an agenda matter, the chair shall provide for a reasonable time period, not less than 30 minutes, for Association Members' comments and discussion of the matter. *(Amended 02/10/13)*

(5) A committee has no power to punish its members for disorder or other improper conduct related to its proceedings, but shall report the facts to the Board. *(Amended 02/10/13)*

(6) Minutes of committee meetings shall be prepared and distributed to committee members as soon as practicable following the committee meeting. Minutes shall be approved in a timely fashion by the committee and forwarded to the Board and the Association Secretary for record retention. *(Amended 02/10/13)*

(7) Although the Board appoints committees and retains all responsibility and authority for their actions, it is frequently more productive and expedient for them to work closely with the General Manager and Association staff in investigations, inquiries and resolution of issues. Committees shall take full benefit of the expertise of the General Manager and staff in doing their work and in preparing their reports to the Board. *(Amended 02/10/13)*

(8) The rules contained for committees in the current edition of *Robert's Rules of Order Newly Revised* shall govern committees in all cases in which they are applicable and in which they are not inconsistent with the Governing Documents, including this Section 108.

(d) Reports:

(1) A special committee--since it is appointed for a specific purpose--continues to exist until the task assigned to it is accomplished, unless discharged sooner; and it ceases to exist as soon as the Board receives its final report. If no final report is made to the Board prior to the annual election, a special committee shall cease to exist when the new Board elects its officers.

(2) Except as provided in this subdivision, a committee report shall contain only what has been agreed to by a majority vote at a meeting of the committee, where every member of the committee has been notified of the meeting, and where a quorum of the committee was present.

(3) A "reporting member" presents a committee report to the Board. The reporting member shall be the committee chair, or if the chair declines to present the report because he disagrees with it, or for any other reason, the committee shall select the reporting member.

(4) If a committee report contains a recommendation for action to be taken by the Board, the action to be taken must be moved and seconded unless the report is presented by a Board member who is a regular member of the committee, in which case the motion need not be so moved and seconded.

(5) A committee report should generally be presented in writing, with a copy to the Association Secretary. The report may be given orally only if it is brief enough for the Secretary to record its complete substance in the minutes upon hearing it.

(6) If a written committee report is of considerable importance, all members concurring should sign it. Otherwise, the committee can authorize the chair to sign the report alone, in which case he/she adds the word Chair after his/her name.

(7) Unless the chair of the Board knows that a committee has no report to make, the chair shall call for committee reports at the regular monthly meetings.

(8) Regardless of whether a minority report is presented, the report adopted by a vote of a majority in the committee should always be referred to as "the committee report," never "the majority report."

(9) In debate by the Board on any written or oral committee report, any member of the committee who does not concur with the report may speak in opposition, but may not disclose what occurred during deliberations of the

committee unless what occurred is part of the committee report or what occurred is permitted by unanimous vote of the Board.

(10) If non-concurring committee members wish to present a minority report, they shall so inform the reporting member who will, after presentation of the committee report, notify the Board that the minority wishes to present its views in a separate report.

(e) Resignation and Discharge:

(1) The resignation of a committee member shall be addressed to the Board and it is the responsibility of the Board to fill the resulting vacancy, if required.

(2) The Board may discharge a committee when it has failed to report at a prescribed time or when the Board is considering a partial report of the committee.

(Section added 11/17/01; Amended 2/16/02, 5/18/02)

SECTION 109. PARLIAMENTARY AUTHORITY AT BOARD MEETINGS

The rules contained for small boards in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with the C&Rs, Bylaws and Rules. *(Former Sec. 108)*

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ARTICLE 2
ASSOCIATION MEMBERSHIP MEETING AND VOTING RULES

(Adopted June 17 ,2006, Effective 7/1/06, Amended 11/18/06)
(Former Article 2, Adopted 5/01/04, Repealed 6/17/06)
(Article 2 Amended and Restated, Adopted 04/17/2020, Amended and Adopted 1/20/2026)

SECTION 200. INTRODUCTION

(a) The Board of Directors ("Board") consists of five (5) Directors, who serve two-year terms, with three (3) Directors being elected in even-numbered years, and two (2) Directors being elected in odd-numbered years. (Bylaws, Article VIII, Sections 1 and 4.)

(b) The Association has approximately three-thousand five-hundred and eighty-three (3,583) Members (this number varies as properties are subdivided). *(Amended 6/5/24)*

(c) The Annual Meeting is held the second Saturday of June, or up to thirty (30) days before or after said date, at time and place to be determined by the Board of Directors and set forth in the notice of meeting sent to the Members. (Bylaws, Article V, Section 1.)

(d) Cumulative voting is permitted. (Bylaws, Article VIII, Section 3.)

(e) The quorum at a Membership meeting consists of the presence in person, proxy or Secret Ballot, of at least one-third (1/3) of the voting power of the Members. (Bylaws, Article V, Section 3.)

(f) The required quorum at any adjourned Meeting of the Members consists of the presence in person, proxy or Secret Ballot, of twenty-five percent (25%) of the Members. (Bylaws, Article V, Section 3.)

SECTION 201. MEMBERSHIP MEETINGS, ANNUAL MEETING, ELECTION OF DIRECTORS AND MEMBERSHIP VOTES

(a) The Association will hold an Annual Meeting of the Membership to elect Directors and to conduct Association business that is properly brought before the Members and/or on the agenda ("Annual Meeting" or "Election").

(b) Ballots may not be denied to a Member for any reason other than not being a Member of the Association at the time the ballots are distributed. Ballots may not be denied to a person with a general power of attorney for a Member, and the ballot of a person with general power of attorney for a Member must be counted, if returned in a timely manner.

(c) Persons who attend a Meeting may be asked to provide photo identification or other documents to prove that they are Owners of a Lot/Unit/Parcel or hold a general power of attorney for an Owner of a Lot/Unit/Parcel.

(d) The following qualifications apply to nominees for the Board of Directors:

(1) A person who is not a Member at the time of their nomination is disqualified from nomination.

(2) If title to a Lot/Unit/Parcel is held by a legal entity that is not a natural person, such as a corporation or a limited partnership, the governing authority of that legal entity may appoint a natural person to be a Member for purposes of these Rules.

(3) All nominees for a board seat must be current in the payment of regular and special assessments. Nominees may not be disqualified for nonpayment of fines, fines renamed as assessments, collection charges, or costs levied by a third party. Further, a nominee may not be disqualified if he or she has paid the regular or special assessment under protest, or if he or she has entered into a payment plan.

(4) A person is disqualified from nomination if the person, if elected, would be serving on the Board at the same time as another person who holds a joint ownership interest in the same Lot/Unit/Parcel, and the other person is already properly nominated for the current election or an incumbent Director.

(5) A nominee is disqualified if that person has been a Member of the Association for less than one year.

(6) A nominee is disqualified if that person discloses, or the Association is aware or becomes aware of, a past criminal conviction that would, if the person were elected, either prevent the Association from purchasing the fidelity bond coverage required by law or terminate the Association's existing fidelity bond coverage.

(7) A nominee may not be disqualified if he or she has not been provided the opportunity to engage in internal dispute resolution.

(e) The Association shall provide general notice of the procedure and deadline for submitting a nomination at least thirty (30) days before the deadline for submitting a nomination.

(f) Nomination for election to the Board of Directors may be made by a Nominating Committee, made up of three (3) Members of the Association, who shall be appointed by the Board of Directors at its regular January meeting. (Bylaws, Article

X, Section 17.) Nominations may also be made by the Members, as set forth in subdivision (g), below.

(g) The Association shall send out to all members a request-for-candidates form, seeking candidates for the Board. All forms must be completed by the candidate and must be received by the Inspector of Election by the deadline stated in the form, in order for a candidate's name to appear on the candidate register list the Notice of Annual Meeting and the Ballot. A member may nominate himself or herself or another Member.

(h) The candidacy form may include the opportunity for each candidate to submit a maximum 200-word written statement reasonably related to the election, including advocating a point of view. Candidate statements received on a timely basis will be included with the Association's mailing of the notice and ballot materials. The Association will not edit or redact these statements but may include a statement specifying that the candidate is responsible for that content. (Civ. Code, § 5105(a)(1).)

(i) The Inspector of Election will review the candidate nominations, and if the person is not qualified to be a nominee, that person's name will not be included on the candidate registry nor on the Secret Ballot that is provided to the Members.

(j) Meet the Candidates Night: The Association will hold an informal gathering not less than fifteen (15) days prior to the Annual Meeting. All nominated candidates may participate. Each candidate may give an oral statement of his or her qualifications of no longer than five (5) minutes per candidate. Questions may also be directed to any candidate by the Members present at the meeting. The candidates are not required to attend the Meet the Candidates Night, to make a statement, or to answer questions, but are encouraged to do so. The Nominating Committee shall organize and conduct this meeting.

(k) Secret Ballots: The Association will utilize a secret ballot ("Secret Ballot" or "Ballot") process, which is required by California law, as described in Section 203, below, for the following categories of votes:

(1) A vote of the Membership regarding assessments;

(2) Election or removal of Members of the Association's Board of Directors;

(3) Amendments to the governing documents;

(4) Grant of exclusive use of common area property pursuant to Civil Code Section 4600; and

(5) Any other Membership votes which may be required or allowed by law.

(l) Except for elections regarding regular or special assessments, Members may, if they so desire, choose to vote by electronic voting using an electronic Secret Ballot (instead of a paper secret ballot) pursuant to the electronic voting rules set forth in Section 216 of these Rules and electronic voting instructions provided by the Inspector of Election.

(m) As set forth in Rule 200(a), above, the Association's Annual Membership Meeting will be held the second Saturday of June, or up to thirty (30) days before or after said date, at 2:00 p.m., or such other time to be set by the Board. The Inspector of Election will send out a Notice of Annual Meeting, which will advise all Members of the time when registration will begin, when the Meeting will be called to order, and when the polls will open. The Notice will also state the dates and times when the Members and candidates may attend the Annual Meeting to witness the Inspector's registration, review, count and tabulation of the Ballots for the Annual Meeting.

(n) Other meetings of the Members ("Special Membership Meetings") may be noticed and held by the Association to vote on matters which are proper for Member vote. The Board may also determine not to notice or hold Membership Meetings for votes on matters, except for Membership Meetings required for the removal or election of Directors and Annual Meetings and may conduct the vote by Secret Ballot process and have the Secret Ballots counted and tabulated at a duly noticed open Board meeting.

(o) The Directors must be elected by Secret Ballot and cannot be elected by voice vote or show of hands at the Annual or other Special Membership Meeting. At Annual Meetings or other Special Membership Meetings where Directors will be elected, the Secret Ballot votes for Directors will be counted and tallied, and the Report of the Inspector of Election will provide the tabulated results of the vote and election.

(p) Other business at the Annual or other Special Membership Meetings, such as approval of minutes, motions to close registration, motions to cease balloting, motions to adjourn, and other parliamentary or meeting procedures required by a recognized system of parliamentary procedure may be conducted by a show of hands, voice vote or other recognized method, including a roll call vote.

(q) All Membership Meetings and votes will be conducted in accordance with the Association's Governing Documents and California Corporations and Civil Codes, as appropriate.

(r) Members will have one vote per Lot/Unit/Parcel owned. When more than one person holds an ownership interest of record in any Lot/Unit/Parcel, all such persons shall be Members of the Association; although in no event shall more than one vote be cast with respect to any Lot/Unit/Parcel. In elections of Directors, this one vote will be multiplied by the number of Director positions up for election (e.g.,

if three (3) Director positions are available, each Lot/Unit/Parcel will receive three (3) votes to cast.)

(s) For election of Directors, cumulative voting may be used as permitted by the Association's Bylaws. Cumulative voting means that a Member may cast as many votes as there are Directors' seats to fill. The Member may cast all votes for one candidate or divide up the votes among the candidates. No fractional votes are permitted. Members do not have to cast all of their votes. No Member shall be entitled to cumulate votes for a candidate or candidates unless: (i) the candidate's name or candidates' names have been placed in nomination prior to the start of voting, and (ii) the Member has given notice, at a meeting held prior to the start of voting, of the Member's intention to cumulate votes. (Bylaws, Article VIII, Section 3.)

(t) The Association will create and retain a candidate registration list and a voter list. The voter list shall include the name, voting power, and either the physical address of the Member's Lot/Unit/Parcel, the parcel number, or both. The mailing address for the Secret Ballot shall be listed on the voter list, if it differs from the physical address of the Lot/Unit/Parcel, or if only the parcel number is used. The Association shall permit Members to verify the accuracy of their individual information on the candidate registration list and voter list at least thirty (30) days before Secret Ballots are distributed. The Association or Member shall report any error or omissions to either list to the Inspector of Election, who shall make any correction within two (2) business days of being notified of the error or omission.

SECTION 202. INSPECTOR OF ELECTION

(a) One (1) independent third-party Inspector of Election ("Inspector") will be selected and appointed by the Board of Directors at an open Board Meeting.

(b) For purposes of this Section 202, independent third parties include the following:

(1) A volunteer poll worker working for the county registrar of voters;

(2) A Licensee of the California Board of Accountancy.

(3) A Notary Public; or

(4) Such other persons as may be provided by California Law.

(c) The Board will not select as an Inspector a Member of the Association or a person currently employed by or under contract to the Association for other compensable services, other than serving as Inspector.

(d) The Board may determine to pay compensation to the professional non-Member third party Inspector, if any. If the Board determines to appoint and pay a

professional non-Member independent third party to be Inspector, the Board will require the following terms to be met by the independent third party Inspector:

(1) A written contract for the Inspector to be hired as an independent contractor;

(2) The Inspector will maintain insurance with at least one million dollars ($1,000,000.00) commercial general liability coverage, including completed operations coverage, and one million dollars ($1,000,000.00) Directors & Officers/Errors & Omissions (naming the Association and its management company as additional insureds on all insurance policies);

(3) After tabulating the Secret Ballots, the Inspector shall maintain custody of the Association Election Materials, as defined in Rule 213(e), and store the Association Election Materials in a secure place for at least one (1) year, after which time the Association Election Materials shall be turned over to the custody of the Association and maintained as records of the Association for so long as the law requires;

(4) The professional non-Member independent third party Inspector shall indemnify the Association, if the professional non-Member independent third party Inspector is grossly negligent, or commits malicious and/or willful misconduct.

(e) If an Inspector is unwilling to, unable to, or does not, perform his or her duties as stated in these Rules, or becomes ineligible to be an Inspector at any time after appointment under these Rules, the Board may remove that Inspector without notice, and may appoint another Inspector in his or her place.

(f) Inspector's Duties:

(1) Maintain voter lists and candidate registration lists;

(2) At least thirty (30) days before an election, deliver (or cause to be delivered) to those Members who elect to vote by paper Secret Ballot, voting instructions, and a copy of these Election Rules;

(3) At least thirty (30) days before an election, deliver (or cause to be delivered) to those Members, who elect to vote electronically, electronic Secret Ballots and instructions regarding (i) how to access the Internet-based voting system, and (ii) how to vote by electronic Secret Ballot, and a copy of these Election Rules. Delivery may be accomplished by electronic transmission to an address, location, or system designated by the Member;

(4) Determine the number of Memberships entitled to vote and the voting power of each;

(5) Determine the authenticity, validity, and effect of proxies, if any;

(6) Receive Secret Ballots and proxies, if any;

(7) Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;

(8) Count and tabulate all votes;

(9) Determine when the polls shall close;

(10) Determine the results of the election or vote;

(11) Perform any acts as may be proper to conduct the election with fairness to all Members, in accordance with California Law and these Rules;

(12) All duties must be performed in good faith, to the best of the Inspector's ability, as expeditiously as practical, and in a manner that protects the interests of all Members;

(13) Prior to the mailing of the Secret Ballots by the Association, the Inspector will determine the location where the sealed Secret Ballots will be mailed or delivered; and

(14) The Inspector of Election shall also determine where the Inspector will maintain custody of the sealed Secret Ballots, signed voter envelopes, voter list, proxies, and candidate registration list, before and after the count and tabulation of the vote by the Inspector.

(g) To satisfy the requirement of notice regarding the Election Rules, as set forth in Rule 202(f)(2), above, the Election Rules may be posted to the Association website, if any, and including the website address on the ballot together with the following phrase in at least 12-point font: "The rules governing this election may be found here: _____"; or the Election Rules may be sent by individual delivery under Civil Code Section 4040.

(h) The Inspector may appoint and designate additional personnel to assist him/her in his/her duties, including registration, opening, counting and tabulating, but the Inspector will oversee and be responsible for all actions of such designees. Any additional persons appointed to assist the Inspector must meet the qualifications stated above at Rule 202(c). Only the Inspector may sign the Inspector's report of the election, but additional designees may be required to sign an oath regarding his/her duties.

(i) The report of the Inspector of the election shall be prepared for all votes, and once signed to certify the results of the vote, count or election, is prima facie evidence of the facts stated in the report.

SECTION 203. SECRET BALLOT PROCEDURES

(a) At least thirty (30) days before the Secret Ballots are distributed, the Association shall provide general notice of the date and time by which, and the physical address where, paper Secret Ballots are to be returned by mail or handed to the Inspector; the date, time and location of the meeting where the Secret Ballots will be counted; and the list of candidates that will appear on the Secret Ballot.

(b) At least thirty (30) days prior to the Annual Meeting, other Special Membership Meeting, or vote to be taken, the Inspector will deliver or cause to be delivered to Members who elect to vote by paper Secret Ballot, by first-class mail, the Secret Ballots, along with two preaddressed envelopes ("Envelopes") and instructions on how to return the Secret Ballots. The Annual Meeting date, other Membership meeting date, or deadline date for other votes taken without a meeting will be considered the due date for completed paper Secret Ballots to be received by the Association. A Notice of Meeting will also be sent, which will include instructions on how to return paper Secret Ballots.

(c) At least thirty (30) days before any election, the Inspector will deliver or cause to be delivered the Election Rules as required by Rule 202(f)(2), above.

(d) The paper Secret Ballot itself will not identify the voter by name, address, parcel number or Lot/Unit/Parcel number.

(e) The paper Secret Ballot and Notice will contain the names of any candidates known to the Inspector at the time the paper Secret Ballot and Notice are mailed, along with blank lines for write-in candidates.

(f) Any write-in candidate must be nominated by himself, herself or another Member, or by written notice which is received by the Inspector prior to the close of nominations, and must be present at the Annual Meeting or Special Membership Meeting to accept the nomination, or have sent written acceptance of the nomination to the Inspector, which must be received by the Inspector at least forty-eight (48) hours prior to the call to order of the Meeting.

(g) The paper Secret Ballot itself is not signed by the voter but is inserted into an inner ballot envelope which is preaddressed to the Inspector (Envelope #1).

(h) The voter then seals Envelope #1 and inserts Envelope #1 into a second preaddressed outer mailing envelope (Envelope #2), which is then also sealed by the voter.

(i) In the upper left-hand corner of Envelope #2, the voter prints and signs his or her name, and prints the address or other identifying Account/Lot/Unit/Parcel and Tract number that entitles him or her to vote. A proxy holder voting on behalf of a Member at a meeting shall print the name and identifying information of the proxy

giver in the upper left-hand corner of Envelope # 2, but shall sign the proxy holder's name on Envelope # 2.

(j) The owners of multiple properties must submit separate paper Secret Ballots in separate sealed Ballot Envelopes (#1 and #2) for each property owned.

(k) Envelopes #1 and #2 shall be preaddressed to the Inspector at the location selected by the Inspector.

(l) Paper Secret Ballots may be mailed to the selected address or delivered by hand by the Member to the location selected by the Inspector.

(m) All paper Secret Ballots must be mailed or delivered to the Inspector, or brought to a Meeting to be voted in person at the Meeting.

(n) The Member may request a receipt for hand delivery of the sealed Envelope #2 to the location selected by the Inspector. Any Member desiring a receipt for mail delivery should send the paper Secret Ballot by certified mail, return receipt requested, to the location selected by the Inspector. A Member shall not receive a receipt for hand delivery of a sealed Envelope or paper Secret Ballot brought to a Meeting.

(o) Only the Association's paper Secret Ballots and envelopes which are sent out to the Members by the Inspector or are provided by the Inspector at the Membership meeting will be accepted by the Inspector. No copies, faxes, or emails of the paper Secret Ballots and envelopes will be accepted or counted by the Inspector.

(p) Members must clearly print out the correct name of the owner, the identifying information (as set forth in Rule 203(i)), and sign the upper left hand corner, or may use pre-printed address stickers or labels instead of personally printing their own information on Envelope #2. However, the information must be accurate and correct per the Association's records, or it will not be valid.

(q) The Member must sign on the signature line shown on the upper left-hand corner of Envelope #2. If an outer mailing envelope is not signed by the Member, it will not be counted by the Inspector for any purpose, including quorum or as a cast vote.

(r) Please see Section 216 of these Rules for information and procedures for electronic voting.

SECTION 204. PROXIES

(a) The Association will not send out a proxy for the Annual Meeting or other Membership vote. Proxies will be accepted only if those proxies and the proxy holders are determined by the Inspector to meet all of the requirements of the Bylaws, the California Corporations Code, and the California Civil Code. Proxy holders shall not be given Secret Ballots pursuant to proxies until after the time that

all proxies and Secret Ballots (except for those Secret Ballots to be distributed pursuant to proxies) have been registered, and the proxy has been upheld as valid.

(b) Proxies must be in writing and filed with the Secretary in advance of each meeting. Every proxy shall be revocable and shall automatically cease on the expiration date specified on the proxy, or if none is specified, after completion of the meeting for which the proxy was filed.

(c) Any instruction given in a proxy that directs the manner in which the proxy holder is to cast the vote must be set forth on a separate page of the proxy that can be detached and given to the proxy holder to retain.

(d) The proxy holder must be a Member of the Association as required by California Law, and must be present in person at the Membership meeting and shall cast the proxy giver's/Member's vote by Secret Ballot at the meeting, unless the proxy is revoked by the proxy giver prior to the Inspector's receipt of the proxy giver's Secret Ballot at the meeting. If the proxy holder is not present at the meeting, the proxy shall not be valid for any purpose.

(e) Any Member who gives another Member his or her proxy does so with the full understanding that the Association and Inspector will not be responsible for ensuring that any proxy holder votes the proxy in accordance with the proxy giver's direction. The Inspector cannot verify or observe how the proxy holder marks the proxy giver's/Member's Secret Ballot.

(f) Any proxies previously distributed by the Association for quorum purposes only, including general proxies, will be valid and accepted by the Association until their expiration.

SECTION 205. EFFECT OF SUBMITTING SECRET BALLOT

(a) <u>ONCE A SECRET BALLOT IS RECEIVED BY THE INSPECTOR, THAT SECRET BALLOT CANNOT BE CHANGED, RETRIEVED, OR REVOKED.</u>

(b) Only one Secret Ballot may be submitted for each Lot/Unit/Parcel. Once a Member submits a Secret Ballot with regard to a particular Lot/Unit/Parcel, no other Secret Ballot or proxy may be submitted for that Lot/Unit/Parcel. Should more than one Secret Ballot be submitted with regard to a particular Lot/Unit/Parcel, the Secret Ballot which was earliest received may be counted for that property, or the Inspector may determine not to count either Secret Ballot, at the discretion of the Inspector. If it cannot be determined which Secret Ballot was earliest received, no Secret Ballot will be counted for that Lot/Unit/Parcel.

SECTION 206. REGISTRATION OF SECRET BALLOTS AT THE MEETING

(a) The Association will have the Membership registration list at the Membership meeting.

(b) Verification of information on the outside of Envelope #2 and registration of envelopes received may be performed by the Inspector or his/her designees prior to the meeting or deadline for voting.

(c) Registration will be conducted by the Inspector of Election or his/her designees and votes counted and tabulated by the Inspector at a duly noticed Membership or Board meeting in front of any Members or candidates who may wish to witness the registration and opening and counting of the Secret Ballots or Proxies.

(d) All paper Secret Ballots must be sealed in the two sealed Envelopes and contain all required information on the upper left-hand corner of Envelope #2.

(e) The Inspector will review the information provided on the upper left-hand corner of Envelope #2. The Inspector will require, at a minimum, the following:

(1) The Member must print his or her name or place a label on Envelope #2, it must be legible and must match the name of at least one (1) of the record owners of the Lot/Unit/Parcel as shown on the Association's Membership list;

(2) The Member's (or, in the case of a Secret Ballot cast pursuant to proxy, the proxy holder's) signature must be on Envelope #2;

(3) The identifying information shown on Envelope #2 must correspond to the Member's Lot/Unit/Parcel (or other identifying information, as set forth in Rule 203(i)) on the Association's records. The Inspector will determine whether the failure to include information on Envelope #2 should result in the Secret Ballot being counted for quorum purposes only, or not counted for any purpose;

(4) If any Member fails to put a paper Secret Ballot into both of the sealed envelopes, and/or sends/delivers empty Envelopes, the Envelopes will not count for any purpose, including quorum.

SECTION 207. REGISTRATION OF MEMBERS IN PERSON

(a) A Member wishing to vote in person at the Membership meeting must present himself or herself at the registration table with identification to show that he or she is the record Owner of the Lot/Unit/Parcel. The holder of a general power of attorney for a Member must present himself or herself at the registration table with an original, signed, notarized power of attorney and identification to show that he or she is the attorney-in-fact.

(b) A Member may not revoke or change any Secret Ballot previously received by the Inspector. A Member may attend the meeting, but will not be given a new Secret Ballot to vote at the meeting, if the Inspector has received a Secret Ballot for that Lot/Unit/Parcel.

(c) If a Secret Ballot has not been previously received by the Inspector for a particular Lot/Unit/Parcel, a Member in attendance at the meeting from that Lot/Unit/Parcel will be given a paper Secret Ballot along with two envelopes to mark and cast in secret at the Membership or board meeting. The Inspector will mark the registration list to memorialize that the Member received a paper Secret Ballot at the Membership or board meeting. Such paper Secret Ballots may, at the discretion of the Inspector, be on paper of a color different than the color used for paper Secret Ballots cast by mail. Such paper Secret Ballots will only be counted at any Membership meeting or adjourned meeting if properly placed into both Envelopes #1 and #2, and if they are otherwise valid pursuant to these Election Rules.

(d) Members voting in person at the Membership or board meeting must still use Envelopes #1 and #2, and Envelope #2 must be filled out, sealed and signed. Failure to use the two envelope system at the Membership or board meeting may lead to invalidation of the paper Secret Ballot cast at the Membership or board meeting and may prevent the paper Secret Ballot from being counted at any adjourned date if the Membership meeting is adjourned for lack of a quorum.

(e) If, in the sole discretion of the Inspector, the requirements above are not met, the envelope/paper Secret Ballot may not be registered and will not be valid for any purpose, including establishing a quorum.

SECTION 208. REGISTRATION OF PROXIES/DETERMINATION OF QUORUM

(a) If a Member brings valid proxies to the Membership meeting, the Inspector will review and make all necessary determinations regarding those proxies, including the validity of those proxies. Subject to this verification, the Inspector of Election shall register each Proxy received by placing a "P" on the Membership roster alongside the proxy-giving Member's name. The Inspector is not required to observe and verify that paper Secret Ballots are marked by the proxy holder in the manner instructed by the proxy giver.

(b) The Inspector will determine, if possible, whether quorum has been obtained, based upon the count of the number of Members voting by proxy, or by a mailed or delivered Secret Ballot as shown on the registration list.

(c) The quorum at a Membership meeting consists of the presence in person, by proxy, or by Secret Ballot, of at least one-third (1/3) of the voting power of the Members. (Bylaws, Article V, Section 3.)

(d) If a Member has cast a paper Secret Ballot by mail or an electronic Secret Ballot by electronic delivery, which is received by the Inspector prior to the Inspector's receipt of a Secret Ballot cast by the Member's proxy holder, the Member's Secret Ballot will supersede and control over any proxy submitted or any Secret Ballot later cast by the Member's proxy holder.

(e) A Member may revoke his or her proxy by casting a Secret Ballot by mail or delivery to the Inspector or as otherwise provided in Corporations Code Section 7613, provided such revocation is completed prior to the Inspector's receipt of a Secret Ballot from the Member's proxy holder and in advance of any vote or Membership Meeting.

(f) After the time specified in the notice to the Members relating to the closing of the polls has passed, and upon determination that a quorum has been obtained, the Inspector may close registration and close the polls.

SECTION 209. ADJOURNED FOR LACK OF QUORUM

(a) Any Membership meeting, Annual or Special, may be adjourned or adjourned to another place and/or time by the vote of the majority of Members present at the Meeting, either in person or by valid discretionary proxy. The Members at any reconvened Meeting may take any action that might have been transacted at the original Meeting. The required quorum at any adjourned Meeting of the Members consists of the presence in person, proxy or Secret Ballot, of twenty-five percent (25%) of the voting power of the Members. An Adjourned Membership Meeting must be held not less than forty-eight (48) hours nor more than thirty (30) days from the date the original meeting was called. (Bylaws, Article V, Section 3.)

(b) Valid paper Secret Ballots that are received by the Inspector, in properly completed and sealed Envelopes #1 and #2 and valid electronic Secret Ballots received by the Inspector, will be valid for adjourned Membership meetings.

(c) No ballots may be counted at Membership meetings unless a quorum is present.

(d) The Secret Ballots will be counted during duly noticed Board or Membership meetings. The Inspector may request that any Meeting be recessed to allow the Inspector to complete the counting and tabulation of the Secret Ballots at another time. Notice of the recessed Meeting will be given to all Members and candidates of the location, dates and times when the counting and tabulation will be performed. The Inspector will continue to maintain custody of all Secret Ballots until the counting and tabulation is complete or may delegate custody to the Association's legal counsel or management.

SECTION 210. OBSERVATION/CUSTODY OF BALLOTS, ETC.

(a) Any candidate or other Member of the Association may witness the opening of sealed Secret Ballots, proxies (if any), and the counting and the tabulation of the votes.

(b) No person, including any Member of the Association, may open any envelopes or otherwise review any Secret Ballot prior to the time and place at which the envelopes are opened and the Secret Ballots are counted and tabulated by the Inspector.

(c) The Secret Ballots and other election materials at all times will be in the custody of the Inspector, or at a location designated by the Inspector, for one (1) year after the tabulation of the votes.

SECTION 211. CONSULTATION WITH ASSOCIATION COUNSEL

The Inspector will have the authority to confer with Association legal counsel in advance of or at the meeting. Legal counsel represents the Association and does not represent the Members, candidates, Inspector, Board Members, Management or any other individual. By the adoption of these Election Rules, Association legal counsel has been authorized by the Board of Directors to provide advice to and to waive the attorney-client confidential communication privilege as determined necessary or prudent by the attorney to inform and advise the Inspector regarding issues or matters related to the Inspector's performance of his/her/their duties for the Association. The Inspector may confer with Association legal counsel outside the presence of the Members.

SECTION 212. TABULATION, COUNTING, INSPECTOR'S CONDUCT, ETC.

(a) Once registration for the polls has been closed by the Inspector, if a quorum is present, the Inspector may then open the sealed envelopes and begin the count and tabulation of the Secret Ballots. All (sealed) inner (#1) envelopes will be set aside upon opening the duly registered Envelopes #2; Envelopes #1 will then be opened and the Secret Ballots tabulated.

(b) All votes shall be counted and tabulated by the Inspector in public, at a properly noticed open Meeting of the Board or of the Members, after verification of a quorum of the Membership.

(c) If the Inspector opens the envelopes and determines that there is no paper Secret Ballot in an envelope, the empty Envelope will not be counted towards a quorum or for any other purpose.

(d) Members and candidates may witness the counting and tabulation from a distance of at least six (6) feet from any Inspector.

(e) The Inspector will not provide Members or candidates with information, will not answer questions, or engage in discussion, and will not provide any interim counts or tabulations. Inspectors will only provide a final count and tabulation.

(f) Members and candidates may not communicate with the Inspector during the inspection, opening, counting or tabulation process.

(g) Any witness or observer may be ejected or removed by the Inspector for any disruptive, noisy, or rude behavior.

(h) Any paper Secret Ballot must be legible and clearly marked. If the Secret Ballot is marked to cast more votes than the maximum number of votes permitted, no votes will be counted, and the Secret Ballot will be used for quorum purposes only. A Member does not have to use all of his or her votes, and may cast fewer votes than the maximum number of votes.

(i) If a paper Secret Ballot is signed or other identification is written on the paper Secret Ballot by the Member, the Inspector may determine to count the paper Secret Ballot. However, neither the Association nor the Inspector will be responsible for proecting the Member's privacy and neither will be responsible for redacting that information in the event a recount or review of the Secret Ballots is requested.

(j) The Inspector will certify the results of the election by completing a written report.

SECTION 213. AFTER TABULATION

(a) Results of the election or vote shall be announced and be promptly reported to the Board of Directors and the tabulation recorded in the minutes of the next Meeting of the Board. The Inspector may also determine whether the tabulated results will be announced at the Meeting.

(b) The tabulated results shall be available for review by all Members after the certification of the Membership meeting by the Inspector.

(c) Tie Votes: In the event of a tie vote among any number of the candidates, unless those candidates are present and agree to break the tie by coin toss, lot, or any other method of determining the results by chance, the Association will notice a special Membership meeting and deliver (or cause to be delivered) Secret Ballots to all Members for a vote to break the tie. Said vote shall be conducted in accordance with the procedures of this Article, to the extent they are applicable to a run-off vote. No previously cast Secret Ballots or proxies will be used at the meeting to break the tie.

(d) Within fifteen (15) days of the election/vote, the Board shall publicize the tabulated results of the election/vote in a communication directed to all the Members by General Delivery.

(e) The paper Secret Ballots, the outer mailing Envelopes (#2), electronic Secret Ballots, voter list, proxies, candidate registration list, and the meeting registration list ("Association Election Materials"), will be stored in a secure place in the custody of the Inspector, or in a location designated by the Inspector, for one (1) year after the date of the election/vote, at which time custody shall be transferred to the Association.

(f) In the event of an election challenge and upon receipt of a written request from a Member for review or recount, the Association will make the Association Election Materials available for inspection and review by Members or their authorized

representatives. In order to protect the security of the Association Election Materials, one or more Association representatives must be present during such inspection and review.

(g) Upon the written request of a Member, in compliance with the requirements of Civil Code Section 5200, *et seq.*, the Association shall provide a copy of the Association Election Materials to the requesting Member, with the exception of the outer mailing Envelopes (#2), which may only be inspected and not copied.

(h) Any recount shall be conducted in a manner that shall endeavor to preserve the confidentiality of the vote. However, the Association will not be responsible for redacting or otherwise protecting any identifying/other information of a Member that is written on a paper Secret Ballot or associated with an electronic Secret Ballot, or other categories of Association Election Materials.

(i) Only one person at a time may review, inspect, or recount the original Association Election Materials. No copies may be made of the outer mailing Envelopes (#2). For paper Secret Ballots or electronic Secret Ballot records. Cell phones, cameras and other photography reproduction equipment are not permitted in the room at the time of the inspection, review, or recount. Only the paper and markers provided by the Association may be used to take any notes.

(j) The Association or the professional Inspector may establish any additional rules and procedures for the review and recount by Members, and a charge or cost may be imposed to be payable by the Members in advance for the time of persons to observe and monitor the review or recount.

SECTION 214. ACCESS TO ASSOCIATION FACILITIES AND COMMUNICATIONS/ USE OF ASSOCIATION FUNDS

(a) If any candidate or Member advocating a point of view is provided access to any Association media, including newsletters, Internet web sites, or other Association publications during any campaign, for purposes that are reasonably related to that election, then all candidates and Members advocating a point of view shall be provided with equal access for purposes reasonably related to that election.

(b) The Association shall not edit or redact the content from the communications of candidates and Members advocating a point of view, but may provide a statement specifying that the candidate or Member, not the Association, is responsible for that content.

(c) Access to common area meeting spaces, to the extent such exist, will be made available to all candidates and Members advocating a point of view, for purposes reasonably related to the election or vote, at no charge. The Association may set forth the specific dates and times at which such access will occur in the Notice of the Membership meeting.

SECTION 215. PRE- AND POST-MEETING PROCEDURES

(a) The Director who received the most votes will initially chair the Board's first post-election meeting. The first order of business will be the election of the President of the Association from among the Directors. Upon being elected, the new President will assume the chair and conduct the election of the Vice President and other officers from among the Directors. The Secretary and Treasurer are not required to be Directors but must be Members in good standing.

(b) Prior to the Annual Meeting, the Board may meet for the sole purpose of approving the minutes of any meetings held prior to the Annual Meeting, which minutes have not previously been approved. The minutes of this meeting will be approved by vote of the outgoing Board and signed by the outgoing Secretary.

Section 216. Electronic Voting

(a) Use of Electronic Voting. The Association may conduct elections by electronic voting as provided for in these Rules. The Association may utilize the Inspector, as specified in Civil Code section 5110, to conduct an election by electronic Secret Ballot, excluding elections regarding regular or special assessments, as provided for in Civil Code section 5600 *et. seq*. As used in these Rules, "electronic Secret Ballot" means a Secret Ballot conducted by an electronic voting system, which ensures the secrecy and integrity of a Secret Ballot pursuant to the requirements of Civil Code section 5100 *et. seq*.

(b) Method of Electronic Voting. Members who have identified electronic mail (E-mail) as their preferred method of delivery for receiving notices pursuant to Civil Code section 4041, or who otherwise identify electronic voting as their preferred method of voting, shall vote in elections provided for in these Rules by electronic voting. Members may change their preferred method of voting from electronic Secret Ballot to paper Secret Ballot or from paper Secret Ballot to electronic Secret Ballot no later than ninety (90) days before an election. Members who vote by electronic Secret Ballot must provide their E-mail address to the Association. If the Association does not have a Member's E-mail address required for a Member to vote by electronic Secret Ballot by the time at which Secret Ballots are to be distributed, the Association shall mail the Member a paper Secret Ballot.

(c) Changing Method of Voting. If a Member's preferred method of delivery or voting is not an electronic Secret Ballot, or if a Member opts-out of voting by electronic Secret Ballot, the Association shall mail a paper Secret Ballot to the Member.

(d) Notice Prior to Election. The Association shall provide notice by individual delivery pursuant to Civil Code section 4040, at least thirty (30) days before the deadline to opt-out of voting by electronic Secret Ballot, of the following:

(i) The Member's current voting method.

(ii) If the Member's voting method is by electronic Secret Ballot and the Association has an E-mail address for the Member, the E-mail address of the Member will be used for voting by electronic Secret Ballot.

(iii) An explanation that Members are required to opt-out of voting by electronic Secret Ballot if the Member chooses to vote by paper Secret Ballot.

(iv) An explanation of how a Member may opt-out of voting by electronic Secret Ballot.

(v) The deadline for Members to opt-out of voting by electronic Secret Ballot if the Member chooses to vote by paper Secret Ballot.

(e) Annual Notice. The Association shall include instructions in the Annual Policy Statement regarding how Members may change their preferred method of voting to an electronic Secret Ballot or a paper Secret Ballot.

(f) List of Voting Preferences. The Association shall maintain a list of Members who will vote by electronic Secret Ballot and Members who will vote by paper Secret Ballot.

(g) Ballot Contents. Electronic Secret Ballots and paper Secret Ballots shall contain the same list of items and information being voted on by the Members. If the Association conducts an election to approve an amendment to the governing documents by electronic Secret Ballot, the Association may deliver, by electronic means, the text of the proposed amendment to those Members who vote by electronic Secret Ballot, pursuant to Civil Code section 5105. The Association shall also deliver a paper copy of the text of the proposed amendment to those Members upon request, without charge. If a Member votes by paper Secret Ballot, pursuant to Civil Code section 5105, the Association shall deliver a written copy of the text of the proposed amendment of the governing documents to the Member with the Secret Ballot.

(h) Nominations from the Floor. Nominations from the floor of Membership meetings is prohibited.

(i) Electronic Secret Ballot Delivery. Electronic Secret Ballots shall be delivered by individual delivery pursuant to Civil Code section 4040 at least thirty (30) days

before the election and must contain instructions regarding (i) how to access the Internet-based voting system; and (ii) how to vote by electronic Secret Ballot. Electronic Secret Ballots may be included in an electronic individual notice sent pursuant to Civil Code section 4040. Delivery of the individual notice may be accomplished by electronic submission to an address, location, or system designated by the Member.

(j) Casting Electronic Secret Ballot. A vote made by electronic Secret Ballot is effective when it is electronically transmitted to an address, location, or system designated by the Inspector(s) of Election. A vote made by electronic Secret Ballot shall not be revoked.

(k) Quorum. For purposes of determining a quorum, a Member voting electronically shall be counted as a Member in attendance at the meeting. Once the quorum is established, a substantive vote of the Members shall not be taken on any issue other than the issues specifically identified in the electronic vote.

THE FOREGOING AMENDED ASSOCIATION MEMBERSHIP MEETING AND VOTING RULES WERE ADOPTED on January 20, 2026, by the Board of Directors in a duly noticed open Board meeting following the Board's compliance with Civil Code Section 4360.

ATTESTED TO:

By: Anita Bauer

Secretary: _____, 2026

Notice of the Amended Association Membership Meeting and Voting Rules adoption was provided to the Membership within fifteen (15) days of the adoption date.

* * * * *

ARTICLE 2.1

SPECIAL MEMBERSHIP MEETINGS

(Adopted 8/18/90)

SECTION 2.100. CALL FOR SPECIAL MEETING

Special meetings of Members for any lawful purpose may be called at any time by the Board, by the Association President, or by written notice of 5 percent or more of the Members. *(Amended 6/16/01, 8/10/08) [Ref: Corp. Code, Sec. 7510(e)]*

SECTION 2.101. NOTICES

(a) A written notice of the meeting shall be given by first class mail of the special meeting to the Members not less than 10 or more than 90 days prior to the meeting date. The notice shall include the general nature of the business to be transacted and no other business may be acted upon.

(b) Upon request in writing to the Association President, Vice-President, or Secretary by any person(s) (other than the Board) entitled to call a special meeting of Members, the officer forthwith shall cause notice to be given to the Members entitled to vote that a meeting will be held at a time fixed by the Board not less than 35 nor more than 90 days after the receipt of the request. If the notice is not given within 20 days after receipt of the request, the persons entitled to call the meeting may give the notice and fix the time, or may secure a court order as provided under Corporation Code Section 7511(c). *[Ref: Subdiv. (a), Corp. Code Sec. 7511(a); Subdiv. (b), Corp. Code, Sec. 7511(c)]*

SECTION 2.102. PRESIDING OFFICER

(a) The Association President shall preside at the special meeting.

(b) In the absence or disability of the President, the Vice-President of the Association shall perform the duties of the President.

(c) In the absence or disability of both the President and Vice-President, a director selected by the Board shall perform the duties of the President.

SECTION 2.103. QUORUM

(a) The presence of at least one third of the Members, in person or by proxy, constitutes a quorum.

(b) If a quorum is not met at the meeting, it shall be adjourned to a time not less than 48 hours or more than 30 days after the date of the original meeting, at which time the presence of at least one fourth of the Members, in person or by proxy, constitutes a quorum. *[Ref: Bylaws, Art. V, Sec. 3]*

SECTION 2.104. ELECTION INSPECTOR; APPOINTMENT; POWERS AND DUTIES

(a) In advance of the special meeting, the Board shall appoint Inspector of Election to act prior to and during the meeting and any adjournment of it.

(b) The Inspector of Election shall determine the number of memberships outstanding and the voting power of each, the number represented at the meeting, the existence of a quorum, the authenticity, validity and effect of proxies, receive votes and ballots, hear and determine all challenges and questions in any way arising in connection with the right to vote, count and tabulate all votes, determine when the polls shall close, determine the result, and do such acts as may be proper to conduct the election or vote with fairness to all Members.

(c) The Inspector of Election shall perform his duties impartially, in good faith, to the best of his ability and as expeditiously as is practical. The decision, act or certificate of the Inspector of Election is effective in all respects. Any report or certificate made by the Inspector of Election is prima Facie evidence of its stated facts.

(d) The Inspector of Election may appoint one or more individuals, not from the Membership, to assist him in his or her duties. *[Ref: Civil Code Sec. 5105 (a)(6)-Corp Code Sec.7614] (Amended 1/18/92, 6/5/24)*

SECTION 2.105. VOTING

(a) If two or more persons own a lot or condominium, all of those persons are deemed a single Member. Unless written instructions designating a particular owner to act for the other, signed by all the owners, are received by the Association Secretary at least 72 hours prior to the meeting, ballots will be distributed to the first joint owner of a lot or condominium that requests it. The vote cast by this joint owner shall be deemed to have been cast with the unanimous consent of all the owners. *[Ref: Art. III, Sec. 4, Bylaws]*

(b) Each Member shall have one vote for each lot and condominium owned. *[Ref: Art. IV, Sec. 2, Bylaws]*

(c) A Member's rights assigned under Article VII, Section 3 of the Bylaws does not include voting rights.

(d) If a quorum is present, and except as provided in subdivision (e), the affirmative vote of a majority of the voting power represented at the meeting, entitled to vote, and voting on any matter, shall be the act of the members. *[Ref: Corp. Code Sec. 7512]*

(e) Adoption of the following matters presented to the Members at the meeting shall require the affirmative vote of at least 75 percent of the total voting power of Members:

  (1) Changes in the qualifications for membership in the Association, as provided in Article III, Sections 1 and 2 of the Bylaws.

  (2) Changes relating to the Board of Directors of the Association, as provided in Article VIII of the Bylaws. *[Ref: Art. XIII, Sec. 4, Bylaws]*

(f) The record date for the purpose of determining the Members entitled to vote at the meeting or its adjourned meeting shall be the date of the last alphabetical list of Members run prior to the meeting, but not in excess of 60 days before the meeting. *(Amended 1/27/01) [Ref: Corp. Code, Sec. 7611]*

SECTION 2.106. PROXIES: FORM

(a) Members may vote in person or by written proxy filed with the Inspector of Election by the date specified in the proxy form. The Secretary shall deliver any proxies received, unopened, to the Inspector of Election for verification and tabulation. *(Amended 1/18/92)[Ref: Art. IV, Sec. 3, Bylaws]*

(b) The proxy must be signed by a Member. If a Membership consists of two or more persons, any one of the persons may sign on behalf of the Membership unless the Association Secretary is given written notice to the contrary. *[Ref: Art. 4, Sec. 4, Bylaws]*

(c) A proxy shall be revoked by:

(1) Delivery of written notice by the Member to the Association Secretary;

(2) Receipt by the Association Secretary of actual notice of the death or court decree of incompetence of the Member;

(3) Termination of a person's Membership status;

(4) Execution of a subsequent proxy by the Member that is filed with the Inspector of Election as specified in the proxy form; and

(5) Attendance at the meeting and voting in person by the Member executing the proxy. The dates on the proxy form presumptively determine the order of their execution. If a Member who has previously executed and delivered a proxy to the Inspector of Election attends a meeting with the intention of voting in person, the Member shall so inform the Inspector of Election who shall then void the proxy and provide the Member with a ballot.

(Amended 1/18/92) [Ref: Sec. 205(d)]

(d) (1) Proxies solicited from 10 or more Members shall specify those matters intended, at the time the proxies are distributed, to be acted upon at the meeting for which the proxies are solicited. These proxies shall also provide, subject to reasonable specified conditions, that where the Member specifies a choice on matters stated to be acted upon, the proxy holder shall vote accordingly. *[Ref: Corp. Code Sec. 7514]*

(2) The notice of special meeting sent to Members shall include an explanation of the general nature of the proposals to be voted on. Members may submit written arguments, not to exceed 200 words, for or against any proposal, to the Inspector of Election, not later than 15 days after the date the notice is mailed. The Inspector of Election will select from the arguments received any three for each proposal and any three against each proposal, to be included with the proxy materials. The proxy materials will also indicate the number of timely written arguments received for and against each proposal.

(Amended 1/18/92) [Ref: Sec. 205(e)(2)]

(e) The form of proxy shall be substantially as follows:

PROXY

The undersigned Member(s) of the Bear Valley Springs Association hereby appoints _____ CPA, the Inspector of Election, as proxy, with full power of substitution, to vote, as indicated on the enclosed secret ballot, at the Special Meeting of Members on_____, and at any adjournment of the meeting.

SIGNATURE(S) _____

TRACT #_____LOT #_____

Proxy Instructions.

MAKE YOUR VOTE COUNT! FOLLOW THESE INSTRUCTIONS

(1) One Member may sign for a jointly held membership unless the Association Secretary has been given written notice otherwise.

(2) Seal your secret ballot in the postage paid envelope addressed to the Inspector of Election.

(3) Record your lot and tract numbers and sign the proxy imprinted on the back of the envelope. After verifying your proxy, the Inspector of Election will segregate the secret ballot for later tallying.

(Amended 1/18/92 & 1/18/97)

SECTION 2.107. PARLIAMENTARY AUTHORITY

The rules contained in the current addition of *Robert's Rules of Order Newly Revised* shall govern at the meeting in all cases to which they are applicable and in which they are not inconsistent with the C&Rs, Bylaws and Association Rules.

* * * * * * *

ARTICLE 3
GENERAL RULES FOR AMENITIES AND FACILITIES OPERATED BY THE ASSOCIATION
(Adopted 7/9/88)

SECTION 300. ACCIDENTS

An accident at any amenity must be reported to the respective Designated Supervisor at the time of the accident. (*Amended 2/10/24*)

SECTION 301. ASSOCIATION EMPLOYEES

(a) The sole and specific direction of Association employees is vested in the Association through its General Manager, and its duly authorized Designated Supervisor. *(Adopted 10/20/07, effective 12-10-07)(Amended 2/10/24)*

(b) Neither individual Members nor their guests shall have any jurisdiction over employees of the Association.

SECTION 302. BULLETIN BOARDS

Association bulletin boards are provided for general notices, Association business, and announcements of management. No other notices shall be posted on these boards.

Subdivisions (b) & (c) *(Repealed, effective 4/10/08)*

SECTION 303. EMERGENCY CARE – MINORS – (Repealed, effective 12/10/10)

SECTION 304. HOURS OF OPERATION

(a) All amenities and facilities operated by the Association are kept open during days and hours determined by the Board of Directors.

(b) Operating times are subject to change without prior notice and any changes shall be posted immediately at the amenity. (*Amended 2/10/24*)

SECTION 305. USE PRIVILEGE CARDS

(a) Subject to this Section 305, the Association will issue Use Privilege Cards to new Members, their immediate family and tenants, as defined in Art.3, section 305, par.(o) upon application and presentation of evidence of eligibility for membership in the form of a recorded grant deed or a currently effective a valid State issued Driver's License, State ID., and one of the following voter registration, vehicle registration, utility bill, insurance document, lease agreement, school records, or other official records showing that the individual(s) listed are the owner(s) and/or reside at the property. Online applications for a change of address requests from the

California Department of Motor Vehicles will not be accepted as proof of residency. Issuance of Use Privilege cards is limited to
(1) One single family unit living at the same residence will be issued Use Privilege Cards. These cards may be issued to individuals who can verify residency with two forms of identification such as valid State issued driver's license, State I.D., voter registration, vehicle registration, utility bill, insurance document, lease agreement, school records, or other official records showing that the individual(s) listed are the owner(s) and/or reside at the property as outlined in Article 3, Section 305 (a).
(2) Tenants residing within Bear Valley Springs will be issued Use Privilege Cards. These cards may be issued to individuals who can verify residency with two forms of identification such as valid State issued driver's license, State I.D., voter registration, vehicle registration, utility bill, insurance document, lease agreement, school records, or other official records showing that the individual(s) listed are residing at the property as outlined in Article 3, Section 305(a). (*Amended 10/10/2026*)

Any request for additional cards will be made in writing outlining justification and submitted to the BVSA Board of Directors for review and a response will be made within thirty days of receipt for approval or denial of said request. *(Amended 4/25/23).*

(b) (1) If more than one person owns a lot or condominium, all of the owners together are deemed to be one Member or one Membership, pursuant to Par. 11b(2) of the Covenants and Restrictions (C&Rs) and Art. III, Section 4 of the Association Bylaws.

(2) Pursuant to Art. VII, Sec. 2 of the Association Bylaws, the persons included in the Membership have the right to designate the members of one single family residing together who may use the Community Facilities and Common Areas in BVS, pursuant to Article 3, Section 305, par.(a).. *(Amended 11/21/88)*

(c) Designation of family members must be made on an application form provided by the Association that will be subject to the Association's verification that the information provided by the Membership qualifies the persons designated as family members.

(d) (1) Use Privilege Cards will be issued to the persons designated by the Membership and found to be qualified family members by the Association.

(2) Minor children ages nine (9) and older who are residing in the household of the designated family unit on a permanent basis are eligible for an amenities card. The minor children of parents, who are divorced or separated and who have been awarded their joint physical custody as defined in Family Code Section 3004, are deemed to reside with each parent.

(e) Applications for changes in the designated family and family members may be made to the Association upon surrender of the Use Privilege Cards issued to that Membership. *(Amended 1/27/01)*

(f) Residences, residential lots, condominiums and condominium lots are intended to be used for residential purposes only. Short-term rentals or leases (less than thirty

(30) consecutive days) at any one time negatively impact Association resources, resulting in undue costs and liability for the Association, and therefore, are disallowed. This includes Air BNB's, VRBO, or any other vacation, weekend, or short term rentals. The renters or users of the short-term rentals shall not qualify for Use Privilege Cards. *(Added 10/10/15; Amended 07/10/18, 2/10/24)*

(g) Members who assign Use Privilege Card rights to a tenant who is residing within Bear Valley Springs pursuant to Art.3,Section 305, par.(a) (2).must provide the Association written notice of the assignment and the names of the tenant and the tenant's family qualifying for a Use Privilege Card. Upon termination of the tenancy, members must inform the Association in writing and the Member should make every effort to ensure that the cards issued to tenants and their families are returned to the Association Office upon termination of the tenancy. (*Amended 10/10/2026)*

(1) A non-refundable deposit, in accordance with the BVSA Fee Schedule, must be deposited for each Use Privilege Card before issuance of the Cards. *(Amended 11/16/91; 08/10/11; 07/10/18)(renumbered 10/10/2026)*

(2) Tenants who have been assigned use privilege rights by Members must obtain Use Privilege Cards from the Association in order to use Community Facilities and Common Areas. Their use of the Community Facilities and Common Areas as guests of Members or other tenants will not be permitted.

(3) Property Owners who have an Environmental Control Committee (ECC) approved Accessory Dwelling Unit/Guesthouse (ADU) and/or Junior Accessory Dwelling Unit (JADU) may assign Use Privilege Cards per approved unit to tenants pursuant to Article 3, Section 305, par.(a). (*Amended 2/10/24, 10/10/26*)

(4) Occupants, Tenants and other persons who have been assigned use privileges by the Members as provided in Article VII, Section 3 of the Bylaws who have violated the BVSA Rules, ECC Rules or other Bear Valley Springs governing documents will be subject to loss of amenity use privileges as determined by the Board of Directors and will be required to surrender their Use Privilege Cards. *(Added 2/21/98) (Amended 11/21/88) (Added 10/10/19) (Added 6/1/2021)*

(h) Upon sale, exchange or transfer of a Member's lot or condominium, the Member must surrender to the Association the Use Privilege Cards outstanding on that property. Upon failure to return the Card(s), the Association may impose a fee in accordance with the BVSA Fee Schedule for each Card, issued with respect to the Member's property, which is not returned to the Association. This fee may be collected through the sale, exchange or transfer escrow or any other means provided by law. *(Amended 5/15/99; 08/10/11)*

(i) Use of BVS Community Facilities and Common Areas is limited to persons qualifying for Use Privilege Cards or Guest Passes. The Association shall require production of the Use Privilege Card or Guest Pass prior to use of any facility. Persons operating a business on their BVS property may not extend use of BVSA common areas, facilities or amenities to outside persons as a component of their commercial enterprise.

A. Due to the unique use of the Mulligan Room (a food establishment) and in accordance with the C&R's section 7.f.(1) sub-section a-e. The Mulligan Room, Oak Branch Saloon and Oak Tree Country Club dining room, will be exempt from this rule allowing anyone with a valid gate pass to patronize the Mulligan Room, Oak Branch Saloon and Oak Tree Country Club dining room only without showing a Use Privilege Card or Guest Pass. (*Added 06/01/19, 2/10/24, 10/10/26*)

(j) Lost, stolen or destroyed cards will be replaced by the Association upon payment of a processing charge in accordance with the BVSA Fee Schedule and execution of an affidavit of loss, theft or destruction. *(Amended 3/10/11)*

(k) Multiple owners of lots or condominiums who do not qualify as a family as defined by subdivision (o), and who acquired ownership of their property prior to September 19, 1987, are entitled to receive no more than six Use Privilege Cards. *(Amended 7/10/09)*

(l) Natural persons who own two or more lots or condominiums may designate Use Privilege Card rights for each lot or condominium owned, one single family related to the owners by blood or marriage, residing together, who may use the Common Areas and Community Facilities. (*Amended 10/10/26*)

(m) (1) Persons other than natural persons who own a single lot or condominium may designate Use Privilege Card rights to one single family residing together who may use the Common areas and Community Facilities. (*Added 7/18/98)(Amended 2/10/24, 10/10/26)*

(2) Persons other than natural persons who own two or more lots or condominiums may designate Use Privilege Card rights for each lot or condominium owned, one single family residing together who may use the Common Areas and Community Facilities. (*Amended 2/10/24, 10/10/26*)

(n) The term "person," as used in this Section 305, means and includes natural persons, corporation, partnership, limited liability companies and other entities recognized by the laws of the State of California. *(Amended 7/18/98, 2/10/24)*

(o) The term "family" as used in this Section 305 means and includes a natural person or two or more natural persons occupying a dwelling and living together as a stable, single housekeeping unit on a permanent basis, regardless of whether such persons are related by blood, marriage, domestic partnership, legal adoption, or any other legal relationship. A single housekeeping unit shall generally be characterized by shared use of and equal access to all common areas of the residence, including kitchens, living spaces, and eating areas; the sharing of household expenses, chores, and responsibilities; and a living arrangement demonstrating stability and permanence consistent with residential occupancy. All persons who reside at a residence within Bear Valley Springs, including tenants and adult occupants, shall be eligible for a Use Privilege Card and full amenity access upon providing two (2) forms of documentation acceptable to the Association establishing permanent residency at the property. Eligibility for use privileges is based on property ownership and permanent residency within Bear Valley Springs and the Association's jurisdiction. *(Added 12/16/8; Amended 9-10-08; 7-10-09, 2/10/24, 10/10/26)*

(p) Notwithstanding any other provision of these Rules, in no event shall a Member whose use privilege rights have been suspended, in whole or in part, for any reason, including but not limited to the nonpayment of assessments, be entitled to use or enjoy the Common Areas or Community Facilities during the period of any such suspension. Any attempt by a Member in good standing to designate such suspended Member as a person qualified to hold or exercise such use privilege rights shall be null and void. *(Added 7/20/96)*

(Renumbered (f) – (p) 10/10/15)

SECTION 306. MEMBER RESPONSIBILITIES

(a) All amenities and facilities operated by the Association are used by Members, their families their guests, and their tenants at their individual risk. *(Amended 06/02/15)*

(b) At all times, Members are responsible for their own conduct, acts and omissions as well as those of their families, guests, tenants, or invitees and any reference in this Article to the conduct, acts and omissions of Members includes that of their families, guests, tenants, or invitees. Courtesy, good conduct, and decorum must be observed at every BVSA Amenity, at all times. The Designated Supervisor is the sole judge of what constitutes good conduct. (*Amended 10/1/2021, 2/10/24)*

(c) Members are responsible for their guests and tenants. This includes guests' and tenants' family members while on Association premises. This responsibility includes guests' and tenants' observance of the Governing Documents. *(Amended 8/10/08; 4/10/11, 2/10/24)*

(d) A Use Privilege Card or cash deposit, or both, may be required to check out Association equipment. The Board will establish any cash deposit amounts. Upon the return of Association equipment in good condition, any deposit or Card will be returned.

(e) Conduct at Association facilities, amenities or common areas that poses 1) an immediate and unreasonable infringement of, or threat to, the safety or quiet enjoyment of other Members and their guests, (2) a traffic or fire hazard, or (3) a threat of material damage or destruction of other property, is prohibited. *(Added 4/10/13)*

(f) Any Member who defaces injures or destroys Association property is liable for its full value and is subject to any further actions the Board may take. Should guests or tenants of a Member deface, injure or destroy Association property, the Member is ultimately liable for the damage. *(Amended 4/10/11)*

(g) Any dog or other pet must be restrained by leash while at any recreational facility operated by the Association. Pets of any kind may be prohibited at some amenities, even if on leashes.

(h) All trash, debris and garbage must be placed in proper receptacles provided for it.

(i) No person under the influence of any alcoholic beverage or illegal drugs shall be allowed to enter or to remain in any Amenity operated by the Association. *(Added 9/24/94, Amended 2/10/24) [Ref: District Ordinance No. 94-95, Sec. 1.06]*

(j) A Member whose use privilege rights for the use of one or more Amenities or Common Areas have been suspended may not use those facilities or areas as the

guest of a Member in good standing or as the guest of a tenant who has been issued a Use Privilege Card. *(Added 2/21/98) (Amended 2/10/24)*

(k) The use of any projectile device, specifically, but not limited to firearms, bows and arrows, BB guns, paint-ball weapons, etc. is prohibited in or on Bear Valley Springs' facilities, common areas and easements, with the exception of the shooting and archery range. *(Added 9/10/12) (Amended 2/10/24)*

SECTION 307. GUEST PASSES

(a) Guest passes will be required only for guests who are not accompanied by a Member or an adult (18 and over) member of the family of a Member. *(Amended 02/10/17)*

(b) The term "Member" is defined in Article I, Section 14 of the Association Bylaws and includes, for purposes of use of Common Facilities only, a tenant assignee of a Member under the provisions of Article VII, Section 3 of the Bylaws. *(Amended 1/27/01)*

(c) Guest passes may be picked up at Administration Office, Golf Pro Shop or at the Whiting Center during the times established by the Board and posted at those locations upon written request. *(Amended 12/15/01, 10/10/26)*

(d) The types of Guest Passes are: (maximum outstanding: 4 per lot)

(1) Daily

(2) Long-Term (maximum of two weeks)
Requests for long-term guest passes must be in written form and include a statement of need for this pass.

(3) Sports Pass
A BVSA Member in good standing or a Bear Valley adult resident with current amenity use privileges may sponsor up to 4 guests and limited spectators to participate in and spectate an approved Association Sports League, following the procedure as set forth in Section 307 (e). The Sports Pass will be generated during the sports league sign-up process. The Member is responsible for the guest as outlined in Section 306. The guest participant will pay all league and guest fees. This pass will grant entrance only to that part of the facility intended for the sport in which the guest participant and limited spectators are enrolled and is only to be used for the enrolled sports league. This is a limited entry pass. The duration of the pass will be for the length of the particular sports season, but will be revoked if the guest leaves the sports program or violates any Association Rules or Sports Code of Conduct or if the sponsoring Member/renter loses amenity privileges.

(4) Temporary Junior Amenity Pass
Temporary Junior Amenity Access Pass is good for any individual under the age of 18. There can only be 6 passes processed per tract and lot per

year. Dates may be divided up or given all at once and cannot exceed a total of 14 days per calendar year. No more than two passes may be assigned to the same individual per year. The Temporary Junior Amenity Access Pass must be carried by the pass holder at all times while utilizing Association amenities. The pass holder shall comply with all rules and regulations applicable to the specific amenity being used, including, but not limited to, the golf course, equestrian center, swimming pool, lakes, parks, trails, ball fields, restaurants and the Whiting Center. There will be no charge for the individual at any amenity while they are within the dates given on the card. After all dates have been used, the member will pay guest fees for the individual per the current fee schedule. Temporary Junior Amenity Access Passes may be picked up at the Administrative Office, Golf Pro Shop or Whiting Center during business hours upon written request. Member is responsible for the individual at all times as outlined in Section 306. Temporary Junior Amenity Access Pass will be revoked if the individual violates any of the outlined BVSA rules or code of conduct or if sponsoring member loses amenity privileges for any reason. *(Added 02/10/17; Amended 04/25/19, 2/10/24, 10/10/26)*

(e) The procedure for issuance of Guest passes and Temporary Junior Amenity Access Passes is as follows:

(1) The Member must present a valid Use Privilege Card to the Association employee issuing passes. Membership will be verified from current alpha lists or other records of the Association.

(2) Each Guest pass or Temporary Junior Amenity Access Pass issued will include the expiration date and the name of each guest over age nine and each Temporary Junior Amenity Access Pass issued will include the expiration date and the name and birth date of each guest. The Member must sign for each pass, noting their tract and lot numbers and acknowledge responsibility for the guest. *(Amended 02/10/17, 10/10/26)*

(3) Passes requested in person by Members may be taken by the Member at that time or may be picked up at the Association Office, Golf Pro Shop or Whiting Center by the guest.

(4) Passes requested by mail may be picked up at the Administration Office by the Member or guest upon proper identification

(5) Guest Passes and Temporary Junior Amenity Access Pass may not be requested by phone.

(6) Any request for a variance from this guest pass procedure must be submitted in writing to the Association Office for approval, by the General Manager and Amenity Manager. *(Amended 1/27/01; 12/10/10, 10/10/26)*

SECTION 308. ENFORCEMENT

(a) The Association Board urges all Members, their families and their guests to comply with these Rules.

(b) The Association Amenity Managers and General Manager have the authority to assure compliance with Association Rules and the Board may enforce them by fine or by suspension of the privileges of use after notice and hearing as set forth in Article 17.

(c) The Association President, General Manager and any Amenity Manager may also call for assistance from the Community Services District Police Department should assistance be deemed necessary to enforce these Rules.

(d) These Rules, where applicable, shall also be enforced as provided in District Ordinance 94-95. *(Added 9/24/94)*

SECTION 309. ALCOHOLIC BEVERAGE USE AT AMENITIES AND FACILITIES

(a) No group may sell alcoholic beverages not provided by the Association in any amenity or facility operated by the Association.

(b) Persons or organizations wishing to use amenities for private parties may provide alcoholic beverages free of charge to those attending, providing the Association does not have a bar outlet open and operating in this area; for example, a group using the Golf Shop must do so when the bar is closed if they wish to provide complimentary alcoholic beverages. However, Association recognized groups must provide alcoholic beverages free of charge when a bar is open in the area covered by the Association's liquor license with the stipulation that the beverages are served by an Association employee at an hourly rate as established from time to time by the General Manager. *(Amended 12/10/07; 12/10/12)*

(c) Request for the Association to provide bar service at an amenity must be received 30 days in advance so the proper arrangements can be made with the State Alcohol Beverage Control Board. Activities at the Golf Pro Shop and Oak Tree Country Club are excluded from this 30-day notification requirement.

(d) When the Association provides a bar to sell alcoholic beverages, pricing will be consistent with those prices in effect at the Oak Tree Country Club. At times, due to factors such as a lack of a register or trained personnel, the Country Club has a two- or three-price structure for drinks at the Country Club to facilitate prompt service. In such cases, prices for any type drink will never be reduced below the pricing being charged at the Country Club. (*Amended 2/10/24*)

(e) Any exception under this section must be approved by the Association Board.

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ARTICLE 4
ARCHERY RANGE
(Adopted 7/9/88)

SECTION 400. LETHAL WEAPON

A bow and arrow is considered a lethal weapon and must never be aimed at another person, or any animal.

SECTION 401. EQUIPMENT

(a) Target or Roving Arrows must be standard usage.
(b) Use of broken or cracked wooden arrows is prohibited.
(c) Broadhead Arrows (used for hunting) are not permitted. *(Amended 12/15/01,6/5/24)*
(d) The Range Master is authorized to inspect equipment for safety and suitability for the Range and to restrict or prohibit use of any equipment on the Range that could create a safety hazard.

SECTION 402. RANGE COURTESY

(a) Archers must refrain from notching arrows until they have determined that:
  (1) No other person is between them and their targets;
  (2) No other person is near or behind their targets; and
  (3) All possible safety precautions have been taken.
(b) Shooting of arrows into the air or anywhere other than at a designated target is prohibited.
(c) Archers must never cross an occupied shooting line. *(Amended 12/15/01)*

SECTION 403. MEMBER RESPONSIBILITIES

(a) Spectators must refrain from handling equipment while on the Range, staying clear of targets; and remain quiet when archers shoot. *(Amended 12/15/01)*
(b) Anyone who is incapable of comprehending the inherent dangers associated with archery or firearms must be accompanied by a responsible member at all times when participating in archery on the Range. The inherent dangers associated with shooting sports and additional recommended safety guidelines are documented in national shooting and archery safety program brochures distributed by the National Rifle Association (www.nra.org) or the National Shooting Sports Foundation (www.nssf.org). *(Amended 8/10/08)*
(c) Shooting is only permitted under Range Master Supervision (*Amended 6/5/24*).
(d) No person shall bring, possess or consume any alcoholic beverage or illegal drug within the entire shooting range amenity.

(Repealed & Added 9/24/94)(Amended 6/5/24) [Ref: District Ordinance 94-95, Sec 1.11(D)]

(e) Vulgar or profane language will not be tolerated.

(f) Dogs and other pets are not permitted within the entire shooting range amenity (*Amended 6/5/24*).

(g) This article will be enforced as provided in Article 17 and Article 3. *(Amended 12/10/13)*

SECTION 404. MANAGEMENT RESPONSIBILITIES

(a) Hours of Range operation are set by the Board and posted on Bulletin Boards.

(b) In order to promote the safety of persons using the Range, the Range Master is designated the chief enforcement officer of this Article, and shall have the responsibility to ensure the safe operation of the Range. All persons shall respect and obey the instructions of the Range Master and may be removed from the Range by the Range Master for failure to comply with any provision of the C&Rs, Association Bylaws or Rules or instruction of the Range Master.
(Repealed and Added 9/24/94) [Ref: District Ordinance No. 94-95, Sec 1.11(E)]

(c) This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13)*

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ARTICLE 5
CAMPGROUNDS
(Adopted 7/9/88)

SECTION 500. GENERAL

(a) The intent of the following Rules is to allow the widest possible use by Members consistent with the proper maintenance of the campsites. *(Amended 10/19/96)*

(b) The campgrounds will be operated as follows:
  (1) Year-round for Town Center Campgrounds.
  (2) May 15 through October 15 or at the discretion of the Amenity Manager for the Water Canyon Campground and the Equestrian Center Campground.
  (Amended 10/19/96) (Amended 03/17/20, 6/5/24)

(c) An adult Member must be present with any guests using any campsite.

(d) "Quiet Time" is from 10:00 P.M. until 7:00 A.M. for all campgrounds. See additional "Quiet Time" rules below (Section 504 (e) (8) *(Amended 8/10/08)*

(e) R*epealed 10/19/96)*

SECTION 501. RESERVATIONS

(a) Campsites are available on a reservation basis only, first come - first served, when accompanied by the required fees. Members are urged to pay fees at the time of requesting reservations.

(b) The Association may assign specific campsites. Members' preferences will be given full consideration—but no guarantee can be given.

(c) ONLY the assigned campsite may be used by Members and guests for not longer than two weeks in any one month, unless a longer period is approved by the Amenity Manager or the General Manager. *(Amended 12/15/01)*

(d) Members and their families may have no more than eight guests on any one reservation when using any one campsite. Larger numbers of guests may be permitted occasionally—ONLY with prior arrangement with the Amenity Manager.

(e) Cancellations must be made at least 48 hours prior to the time specified for occupancy for deposit to be refunded on electrical hook-up sites.
(Amended 12/15/01, 6/5/24)

(f) Any Member who has not occupied a reserved campsite within 24 hours of the time specified for occupancy forfeits the reservation and, if an electrical hook-up site, the deposit. A forfeited campsite will be assigned to the next valid reservation. *(Amended 12/15/01)*

SECTION 502. FEES

(a) The Association Board has established rental or clean-up fees for campsites. These fees shall be posted in the Whiting Center and are subject to change by the Board. *(Amended 10/19/96, 8/19/00, 12/15/01)*

SECTION 503. PERMITS

(a) Permit for campsites will be issued to Members at Whiting Center upon their registering during normal hours, as determined by the Board and posted at the Center. *(Amended 12/15/01)*
[Previous (b), (c), (d) and (i) repealed 10/19/96 and (e), (f), (g) and (h) renumbered as (b), (c), (d) and (e), 10/19/96]

(b) Permits must be displayed at all times on camping vehicles. *(Amended 10/19/96) [Ref: CSD Code 6-3-12:A]*

(c) Recreational vehicles without a valid permit will be required to leave campsites. The vehicles may be removed at owner's expense by the Association if the owner is unable or unwilling to do so. *(Amended 10/19/96)*

(d) Unauthorized persons, Members or guests, who camp overnight, are liable for a $10.00 per night fine.

(e) Any Members or guests with outstanding campground fees or fines shall be denied use of the campgrounds until the fees and fines are paid in full.

SECTION 504. MEMBER RESPONSIBILITIES

(a) CUTTING OR GATHERING OF WOOD WITHOUT A PERMIT IS PROHIBITED IN ALL AREAS OF BEAR VALLEY SPRINGS. *[Ref: CSD Code 6-3-13]*

(b) Fires at campsites must be controlled as follows:
- (1) Charcoal briquettes ONLY must be used as fuel for fires.
- (2) OPEN FIRES are prohibited. Kern County ordinances carry a mandatory fine of $500.00 for an open fire.
- (3) Charcoal fires are permitted ONLY in designated pits or fireplaces.
- (4) Any charcoal fire must be totally extinguished when not <u>PERSONALLY</u> attended. *[Ref: CSD Code 6-3-5:A]*

(c) Equipment and vehicles at camps are subject to the following:
- (1) Campers and trailers must be parked ONLY in areas prepared and designed for that use.
- (2) Tents must be pitched ONLY in areas designed for that use.
- (3) No recreational vehicle may be connected to any electrical outlet or water hose bib that is not installed at that specific campsite since the Association license does not permit individual use of common utilities and such use could result in loss of its license.

(d) Vehicular traffic at campsites is subject to the following:
- (1) All vehicles, including motorcycles, must remain on designated roadways and parking area and used ONLY for ingress and egress. Absolutely <u>NO</u> off-road vehicles allowed on roads or lots.

(2) Traffic in and out of campgrounds must obey posted speed limits.

(3) All vehicles, including motorcycles must be used in a manner that avoids creating a disturbance and nuisance to others using the campgrounds. *(Amended 4/10/11)*

(e) Courtesies of the Campgrounds must be observed as follows:

(1) Members shall be responsible to insure that all of the Member's family and guests comply with this Article 5. *(Amended 8/10/08)*

(2) Roughhousing, horseplay and fighting are prohibited.

(3) Pets must be on a leash at all times and not allowed to run loose. Owners of pets must keep the area clean of pets' droppings. *[Ref: CSD Code 6-3-6:B]*

(4) Public address systems, bullhorns, motorized model airplanes and cars, and other similar devices are prohibited in the campgrounds.

(5) Radios, television sets, record players and similar instruments must be kept at a volume that will not disturb others in the campgrounds. *[CSD Code 6-3-9]*

(6) Profane and vulgar language is prohibited.

(7) Excessive use of alcoholic beverages is prohibited.

(8) "Quiet Time" is from 10:00 P.M. until 7:00 A.M. During this time, playing of musical instruments, singing, loud talking and other noisy activities are prohibited. Vehicular traffic must be kept to an absolute minimum. *[Ref: CSD Code 6-3-10]* Additional applicable rules during quiet time include:
(A) All generators shall be shut off and engines shall not be left idling for more than 5 minutes.
(B) Vehicle headlights and other bright lamps shall be turned off except when entering or exiting the campground.
(C) Campers should remain quietly within the immediate area of their camp or within their camp vehicle, except when walking to restrooms or entering or exiting the campground facilities.
(Amended 8/10/08)

(9) All debris, garbage and trash must be placed in the containers provided. Use of securely closed plastic bags is encouraged to reduce odors.

(10) Campsite equipment, including tents, campers, trailers and motor homes must not be left unoccupied for a period exceeding 24 hours. This equipment may be removed and stored at the owner's expense if left unoccupied for this period.

(11) This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13)*

SECTION 505. TENT-CABIN RENTALS

(Repealed 12/15/01)

SECTION 506. MANAGEMENT RESPONSIBILITIES

(a) Peddling, creating a public nuisance and the like, are not permitted in the campgrounds.

(b) Campgrounds will be monitored at frequent intervals for security by C.S.D. Police, special deputies or Association Ranger to prevent vandalism, malicious destruction of property and to assure proper compliance with these rules.

(c) Any damage done by Members, their families or their guests is the responsibility of the Members. Appropriate charges will be assessed to Members for necessary repairs or replacement of damaged property.

(d) The Association is not responsible for the safety of Members, their families and guests using the campgrounds, nor does it assume any responsibility for damaged, lost or stolen property.

(e) This Article will be enforced as provided in Article 17 and Article 3. *(Amended 12/10/13)*

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ARTICLE 6
EQUESTRIAN CENTER
(Adopted 7/9/88)

SECTION 600. BOARDING

Horses may be boarded at the Center only by signed contract that has been approved by the GM and Amenity Manager and/or BVSA Board of Directors. Facilities include box stalls and paddocks, paddocks with covers or open paddocks.
(Amended 6/10/11, 8/01/24)

SECTION 601. ETIQUETTE

(a) *[Amended and moved to Sec. 603(a)]*
(b) *[Moved to Sec. 603(h)]*
(c) *[Amended and moved to Sec. 603(i)*
(d) Members have priority over non-members in use of the arenas, wash racks and round pens. *(Amended 3/15/03)*
(e) The use of round pens, wash racks, and other facilities that can only accommodate one horse at a time, is limited to thirty (30) minutes when someone is waiting. *(Amended 3/15/03)*
(f) Arenas are not to be used for turn-outs. *[Ref. section 607, DEFINITIONS]*
   a. Members in good standing and their guests may use the designated pastures and round pens for turn-out.
   b. Members in good standing and their guests may use the turn out area known as pasture #1 at any time.
   c. Members in good standing and their guests may use the two grassy, ungraded pastures, known as pastures #2 and #3, for turn out only during the specific hours posted.
   d. Members in good standing and their guests must adhere to the Equestrian Center rules & policies for the turning out of horses, as posted at the Equestrian Center.
   e. Members in good standing and their guests may be asked to provide proof of vaccination to the Equestrian Center Manager prior to utilizing the designated turn out areas.

   (Added 6/10/11)
(g) Lunging of horses in any arena is not permitted.
   (Added 8/10/11)
(h) Members in good standing and their guests:

   (1) May use the designated pastures, round pens, or turn-out #1. Horses must be supervised at all times while in turn-out.
   (2) May use the turn-out area knows as turn-out #1 or round pens at any time. A 30 minute time period applies if others are waiting.
   (3) May use the two ungraded pastures known as pastures #2 and #3 for turn out only during the specific hours posted. Time limit for use is 2 hours maximum. You

must be signed in on the board in the Main Barn.
(Amended 02/10/15, 8/01/24)

SECTION 602. FEES

(a) Fees are established by the General Manager, Equestrian Center Manager, in concert with the Board of Directors and are subject to change without prior notice. The schedules are posted prominently at the Center.
(Amended 3/15/03; 6/10/11)

(b) Hours of operation for the Center are posted on the office door at the Center and published in the Association newsletter from time to time. *(Added 1/27/01; Amended 6/10/11)*

SECTION 603. SAFETY

(a) Horses must be ridden at a walk while in the Equestrian Center: Galloping or running of mounted horses in the center is prohibited—except while in an arena or approved trail course. *(Amended 6/10/1; Amended 02/10/15)*
(Former subdiv.(a) Repealed 10/16/93; Amended 3/15/03) See Article 20.

(b) Known "kickers" must have a red ribbon on their tail at all times when out of their stall, paddock or pasture.

(c) Breaking/starting of equines is prohibited except with the prior special arrangement with the Amenity Manager.

(d) Stallions are allowed ONLY with prior special permission of the Amenity Manager. Requirements are established and available upon request.

(e) Jumping requires prior special permission from the Amenity Manager except when a jumping class is held.
  (1) Persons jumping, either in a class or with special permission, must:
    (A) Wear an appropriate ASTM/SEI protective helmet.
    (B) Have one other person present during jumping times.
    (C) If under the age of 18 years, must be supervised by an adult.

(f) *(Repealed 8/10/08)*

(g) Subject to the provisions of subdivision (e)(1), it is recommended that all mounted riders within the Equestrian Center wear equestrian protective headgear.
(Added 2/18/95; Amended 8/10/08)

(h) Horses must be "in hand" or tied at all times when not in a stall, paddock or pasture. *[(Former Sec. 601(b)]*

(i) Except in a pasture or corral, equines must not be left tied or unattended at the Center. *(Former Sec.601(c); Amended 3/15/03; Amended 02/10/15, 08/01/24)*

(j) Any activity deemed unsafe by the Equestrian Center Manager will be dealt with according to Articles 3 and 17 of the BVSA Rules. *(Added 6/10/11)*

(k) All property owners, renters with amenity privileges and guests, must have a liability release signed and on file with the BVSA. The liability release must be renewed each year with the Amenity Manager. *(Added 6/10/11; Amended 02/10/15)*

(l) Equines may only be tied to the tie-rails or horse trailers. *(Added 02/10/15)*

SECTION 604. HORSE TRAILERS

(a) (1) Horse trailers may be parked or stored at the Center ONLY in spaces designated by the Association and must belong to an Equestrian Center Boarder in good standing with the permission of the Equestrian Center Manager. *(Amended 02/10/15)*

(2) Horse trailers owned by the Equestrian Center Staff person living on-site or an approved BVS Equestrian Center Staff person may be stored at the Center. *(Amended 02/10/15)*

(3) Horse boarders in good standing may store horse trailers for a fee as directed by the General Manager and/or the Amenity Manager during the term of the boarding contract. (Subject to availability) *(Amended 6/10/11, 08/01/24)*

(4) Members and guests transporting horses to an event or activity at the Center may park horse trailers at the Center during their participation in the event or activity.

(b) Horse trailers must be parked or stored in a secure manner; that is, wheels blocked and tailgate secured. Trailers must be maintained in operable condition, ready for transport in an emergency and are not to be used as storage containers. *(Amended 6/10/11)*

(c) The Association is not responsible for horse trailers parked or stored at the Center. *[Amended 8/19/00]*

SECTION 605. MILANO ARENA

(a) The Milano Arena is intended to be a multi-purpose arena. Patterning is allowed.

(b) High speed and high impact activities will damage the arena base and are prohibited. (i.e.; running or racing, jumping heights limited to three feet).

(c) The Milano Arena is intended to be available for use by any BVSA member in good standing during Equestrian Center business hours and therefore will not be closed to member use by a scheduled events or lessons.

(d) At times, it may be the only arena available for use and therefore, etiquette must be exercised. Riders in the arena must allow other riders to share the arena at any time. Therefore, if the on-going activity in the arena deters other members' use, said activity is limited to 30 minutes. If there are concerns or conflicts with use, notify the Equestrian Center staff.

(e) Any equipment brought into the Milano Arena shall be removed immediately after use.

(Added 02/10/13)

SECTION 606. MANAGEMENT AND MEMBER RESPONSIBILITIES

(a) Members have priority in the use of the Center. All events and activities that require reserving an arena or portion of the Equestrian Center require prior

Amenity Manager and/or GM approval. During major events, the Equestrian Center Manager will designate and assign facilities for exclusive use of Members. Facilities will include at least one large arena, one round pen, and a wash rack. *(Amended 3/15/03; 6/10/11)*

(b) *Repealed 6/10/11*

(c) This Article will be enforced as provided in Article 17 and Article 3. *(Re-numbered 02/10/13, Amended 12/10/13)*

(d) Members and their guests are responsible for any damage to property or personal injury or loss of life caused by his/her action/s or those of their animal *(Added 02/10/15, 08/01/24)*

SECTION 607. DEFINITIONS

(a) Turnouts are defined as the act of leaving one or more horses loose in and enclosure with the exception of horses that are stalled. *(Added 6/10/11)*

(b) Patterning is defined as executing a particular discipline's repetitive movements in a controlled manner for the purpose of training a horse to make appropriate and necessary movements. (i.e.; barrels, poles, reining, etc.) *(Added 02/10/13)*

(c) Any reference to horse or horses in these rules shall include any equine. *(Added 02/10/15, 08/01/24)*

SECTION 608. PETS

(a) Pets are prohibited in the Equestrian Center Lounge. *(Added 12/10/13, 08/01/24)*

ARTICLE 7
EQUESTRIAN RIDING AND HIKING TRAILS
(Adopted 7/9/88)

SECTION 700. GENERAL

(a) Smoking (as defined in Article 20, Section 2003) is prohibited on all riding and hiking trails. *(Added 02/10/15; Amended 06/10/16)*

(b) California state law prohibits motorized vehicles on horseback riding trails. This law will be enforced in Bear Valley Springs. Bicycles and e-bikes are subject to the same provisions as vehicles and are therefore prohibited on riding and hiking trails. Violation of this rule may result in the Board of Directors levying a fine up to $1,000 for any single occurrence to any member, a members' family, guests, employees, invitees, licensees or tenants. (*Added 06/10/18*) *[Ref: CSD Code 6-3-15:A.1.]*

(c) Dumping of manure, garbage, trash or other debris upon or in the vicinity of a riding or hiking trail is strictly prohibited. *[Ref: CSD Code 6-3-16:A.4.]*

(d) The equestrian trails may only be used by hikers and by horses, mules, donkeys, and leashed dogs that are under control of responsible members and their guests.*(Added 10-21-06; Amended, effective 04/10/08)*

(e) Any reference to horse or horses in these rules shall include any equine. *(Added 02/10/15)*

(f) Courtesy and good conduct must be observed all along the trails.(*Added 08/01/24*)

(g) All trash, debris and garbage must be placed in the containers provided. This may require carrying the items to the next container. [Ref: CSD Code 6-3-17:A.4]

(h) Use of profane or vulgur language is prohibited (*Added 08/01/24*)

SECTION 701. HIKERS' RESPONSIBILITIES

(a) Hikers must give the right-of-way to horseback riders.

(b) Hikers must refrain from making any sudden movement or noise when giving the right-of-way to horseback riders—to avoid "spooking" the horses and possible subsequent injury to horse and rider.

(c) *(Repealed 10/16/93) See Article 20*

(d) Hikers must remain on the approved and posted trails.

(e) Hiking trails are part of the Common Area and the leash law applies. No loose pets are permitted in trail areas.

(f) For safety, prior to departure, hikers should leave a "hiking plan" with a responsible person that includes intended route and approximate time of return. *(Amended effective 5/10/11)*

(g) Use of profane or vulgar language is prohibited.

SECTION 702. HORSEBACK RIDERS' RESPONSIBILITIES

(a) Riders must have their mounts under control at all times. *[Ref: CSD Code 6-3-16:C.]*

(b) Protective headgear is recommended for all mounted riders on the Equestrian Trails. *(Added 2/18/95) (Prior subdivision (b) repealed 10/16/93) (Amended 8/10/08)*

(c) Riders must proceed at a safe pace at all times. Racing of horses is prohibited. *[Ref: CSD Code 6-3-16:A.3.]*

(d) Riders must remain on approved and posted trails. Property owners may file a complaint when horses are off the trails and on their property. *(Amended effective 5/10/11)*

(e) Horseback riding trails are part of the Common Area and the leash law applies. No loose pets are permitted in trail areas. (*Re-numbered 08/01/24*)

(f) For safety, prior to departure, riders should leave a "riding plan" with a responsible person that includes the intended route and approximate time of return. *(Amended effective 5/10/11)*

(g) Individual riders must at all times yield the right-of-way to large groups or the rent-string when meeting on trails. *(Amended 3/15/03 Re-numbered 08/01/24))*

(h) Members and their guests are responsible for any damage to property or personal injury or loss of life to persons or animals caused by his/her action/s or those of their animal. *(Added 02/10/15, Amended 08/01/24)*

SECTION 703. MANAGEMENT AND MEMBER RESPONSIBILITIES *(Amended 12/10/13)*

This Article will be enforced as provided in Article 17 and Article 3. *(Amended 12/10/13)*

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ARTICLE 8
CUB LAKE AND FISHING AT CUB AND FOUR-ISLAND LAKES
(Adopted 7/9/88)

SECTION 800. PROHIBITIONS

All boats and swimming are prohibited at Cub Lake.
[Ref: CSD Code 6-3-17:C.]

SECTION 801. FISHING

(a) Area signs containing fishing rules are posted at the lakes and must be observed. *[Ref: CSD Code 6-3-19:A.]*

(b) Fishing permits are required as follows at both lakes:

(1) Before fishing, a fishing permit issued by the Association must be secured at the Whiting Center and have it available on his/her person while fishing, by all persons who are not Members of the Association. Guest passes must also be obtained when guests are not accompanied by a BVSA Member. Permits will be issued to guests' children under 16 years of age at no cost. Fishing permits and Guest Passes must be shown to BVSA Rangers or other BVSA Staff upon request. *(Amended 3/18/95; Amended 09/15/17)*

(2) Annual and single day fishing permits may be purchased at the Whiting Center.

(c) Live bait is allowed but may not be released into thelake. Netting of live unhooked fish is not allowed unless working with the Lake Quality Advisory Committee or the Amenity Manager. (*Amended 9/1/23, 08/01/24*)

(d) A person fishing may use two poles only, with not over two lures per pole. All poles must be attended. Trotlines and chumming are prohibited. (*Amended 9/1/23)*

(e) Fish stocking levels and harvest limits for all stocked species; including "Bluegill/Red Ear Sunfish, Crappie, Bass, Catfish and Trout" shall be set by the Lake Quality Advisory Committee and forwarded to management for implementation. In the event that there is not a Lakes Advisory Committee operating, the decisions shall default to the Amenity Manager for implementation. These limits may change seasonally to promote a healthy and sustainable fish population. The current harvest limits per person, per day will be posted on the BVSA website, at the Lakes and available from the Rangers or Whiting Center staff.
(Amended 1/15/94 & 9/24/94; Amended 09/15/17, Amended 05/05/20)

(f) Fishing hours are:

(1) Cub Lake: To start not earlier than two hours before sunrise and to end not later than two hours after sunset.

(2) Four-Island Lake: To start not earlier than one half hour before sunrise and end not later than one half hour after sunset.

(g) Fishing is prohibited at locations adjacent to the golf course that are in line of balls driven from the course.

(h) Any activity or presence is prohibited on the dam at Four Island Lake. *(Added 09/15/17)*

(i) Any breaches to the fishing rules as provided in this section may result in fines as posted on the fee schedule. *(Added 02-10-11; Amended & Renumbered 09/15/17)*

SECTION 802. MEMBER RESPONSIBILITIES

(a) Anyone who is unable to swim or otherwise needs supervision must be supervised by a responsible person while using the lakes. *(Amended 8/10/08)*

(b) All pets must be restrained on leashes. The Lakes are part of the Common Area and no pets are permitted to run loose. Horses are not allowed in the Lake area. Members and their guests who take pets to the Lake areas must clean up after their animals.

(c) Picnicking is permitted at Cub Lake. Fires may be used only in the receptacles provided. ONLY charcoal briquettes may be used for fuel.

(d) Glass is not allowed on the beaches, boat ramps, docks or private vessels.

(e) All trash, debris and garbage must be placed in the containers provided.

(f) Vulgar or profane language will not be tolerated.

(g) Excessive use of alcoholic beverages is prohibited.

(h) Vehicles must remain on blacktop areas and may not be driven or parked on lawn areas.

(i) Radios, musical instruments and the like must be played in a manner that is unobjectionable to others.

(j) Model boats powered by wind shall be allowed without restriction. Modell airplanes, gliders, drones, and helicopters (amphibious or otherwise) are prohibited. Boats powered by electric motors or any type of internal combustion engine are prohibited unless by special permission of the Board or its designee. *(Repealed and added 7/18/92; Amended 9/24/94; Amended 10/1/2021)*

(k) Due to danger from thin ice during winter at B.V.S., all ice skating on the lake is prohibited.

(l) This Article will be enforced as provided in Article 17 and Article 3. *(Amended and renumbered 9/1/23)*

SECTION 803. MANAGEMENT RESPONSIBILITIES

(a) The Association may require that Members and their guests vacate the Lake area during special events or when repair work is being done.

(b) This Article will be enforced as provided in Article 17 and Article 3. *(Amended 12/10/13)*

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ARTICLE 9
FOUR-ISLAND LAKE – RECREATIONAL USE
(Adopted 7/9/88)

SECTION 900. BOATING EQUIPMENT

(a) Only the following vessels are permitted on Four-Island Lake:
  (1) Human and wind powered vessels
  (2) Electric vessels
  (3) Inflatables and Paddleboards

(b) The maximum length of a vessel on the lake is as follows:
  (1) Human and wind powered vessels: 20 foot class vessels
  (2) Electric vessels: 16 foot class vessels
  (3) Inflatables and Paddleboards: 20 foot class vessels

(c) All vessels must be privately owned by Members, unless participating in a BVSA or BVSA Club sponsored event in which case a liability form is required to be filled out by the vessels operator at the Whiting Center.

(d) All vessel owners must carry homeowners or boat liability insurance during any boating activity, at their own cost and expense, in an amount of not less than $100,000, approved by the Board or its designee and issued by an insurance company authorized to transact insurance in the State of California. (*Amended 9/24/94; Amended 09/15/17, Amended and Restated 08/10/20*)

(e) Any Member who wishes to launch a vessel, as listed in Section 900, Subsection (a) numbers (1) and (2) on Four Island Lake, must register their vessel at the Whiting Center where they will receive a BVSA Vessel-Use permit. This BVSA Vessel-Use permit is to be renewed annually January 1st of every year. Section 900 Subsection (a) number (3) Inflatables and Paddleboards are exempt from this requirement. *(Added 09/15/17, Amended and Restated 8/10/20, 10/1/24)*

(f) All vessels must be equipped with a personal flotation device (PFD) approved by the United States Coast Guard for each person aboard. All persons under 13 must wear a personal flotation device (PFD) at all times while participating in any boating activity. *(Added 10/18/03; Renumbered 09/15/17, Amended and Restated 8-10-20, 10/1/24)*

(g) For the purpose of Standup Paddle Board usage Four Island Lake is defined as a swim zone, and as such persons operating a paddleboard are only required to use a leash or wear a personal flotation device (PFD) if white caps from wind are on the lake. A personal flotation device (PFD) is required to be worn by children under 13 years of age when on a paddleboard. *(Added 10/18/03; Renumbered 09/15/17, Amended and Restated 8/10/20, 10/1/24)*

(h) The lakefront, dock and marina areas of Four Island Lake are Common Areas and may not be used for storage of any vessel or recreational vehicle. Vessels may not be operated on the lake earlier than one-half hour before sunrise and later than one-half hour after sunset. Vessels on privately owned lakefront property must be stored outside the Common Area. (*Added 8/10/20*)

(i) Vessels left overnight or abandoned at the lake may be removed and stored by the Association. Stored vessels will be returned to owners upon proof of ownership and

payment of a storage fee established by the Board. The Association may dispose of unclaimed boats. (*Added 8/10/20*) (*Amended 10/30/20*)

(j) Sailboats, while at dock area with no one aboard, must have all sails lowered and secured. (*Added 10/1/24*)

SECTION 901. SAFETY

(a) Scuba diving is prohibited.

(b) Swimming is allowed in all of Four Island Lake except for the buoyed area by the 7th tee and the dam area. All swimming in Four Island Lake is at your own risk. *(Amended 09/15/17, Amended 8/10/20)*

(c) No camping is permitted on lake property.

(d) Swimming and fishing are prohibited at locations adjacent to the golf course that are in line of balls driven from the course. *(Added 09/15/17)*

(e) Any activity or presence is prohibited on the dam at Four Island Lake. *(Added 09/15/17)*

(f) Due to danger from thin ice during the winter in BVS, all skating on the lake is prohibited.

(g) Except as provided in subdivision 901 (h)(1), picnicking is permitted at Four Island Lake. ONLY charcoal briquets or propane BBQ may be used for fuel. Open fires are subject to fines.

(h) The islands are closed before 8:00 am and after dusk during all times of the year.

(1) No BBQ's or fires are allowed on the islands.

(2) The three islands farthest from the beach are closed to public use during the period of January 1 to the Saturday morning of Memorial Day weekend to provide for a bird sanctuary.

(i) Model boats powered by wind shall be allowed without restriction. Model airplanes, gliders, drones and helicopters (amphibious or otherwise) are prohibited. Model boats powered by electric motors or any type of internal combustion engine are prohibited unless by special permission of the Board or it's designee. (*Added 10/1/2024*)

SECTION 902. MEMBER RESPONSIBILITIES

(a) Children under 13 years of age must be supervised by a parent or responsible adult during the entire time the children are in and around the lake area. *(Amended 8/10/20)*

(b) No person may operate any type of vessel in a reckless manner. *(Amended 8/10/20)*

(c) The owner and operator of any type of vessel are jointly and separately responsible for any vessel being operated on the lake and by using the lake agree to hold harmless and indemnify the Association for any damage arising from an accident, both as to bodily injury and property damage. *(Amended 8/10/20)*

(d) Glass is not allowed on the sand beaches, boat ramps, docks or private vessels.

(e) All trash, debris and garbage must be placed in the containers provided.

(f) Vulgar or profane language will not be tolerated.

(g) Excessive use of alcoholic beverages is prohibited.

(h) Vehicles must remain on blacktopped areas and may not be driven or parked on lawn areas.

(i) Radios, musical instruments and the like must be played in a manner that is unobjectionable to others.
(j) All pets must be restrained on leashes. The lake area is part of the Common Area and no pets are permitted to run loose. Horses are not allowed in the lake area. Members and their guests who take pets to the lake area must clean up after their animals. (Amended 1/27/01)
(k) Guests visiting the lake unaccompanied by members must have an Amenity Pass. Amenity passes are available at the Whiting Center or the Association Office.
(l) When a group exceeds 25 individuals, reservations will be required. If the group exceeds 50 individuals, additional reservable sites will be required.
(m) Reservations can be made at the Whiting Center for use of four reservable sites with a maximum of 50 people per site. These sites are located in the grass to the east of the parking lot. Reservations will be marked by Association staff at each site's marker which is located on the fencing alongside Pinedale Drive.
(n) Sites located to the north of the parking lot, the volleyball area, playground, and all lakefront beach areas are non-reservable locations, no "saving spots" will be permitted. Groups in non-reservable areas are limited to 8 adults per table. No one group may utilize more than on bvsa picnic table. (*Added 10/1/24*)
(o) This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13) (Amended and renumbered 9/1/23)*

SECTION 903. MANAGEMENT RESPONSIBILITIES

(a) The Association may permit motor powered vessels of any size on the lakes for the exclusive purpose of conducting Association business including but not limited to enforcement, patrolling, or maintaining the lakes. (*Amended 8/10/20, 9/1/23, 10/1/24)*
(b) The Association is not responsible for damage to privately owned vessels while using Four Island Lake. (*Amended 8/10/20)*
(c) The Association may require Members and their guests to vacate the lake area during special events or when repair work is being done.
(d) This Article will be enforced as provided in Article 17 and Article 3. *(Amended 12/10/13)*

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ARTICLE 10
OAK TREE COUNTRY CLUB AND FOOD AND BEVERAGE SERVICE AT BVSA AMENITIES/FACILITIES
(Adopted 7/9/88; Amended 05/10/17)

SECTION 1000. GENERAL

(a) The Oak Tree Country Club ("OTCC") building is a multi-purpose building whose main object is to enhance the social life of Members and guests. It is the center for dining, entertainment, socializing and meetings. *(Amended 8/10/08)*

(b) The liquor license for the OTCC is a "Type 47" ("On Sale General Eating Place") license. Authorizes the sale of beer, wine, and distilled spirits, for consumption on the premises where sold. Authorizes the sale of beer and wine only, for consumption off the premises. To protect our license, Members may be asked to show their identification for age verification from time to time. These times could be during *an inspection by the State Department of Alcoholic Beverage Control, to which the Association is subject, with no advance notice. (Amended 01/10/08)*

(c) Patrons waiting to be seated in the Dining Room may have drinks in the lounge area or at their dining table. No minors (under 21 years of age) are allowed in the bar area after the kitchen is closed and/or food service has ended for the night. *(Amended 01/10/08)*

(d) *(Repealed 08 /10/08)*

(e) The Mulligan Room building and patio adjoins the Golf Pro Shop and serves as a casual dining experience for all Association Members and their guests. *(Added 05/10/17)*

SECTION 1001. HOURS OF OPERATION

(a) Specific hours are posted on bulletin boards and published in the Association newsletter on a regular basis.

(b) Special events and specific hours are also published on various social media sites and in the Association newsletter *(Amended Effective 01-10-08, 1-07-25).*

SECTION 1002. RESERVATIONS

(a) Members are urged to make reservations for dinner on weekends and holidays.

(b) *(Repealed 8/10/14)*

SECTION 1003. CATERING SERVICES AND FOOD AND BEVERAGE SERVICE AT BVSA AMENITIES

(a) Any Member in good standing may obtain the use of OTCC facilities for private functions upon submitting an application to the Amenity Manager. The application must include full particulars of date, time and purpose and should be

submitted at least two weeks prior to the date desired. *(Amended Effective 8/10/14)*.

(b) Catering services away from the restaurant are available to Members upon advance request to and approval by the Amenity Manager *(Amended Effective 8/10/14)*.

(c) At any time, catering services at any BVSA amenities/facilities must be provided by the BVSA Food and Beverage Department, unless otherwise approved by the General Manager and/or BVSA Board of Directors. *(Added 05/10/17)*

SECTION 1004. MEMBER RESPONSIBILITIES

(a) Members may reserve the Garden Room and portions of the Banquet Area and Saloon by submitting an application to and receiving approval from the Amenity Manager. Any function requiring food or beverage service must comply with Sections 1003. *(Per Article 18, Section 1802; Amended 05/10/17)*

(b) Members, their families and their guests shall conduct themselves with decorum.

(c) Boisterous conduct or activities that may interrupt the harmony of the OTCC will not be tolerated.

(d) Use of vulgar or profane language is prohibited.

(e) Members, their families and their guests are prohibited from bringing food and beverages into the OTCC areas without express approval of the Amenity Manager.

(f) Pets are prohibited in buildings. *(Amended Effective 12/10/13; Amended Effective 8/10/14)*

(g) Ragged or cut-off pants, clothing with offensive writing or pictures, bathing suits**,** bare feet, and other swimwear are prohibited in the OTCC building at all times. (*Amended Effective 8/10/14)*

(h) Entry to the Pool area-must be through the pool entry gate. (*Amended Effective 8/10/14)*

(i) In order to further complement and maintain the ambiance of the Oaks Restaurant members and guests must adhere to the posted dress code for the Oaks Restaurant *(Amended Effective 8/10/14, 1/7/25)*:

(1) The following are prohibited in the Oaks Restaurant *(Amended Effective 8/10/14, renumbered 1/7/25):*

(A) Bare feet.

(B) Bathing suits and other swimwear.

(C) Cut-off or ragged pants.

(D) Clothing with offensive writing or pictures.

(E) For men, tank tops and sleeveless shirts.

(F) Caps (*Added Effective 8/10/14)*

(G) Hats and other headwear, except headwear worn for religious purposes may not be worn by men dining in the Oaks Restaurant. *(Amended 03/17/90, 07/18/92, 06/18/96; Repealed and re-added 3-10-08; Amended Numbering Effective 8/10/14)*

(j) This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13)*

SECTION 1005. MANAGEMENT RESPONSIBILITIES

(a) The Amenity Manager is responsible for the operation of the food, beverage and lounge aspects of the OTCC.

(b) All rates for meals, services, banquets and private parties are fixed by the Board or the Amenity Manager subject to approval by the General Manager *(Amended 1/7/25*).

(c) The Amenity Manager or a designee is available during OTCC hours to give assistance to Members desiring it (*Amended 1/7/25*).

(d) Association management personnel are present at all times when the OTCC is open and it is their responsibility to enforce these Rules, and to give assistance and direction to Members or employees.

(e) Any Member, his family or guests, guilty of breach of rules of conduct, will be required to leave the premises. *(Amended Effective 8/10/14)*

(f) This Article will be enforced as provided in Article 17 and Article 3 *(Amended 12/10/13)*.

(Subdivision (d) repealed and subdivisions (e), (f), (g) & (h) re-lettered as (d) (e), (f) & (g), 01-10-08; Subdivision (b) repealed 8/10/08 and subdivisions (c), (d), (e), (f) & (g) re-lettered as (b), (c), (d), (e) & (f) 8/10/14)

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ARTICLE 11
SWIMMING POOL
(Adopted 7/9/88)

SECTION 1100. HOURS OF OPERATION

Hours of operation are established by the Board and management and may be changed without prior notice. Operating times are posted on the website.

SECTION 1101. ATTIRE

As we are a family-oriented facility; proper and modest swimsuits are required as determined by the pool supervisor or higher management. The only authorized swimwear in the pool is commercially sold swimwear (i.e. bathing suits, rash guards, sun guards, etc.). "Cut-off pants and anything that restricts mobility below the waist" are prohibited. Cotton products are strongly discouraged. No thong bikinis or solid one briefs will be allowed in the pool area during open swim hours. *(Amended 10/20/14, 4/10/2025)*

SECTION 1102. POOL RULES

(a) Running, horseplay and roughhousing are prohibited at all times.
(b) Diving is permissible ONLY at the deep end.
(c) Use of the pool by children 13 years of age and under is permitted ONLY when accompanied by a parent or other responsible adult. The parent or other responsible adult must remain to supervise the children their entire stay in the pool. *(Amended 8/10/08, 10/20/14)*

1. Lifeguard or Pool supervisor may at any time ask to administer a swim test for anyone. Swim test will consist of 25M swim in a continuous manner without stopping forward progress. Results of swim test may require child to wear coast guard approved swim vest or have parent in water at all times within arm's reach. *(Added 3/10/25)*

(d) Entering the pool using flips and twists is prohibited. The pool steps shall remain clear and unobstructed for entrance and exit during open swim. Sliding down the handrail shall be prohibited.
(e) Sitting on the shoulders of another swimmer is prohibited.
(f) Face masks are prohibited in the pool area.
(g) Glass products of any kind are prohibited in the pool and pool area.
(h) No gum, spitting, spouting, nose-blowing or urinating in the pool or pool area.
(i) Use of vulgar or profane language in the pool area is prohibited.
(j) All pets are prohibited in the pool area.
(k) The use of roller skates, bicycles, skateboards and similar equipment is prohibited at all times in the pool area, adjacent deck areas, or walks leading to the pool.

(l) Flotation devices will not be permitted in the pool with the exception of U.S. Coast Guard approved flotation devices and infant seats while a parent is within arm's reach.

(m) All persons are required to rinse off before entering pool.

(n) Anyone injured, or who sees a person injured while using the pool, should immediately notify the lifeguard for assistance.

(o) No Smoking or vaping as provided in Article 20 Smoking (as defined in Article 20, Section 2003) at Association Operated Facilities SECTION 2000. COMPLETE BAN, subsection (f), The Swimming Pool Area. Marijuana use prohibited. *(Amended 06/10/16, 03/10/25)*

(Amended and Added subsections (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o) 10/20/14)

SECTION 1103. FOOD AND BEVERAGES

(a) Food or beverage brought into the pool area by Members, their families and their guests must consist only of snack-type foods in unbreakable, non-glass containers. Food and beverages shall not be consumed while in the pool. Ice chests, coolers and similar containers over 10 quarts shall not be brought into the pool area. *(Amended 4/21/01, 01/10/08, 10/20/14)*

(b) Members, their families and their guests are prohibited from bringing their own alcoholic beverages into the pool area. *(Amended 4/21/0,)*

(c) Trash, debris and garbage must be placed in the containers provided. Every effort must be made to keep the pool free of these items.

(Amended 10/20/14 and moved subsections (d) and e) to Section 1102)

SECTION 1104. MEMBER RESPONSIBILITIES

(a) Members are responsible for their family, their guests, including any family members of guests to assure compliance with these rules *(Amended 8/10/08)*

(b) Electronic audio devices and similar equipment may be played ONLY in a manner that will not annoy others. The Association may control or deny use of this equipment. (*Amended 03/10/25*)

(c) When in and around pool area, children under fourteen years of age must be accompanied at all times by an adult**.** *(Amended 8/10/08)*

(d) When in and around pool area, any person who cannot swim must be accompanied at all times by a person who can swim. *(Amended 8/10/08)*

(e) When a lifeguard is not present, during off-season you must be a member of the BV Aquatics Club and meet the following criteria:

1) Lap swimmers and Aquafit persons must have an annual signed, current liability form on file with the Association, attend an annual off-season pool orientation session and be on the registered roster.

A. A lap swim guest must sign a liability form, pay their guest fee and the BV Aquatics Club member sponsor must be present with the guest at the pool.

2) Since there is no lifeguard present, lap swimming children under 18 years of age, must have an adult present as well as a current liability form signed by their parent or guardian.
3) Children under age 14 not allowed in the pool area.
4) Lap swimming is for individuals in continuous movement from one end of the pool to the other. Limit in-pool work-out recovery time as necessary and share lanes when people are waiting to lap swim.
5) Swimming alone is not permissible.
6) Keep gate locked upon entering and exiting.

(Amended and Renumbered 10/20/14 moved subsections (e) through (i) to Section 1102, 3/10/25)

7) Upon entering pool area, unlock guardhouse for emergency phone access and sign in.
8) When exiting the pool area, cover the pool, turn off lights in the restrooms, lock guardhouse and gate.
9) There will be no swimming when the pool decks are icy or during inclement weather. *(Added 6/10/11) (Amended 3/10/25)*

SECTION 1105. MANAGEMENT RESPONSIBILITIES

(a) The Pool Supervisor or Head Lifeguard has authority to close the pool during bad weather without prior notice. The lifeguard will close the pool at first indication of lightning. (*Amended 10/20/14)*

(b) Amenity Manager, with concurrence of the General Manager may establish a period of special activity use of the pool by Members and guests. *(Amended 01/10/08, 08/10/08)*

(c) The wearing of bathing suits is prohibited in the main OTCC buildings. Persons desiring to use the pool must enter the pool area via the west entrance located adjacent to the tennis courts. *(Amended 01/10/08)*

(d) Persons attired in swimwear should use the restrooms provided in the pool locker rooms. *(Amended 8/10/08, Amended 10/20/14)*

SECTION 1106. ENFORCEMENT

(a) The lifeguard, when present, has supervisory and enforcement functions as well as lifesaving duties. In order to assure appropriate behavior and safety of the persons using the pool and pool area, lifeguards have the authority to issue orders that may or may not be covered in the afore stated rules. *(Amended 10/20/14)*

(b) Any person who fails to obey these Rules or the direct orders of the Amenity Manager or his/her designee or the lifeguard on duty will be "benched" or directed to leave the pool area. *(Amended 10/20/14)*

(c) This Article will be enforced as provided in Article 17 and Article 3. *(Amended 12/10/13)*

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ARTICLE 12
RACQUET COURTS
(Adopted 7/9/88)

SECTION 1200. ATTIRE

(a) Racquet court attire, including shirts, must be worn while using the courts.
(b) Appropriate footwear shall be worn on the courts at all times. Appropriate footwear shall not include any footwear that leaves any marks on the courts (Pickleball/Tennis).
[Ref: District Ordinance No. 94-95, Sec 1.10] *(Amended 7/16/94; Repealed and added 9/24/94)*

SECTION 1201. RESERVED PLAY

(a) Reservations are required for parties occupying 2 or more courts and will be accepted no less than two weeks in advance. Reservations must be made with the Whiting Center. Monday through Friday, doubles-play is limited to one and one-half (1 ½) hours and singles play is limited to one (1) hour when other players are waiting. Additional time may not be reserved by different members of the same group of players. *(Amended 4/18/92, 7/16/94, 1/10/08, 8/10/08, 4/10/25)*
(b) Scheduled tournaments, ;eague play, clinics nd social mixers will have priority over individual reservation requests. *(Amended 4/18/92, 01/10/08, 4/10/25)*
(c) *(Amended 4/18/92, 7/16/94 & 8/10/08, Repealed 4/10/25)*
(d) *[Former subdiv. (d) repealed 7/16/94 & Former subdiv. (e) redesignated as subdiv. (d)] (Repealed 4/10/25)*
(e) *(Added 7/16/94, repealed 4/10/25)*

SECTION 1202. OPEN PLAY

(a) Except as provided in Section 1201, no reservations for play are reuired. Play is on a first-come, first serve basis. *(Amended 4/16/92)*
(b) When players are waiting for an open court, play is limited to one hour upon notification from waiting players to players on the court.

SECTION 1203. MEMBER RESPONSIBILITY

(a) Only those actually playing racquet sports are allowed on the courts. Anyone not playing racquet sports must remain on benches or on the gazebo pavilion to avoid interfering with those on the courts. Playing on the periphery of the courts is not permitted. *(Amended 8/10/08, 4/10/25)*
(b) No pets allowed in the court area.
(c) Skates, skateboards, bicycles and similar equipment are prohibited on the courts. *[Ref: CSD Code 6-3-20]*

(d) Electronic audio devices are prohibited in the court area. *[Ref: CSD Code 6-3-20](Amended 4/10/25)*

(e) Members and guests must refrain from the use of loud, profane or vulgar language while in the court area.

(f) No person may bring, possess or consume any alcoholic beverage or illegal drug within the racquet court areas. *(Added 9/24/94, Amended 4/10/25)*
[Ref: CSD Code 6-3-20]

(g) All litter must be placed in trash receptacles.

(h) The courts are for corresponding racquet sports only. Pickleball only allowed on Tennis courts with prior authorization by the Recreation Manager, with the exception of practice wall on an unoccupied tennis court 4 (four). Other activities are prohibited. *(Amended 4/10/25)*
[Ref: CSD Code 6-3-20]

(i) Racket throwing, striking the nets with rackets, and using windscreens as backboards are prohibited.

(j) *(Added 7/16/94; Amended 8/17/96, 10/10/08 & 2/10/08, Repealed 4/10/25)*

(k) Guests using the racquet courts must pay applicable fee prior to play and must obtain a guest pass according to BVSA Rules 902 (k). *(Added 12/10/13, Amended 4/10/25)*

SECTION 1204. MANAGEMENT RESPONSIBILITIES

(a) The Amenity Manager and/or designated supervisor have the authority to require anyone who fails to comply with these Rules to leave the premises. *(Amended 8/20/94, 4/10/25)*

(b) This Article will be enforced as provided in Article 17 and Article 3. *(Revised 9/24/94)(Amended 12/10/13)*

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ARTICLE 13
RIFLE AND TRAP RANGE
(Adopted 7/9/88)

SECTION 1300. RANGE SAFETY OFFICERS/RANGE MASTERS (Added 08/08/17)

Range Safety Officers/Range Masters are required to be certified as Range Safety Officers by the National Rifle Association and must possess a current certificate. The Range Safety Officers/Range Master is authorized to inspect equipment for safety and suitability for the Range. The Range Safety Officer / Range Master is authorized to restrict or prohibit use of any equipment on the Range that could create a hazard. *(Moved 12/10/17)*

SECTION 1301. LETHAL WEAPONS (Renumbered 08/08/17)

All firearms are classified as lethal weapons. No person shall aim any firearm at another person or any animal, wild or domestic, at any time. Firearm means any device, designated to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion. The term "firearm" also shall include any rocket, rocket propelled projectile, compressed air launcher, or similar device containing any explosive or incendiary material.

SECTION 1302. FIREARM RESTRICTIONS (Amended 12/15/17)

(a) Tracer, steel, armor piercing and bi-metal ammunition is prohibited at all times. Tannerite targets are also prohibited
(Amended 7/10/09) (Amended 04/15/18)

(b) No person shall use any fully automatic weapon, or assault weapon on the firing range at any time. Assault weapon shall be defined as set forth in California Penal Code and weapons prohibited by Federal Law.

(c) Slide-fire stocks or any other device that mimics automatic fire is prohibited. *(Added 12/10/17)*

(d) Browning Machine Gun and 50 caliber firearms are prohibited. *(Added 12/10/17)*

(e) Handguns with a caliber of 460, and larger along with AK and AR style rifles are not permitted.

(Amended & Renumbered 12/10/17)

SECTION 1303. ALLOWABLE FIREARMS

(a) Handguns up to 45 caliber Long Colt may be used on the pistol range and shall be checked in with the Range Safety Officer on duty.

(b) Rifles (shoulder fired) - all calibers with the exception of those identified in the"Restrictions" section above.

(c) Muzzle loaders - all types. Those individuals shooting muzzle loaders must check in with the RSO for bench assignments so as to not interfere with other shooters with the smoke discharge when firing. Discharge of muzzle loaders at the discretion of the Range Safety Officer (RSO) and dependent on prevailing conditions.

(d) Shotguns - all types.

(Added 12/10/17)

SECTION 1304. ETIQUETTE AND SAFETY

(a) No person may handle the equipment of another without the owner's express permission.

(b) Spectators must remain behind the area designated for "shooters only."

(c) During firing, no one is permitted on the Rifle Range between shooters and targets; or on the Trap Range between shooters and flight pattern of thrown **clay** birds.

(d) No bullet impacts off the range, into buildings, signs, storage containers, sheds, or any other structure or range feature not a BVSA approved impact area. *(Added 12/10/17)*

(e) No repeated misses of the target board, or bullet strikes that ricochet causing a danger of bullets leaving the range. *(Added 12/10/17)*

(f) No disruptive activities, such as loud music or children that are not supervised properly on the firing line. *(Added 12/10/17)*

(g) No loaded firearms are allowed on the BVSA Range property other than on the Firing Line under a Hot Range condition. *(Added 12/10/17)*

(h) All shooters must police the area upon completion of shooting and deposit all debris (shell cases, etc.) in the containers provided. *(Amended 9/24/94; Renumbered 12/10/17)*

(i) Only Range Safety Officer approved target material shall be used. *(Added 12/10/17)*

SECTION 1305. ON THE FIRING LINE

(a) ONLY authorized shooters are permitted on the firing line.

(b) All weapons must have actions open and carried muzzle up until the shooter is on the firing line.

(c) Weapons not in use must be placed in the racks provided.

(d) Shooters may load ONLY when on the firing line and so directed by the Range Master.

(e) Firing may commence ONLY upon signal from Range Master.

(f) Firing may be at specified targets only. No firing at wildlife is permitted.

(g) Shooters are allowed to go forward and score targets only when instructed by Range Safety Officer and/or Range Master during a cease fire is called. During this time, all weapons must be racked with actions open and shooters must be at least five feet from the firing line. *(Amended 12/10/17)*

(h) Members are encouraged to wear protective earplugs and safety glasses while firing. *(Added 12/10/17)*

SECTION 1306. MEMBER RESPONSIBILITY

(a) Anyone who is incapable of comprehending the inherent dangers associated with archery or firearms must be accompanied by a responsible member at all times when using the Rifle Range or Trap Range. The inherent dangers associated with shooting sports and additional recommended safety guidelines are documented in national shooting and archery safety program brochures distributed by the National Rifle Association (www.nra.org) or the National Shooting Sports Foundation (www.nssf.org). *(Amended 8/10/08)*

(b) Members are not allowed to use the Range unsupervised by a certified Range Master/Range Safety Officer. *(Amended 12/10/17)*

(c) No person shall bring, possess or consume any alcoholic beverage or illegal drug within the ranges or within 30 feet of their borders. *(Amended 7/18/92; 9/24/94; 7/10/09)*

(d) As determined by the Range Safety Officer, any person under the influence of alcohol or dangerous drugs shall leave the Range upon request from the Range Safety Officer. *(Amended 12/10/17)*

(e) Profane or vulgar language is prohibited.

(f) No pets, leashed or unleashed, are permitted within the Range area.

(g) Only approved target material may be used as targets. Members are urged to report violations of this Rule to the Range Safety Officer / Range Master or Amenity Manager. *(Amended 12/10/17)*

(h) All members and their guests shall be required to take and pass the range safety test and must have a liability release signed and on file with the BVSA. The range safety test and liability release must be renewed each year with the Whiting Center personnel or online at bvsarecdesk.com (January 1st). *(Added 12/10/17)(Amended 03/10/25)*

(i) Hang gliding is prohibited in the air space above the Rifle and Trap Ranges and within 1000 yards of that air space. *(Added 9/20/97)*

(j) This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13; Renumbered 12/10/17)*

SECTION 1307. MANAGEMENT RESPONSIBILITIES

(a) Hours of operation are set by the Association and posted on bulletin boards.

(b) The Association may close the Ranges at any time without prior notice.

(c) In order to promote the safety of persons using the Ranges, the Range Safety Officer/Range Master is designated the chief enforcement officer of this Article, and shall have the responsibility to ensure the safe operation of the Ranges. *(Amended 12/10/17)*

(d) All persons shall respect and obey the instructions of the Range Safety Officer/ Range Master, and may be removed from the Ranges by the Range Safety Officer/Range Master and reported to the Bear Valley Police Department for failure to comply with any provisions of the C&Rs, Association Bylaws or Rules, or instruction of the Range Safety Officer/Range Master. *(Amended 12/10/17)*

(e) This Article will be enforced as provided in Article 17 and Article 3. *(Amended 12/10/13)*

(f) Members requesting to use the range shall be verified as a member in good standing prior to being approved to use range. *(Added 12/10/17)*

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ARTICLE 14
WHITING CENTER
(Adopted 7/9/88)

SECTION 1400. GENERAL

(a) The Whiting Center is a multi-purpose building. It is the center for community dances, movies, arts and crafts and numerous special events as well as the Annual Membership meeting of the Association.

(b) The Amenity Manager should be contacted when Members desire the use of this facility for special events. Special use of the Whiting Center will be approved according to BVSA Rules Section 1801 and 1807. (*Amended 4/20/2025*)
(c) *(Repealed 8/10/08)*
(d) The Amenity Manager and staff are responsible for ensuring that these Rules are complied with and enforced. *(Amended 7/18/98)*
(e) Good conduct must prevail at all times. The Amenity Manager is the sole judge of what constitutes good conduct.
(f) Profane or vulgar language will not be tolerated.
(g) Loitering without apparent reasons or business will not be allowed at the Whiting Center entranceway and its parking lot. *(Added 4/19/97)*
(h) All members and guests must sign liability waiver before using Whiting Center. All members over age 9 must show their amenity card.

SECTION 1401. MEMBER RESPONSIBILITIES

(a) *(Repealed 12/15/01*)
(b) *(Repealed 10/16/93) See Article 20.*
(c) *(Amended 03/10/17, Repealed 4/20/25)*
(d) Sitting on Pool Tables and bouncing or throwing pool balls on the tables are prohibited.
(e) All gambling is prohibited in the Center.
(f) Food and beverages (besides water) may not be taken into the game room unless authorized by the Amenity Manager for special programs or events. *[Amended 7/18/98]*
(g) Ping-pong paddles may not be used to hit tables or table legs.
(h) Cues and balls may be obtained from the front desk with proper identification.
(i) Minors under 9 years of age must be accompanied and supervised by a parent or guardian while using the Whiting Center. Minors under 14 years of age must be accompanied by a parent while using equipment in the Weight Room. Minors under 16 years of age shall not use loose weights in the Weight Room. *(Amended 7/18/98, 8/10/08, 12/10/23, 4/20/25)*
(j) All minors must obtain and file release form signed by a parent prior to working out in the Weight Room. *(Amended 7/18/98, 8/10/08)*
(k) Only one person is permitted per station at weight machine.
(l) All food and beverages (besides water) are prohibited in the Weight Room. Closed toe shoesmust be worn in the weight room.
(m) Activities in the Whiting Center are under the supervision of the Amenity Manager.
(n) Various special classes are conducted in the Whiting Center. See posted schedules for particulars. Each class must clean up all supplies and leave work area clean for the next group. No paint or toxic material may be poured down the sink drain.
(o) Lockers may be used only during operating hours. None may be held overnight unless rented at the Office counter. *(Amended 7/18/98)*
(p) *(Repealed 7/18/98)*

(q) Running, horseplay and roughhousing are prohibited in the Whiting Center except for supervised recreational activities. *(Amended 7/18/98)*

(r) Bathing suits must be worn in the Sauna and Spa. Only cotton commercial-type suits are permitted. No "cut off" jeans or woolen suits are allowed in the Sauna or Spa. The Whiting Center is not responsible for damage to swim suits. (Amended 7/18/98)

(s) A shower must be taken BEFORE entering the Sauna or Spa.

(t) Jumping and diving into the Spa are prohibited.

(u) Running is prohibited in the Sauna and Spa areas.

(v) No one under the age of 5 is permitted in the sauna or spa. Children under the age of fourteen (14) may not use the Spa without an adult in attendance. *(Amended 7/18/98, 8/10/08)*

(w) The time limit for use of the Sauna/Spa is 20 minutes maximum.

(x) *(Repealed 4/20/25)*

(y) No food or beverages (besides water) are allowed in Sauna and Spa areas.

(z) This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13) (Amended 4/20/25)*

(aa) Pets prohibited in buildings. *(Added 12/10/13)*

SECTION 1402. MANAGEMENT REPONSIBILITIES

(a) The Association is not responsible for loss or damage to personal property of Members, their families and guests while using the Center's facilities.

(b) The Association may arrange special events at the Center. For these functions, food and beverage may be served in the Gymnasium.

(c) This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13)*

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ARTICLE 15
GOLF COURSE AND DRIVING RANGE
(Adopted 7/9/88)

SECTION 1500. GOLF COURSE

(a) Use of the golf course is restricted to Members of the Association, their families, guests and assignees of Members. Guests must be accompanied by a Member unless the Member obtains a Guest Pass for the guest. See Section 1504, Member Responsibilities. Golf Course hours of operation are dawn to one half hour after dusk. Members shall notify the Pro Shop of their rounds played outside of the Pro Shop hours of operation. *(Amended 03/10/08, Amended 01/10/17)*

1. Requests for tournaments/non-members – Use of the golf course may be extended to outside non-profits if said non-profit is being sponsored by a recognized BVSA Club and the request is submitted to the CourseManager to ensure no conflict exists with the requested datesrelative to Member use and/or course maintenance. Once reviewed by the Course Manager the requestwill be forwarded to the Golf Advisory Committee for review and and forwarded to the BVSA Board for approval. An appropriate fee for the requesting non-profit shall be charged in accordancewith the non-member fee schedule established by Management. (*Added 12/01/2022)*

(b) All Members, their families and guests must register in the Pro Shop prior to teeing off. All players must start on #1 or #10 tee unless given special permission from the starter.

(c) Persons under 16 years of age must be under parental or adult supervision while on the course except those having an approved JUNIOR CARD or those who may be approved at the time of play by the Golf Pro or Golf Staff. *(Amended 03/10/15)*

(d) Each player must have his/her own bag and at least three clubs and a putter. *(Amended 1/27/01)*

(e) All players are required to repair their own divots in the tee areas and fairways and must repair ball marks on the green. Each player is also responsible for raking bunkers after playing from them, placing the rake in the bunker lying in direction of play. *(Amended 03/10/15)*

(f) Groups over four persons are generally discouraged. Notwithstanding, permission from the Golf Pro or Starter is required for groups over four at all times. *(Amended 8/18/90; Amended 03/10/15)*

(g) To encourage a faster pace of play a time limit of four and one half hours for 18 holes and two hours fifteen minutes for nine holes will be enforced. *(Added 03/10/15)*

(Subsections (e) through (g) Renumbered 03/10/15)

(h) Proper attire must be worn at all times:

(1) No bathing suits, tank tops, halter tops, soiled or tattered clothing are permitted.

(2) Collared shirts must be worn by men.
(3) Collared blouses, or non-collared blouses with sleeves, must be worn by women.
(4) Shorts must be mid-thigh or longer.
(5) Effective May 1, 1997, shoes other than soft spiked golf shoes or tennis shoes, must be approved by the Golf Pro or the Starter. *(Amended 8/12/89; 8/19/90, 3/15/97;Amended 03/10/15)*

(i) With the exception of service dogs, pets are not allowed on the course at any time. *(Amended 4/10/13)*

(j) Proper decorum must be maintained by all players and spectators. Club throwing, loud talking, vulgarity, profanity, littering and the like will not be tolerated.

(k) Radios, cassette players and similar equipment may be played ONLY in a manner that will not annoy others. The Association may control or deny use of this equipment. (*Amended 02/10/18, 4/20/25*)

(l) Daily green fees for guests will be charged. The rate for these fees will be subject to Board approval.

(m) Golf bags may not be placed on greens. Pull carts may not be pulled across bunkers or greens. *(Amended 03/10/15)*

(n) No practicing is permitted on the course, other than in the form of normal play.

(o) No walking, hiking or loitering on the course is permitted by anyone. This includes walking from the condos to the lake area.

(p) No fishing is permitted from the course or concrete spillway or lake banks adjacent to the course or at the East end of Four-Island Lake adjacent to the seventh tee area.

(q) No boats are allowed inside the safety rope at the East end of Four-Island Lake, adjacent to the golf course.

(r) No vehicles or bicycles are allowed on the course at any time.

(s) Play on the course shall be governed by the Rules of Golf as approved by the United States Golf Association and the Royal and Ancient Golf Club of St. Andrews, Scotland. Local Rules will be available in the Golf Shop.
(Subsection (s) deleted 03/10/15; Renumbered subsections (k)-(s) 02/10/18)

SECTION 1501. DRIVING RANGE

(a) Practice balls are for the driving range use only and may not be taken to any area other than the driving range area.

(b) No one may proceed past the teeing area to retrieve practice balls other than persons in the employ of the Golf Pro who are directed to gather the balls.

(c) The rental fee for driving range balls may fluctuate and is subject to the Board's approval.
(Subsection (d) moved to 1504 (d) 03/10/15)

SECTION 1502. POWER GOLF CARTS

(a) Before renting a power golf cart, the player is advised to read and sign the rental agreement.

(b) The fees for cart rental may fluctuate and are subject to Board approval.

(c) If a player leases a power golf cart for nine holes, he must re-register in the golf shop prior to playing the second nine holes.
(Subsection (d) moved to 1500 (g) 03/10/15)

(d) Association golf carts are for golf course use only. They may not be driven on any surface streets or roads and may not be parked at any location other than an integral part of the golf facility. *(Amended 4/10/13; Amended 03/10/15)*

(e) No person without a valid unrestricted driver's license may lease or operate a power golf cart. *(Amended 8/10/08)*

(f) Except when on a cart path, no power golf cart may be driven 30 feet off any green or tee area and care should be taken to avoid wet portions and newly seeded portions of the golf course. They must be kept on the paved cart paths where provided except if displaying a disability flag. *(Amended 4/10/13; Amended 03/10/15)*

(g) A maximum of two people may ride in golf cart at the same time.

(h) An Association golf cart must be returned to the Pro Shop area immediately after the golf game is completed. *(Amended 03/10/15)*

(i) Power carts must approach bridges in a direct line and be driven across at a slow speed, not in excess of five miles per hour.
(Renumbered Sections (e) through (j) 03/10/15)

SECTION 1503. ENFORCEMENT AND MANAGEMENT RESPONSIBILITIES (Amended 02/03/15)

(a) The Golf Professional may appoint "Course Marshalls". A Course Marshall may act during the absence of the Golf Professional in enforcing these Rules.
(Amended 4/10/13)

(b) Marshals have authority to request back up of proper authorities in cases of flagrant rule violation and refusal of cooperation.

(c) The Association is not responsible for loss or damage to personal property of Members, their families and guests while using the Golf facilities. *(Added 03/10/15)*

(d) This Article will be enforced as provided under Article 17 and Article 3.
(Amended 12/10/13; Renumbered 03/10/15)

SECTION 1504. MEMBER RESPONSIBILITIES

(a) Members assume responsibility for their play and the play of their guests, including any family members of guests, to assure compliance with these rules.

(b) Golf participants are responsible for their play, including errant golf shots that cause injury to people or damage to property.

(c) A liability release must be signed by each player, once a year and kept on record at the Golf Pro Shop.
(Added 03/10/15)

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ARTICLE 16
PARKING AND STORAGE OF RECREATIONAL VEHICLES
(Adopted 7/9/88)

SECTION 1600. DEFINITIONS

As used in this Article, the term "Recreational Vehicle" includes, but is not limited to, Class A, B and C motorhomes, campers, camper shells, horse trailers*, cargo trailers, utility trailers, 5th wheels, recreational trailers and car haulers. Also included are dune buggies, and watercraft, which includes, but is not limited to, boats, jet skis and associated trailers. *(Amended 10/21/06; 4/10/11; 10/20/14)*
*Horse trailers are exempt from compliance during periods of high fire danger. During the rest of the year they will be expected to comply with the rules. *(Added 10/20/14)*

SECTION 1601. UNIMPROVED LOTS

(a) No recreational vehicle may be stored or parked indefinitely on any unimproved lot, except that a camper shell, motor home, trailer, up to 32 feet in overall length may be approved by the Environmental Control Committee for use as a construction facility.

(b) Except as provided in Sections 504(e)(10) and 604, no recreational vehicles may be stored on the common areas.*(Added 8/19/00; Amended 10/20/14)*

SECTION 1602. SCREENING OF *RECREATIONAL VEHICLES NOT PARKED OR STORED WITHIN APPROVED STRUCTURES*

(a) Recreational vehicles parked on any lot, not within an approved structure, within BVS will require and ECC/RV Trailer placement and screening form to be submitted and approved by the ECC.

(b) A recreational vehicle as defined in section 1600 must be parked or stored in the least conspicuous location on the Member's lot which may be reviewed/changed by the ECC Committee, subject to the approval of the ECC. Lots of one acre or more may park or store up to three (3) "Recreational Vehicles" as defined in Section 1600 in any combination but may not have more than one (1) of any of the same type of recreational vehicle. Lots of less than one acre may park or store no more than two (2) "Recreational Vehicles" as defined in Section 1600 but may not have two (2) of the same type of recreational vehicle. *(Amended 3-10-08; Amended 2-10-09; Amended 10/20/14; Amended 06/10/18)*

(c) The ECC may require additional screening, when reasonable and appropriate, to further limit visibility from adjoining lots, roads or common areas. This additional screening may include, but is not limited to, one or more of the following:
   (1) Evergreen vegetation with a minimum height of 6 feet when installed, that is expected to grow to shield eighty percent (80%) of the vehicle within three (3)

years or less, with properly maintained irrigation to ensure sustained growth. In drought years consideration will be given to vegetation growth with respect to the 80% requirement.

(2) Constructed screens that meet ECC requirements.

(3) Members who are in compliance and contemplate substantial changes that are inconsistent with compliance, or if the ECC determines that Members are no longer in compliance due to significant changes, those Members will be required relocate the recreational vehicle to a new, least conspicuous location on their property. *(Amended and renumbered 03/10/16)*

(4) The temporary parking of a Member's recreational vehicles on their improved lot for loading and/or unloading purposes shall not exceed 72 hours. *(Added 3/10/08; Amended 2-10-09; Renumbered 03/10/16)*

(Added 10/21/06; 3/10/08; Amended 2/10/09; Amended, Removed (2), and Renumbered 10/20/14; Removed (c) and Amended & Renumbered (b)(3)&(4) 03/10/16)

(d) Recreational vehicles may not be used for camping, as a residence, or as a rental unit. Members and guests may utilize the BVSA campgrounds according to Article 5 of the BVSA Rules and may camp on a temporary basis on lots of ten (10) acres or greater with prior ECC approval (see ECC Rules Section 111.A.). *(Added 06/10/18)*

SECTION 1603. ADMINISTRATION

Administration of this article is delegated to the Environmental Control Committee. *(Amended 1/27/01)*

SECTION 1604. ENFORCEMENT

This Article will be enforced as provided in Article 17 and Article 3. *(Amended 12/10/13)*

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ARTICLE 17
ENFORCEMENT OF ASSOCIATION RULES, BYLAWS AND C&RS
(Adopted 7/9/88)

SECTION 1700. INTRODUCTION

Members are responsible for their own conduct, acts and omissions as well as those of their families, guests, tenants, licensees and invitees and any reference in this Article to the conduct, acts and omissions of Members includes that of their families, guests, tenants, licensees and invitees. Courtesy, good conduct, and decorum must be observed on and in all BVSA common areas and Common Facilities ("Amenities"), at all times. The Amenity Manager or designated supervisor is the sole judge of what constitutes good conduct. (*Amended 10/1/2021, 12/1/23, 5/1/2026*)

SECTION 1701. ENFORCEMENT PROCEDURES WITHOUT HEARINGS AND NOTICE

If the persons in charge of the various BVSA Common Areas and Amenities determine that the conduct of Members, their families, tenants, guests or invitees constitutes any of the following:

(1) An immediate and unreasonable infringement of, or threat to, the safety, health or enjoyment of other Members,
(2) A traffic or fire hazard,
(3) A threat of material damage to, or destruction of, BVSA Common Areas, Amenities, or other BVSA property. *(Amended 8/10/08, 5/1/2026)*

Those persons in charge of an Amenity shall have the authority to immediately ban those offending individuals from the enjoyment of the particular Amenity for a period not to exceed 72 hours. The person imposing the ban shall make a reasonable effort to notify a Member of the ban if it is based on the conduct or activity of the Member, Member's family or Member's, guests, tenants, or invitees, but the failure to notify the Member will not invalidate the ban.
The person imposing the ban shall, as soon as feasible, file a written report with the General Manager, or if there is no General Manager with the Board, that includes the details and reasons for imposing the ban, with citation of the specific provision of the Governing Document that was violated. (Added 5/19/01)

Within the 72-hour ban, the person imposing the ban may request an immediate investigation and ban extension with the General Manager and/or Board President. The General Manager or Board President, upon reviewing and investigating, may issue a ban extension up to but not exceeding the time needed to hold meeting and hearing with the Board based on the Board's meeting schedule. (*Added 12/1/23*)
(Amended 2/15/97, 11/21/98, 5/19/01, 8/10/08; 9/10/10, 5/1/2026)

Also see Section 1702(6) below for actions that do not constitute disciplinary matters requiring a hearing before the Associations Board of Directors

SECTION 1702. ENFORCEMENT PROCEDURES WITH NOTICE AND HEARING

1) **ECC Violations.** In addition to the enforcement provisions under Section 1701, where a violation of the Environmental Control Committee Rules by a Member, a Member's family, guests, employees, invitees, licensees or tenants is alleged to have occurred, the written notification process begins. *(Amended 6/10/13)*

A. General ECC Procedures and Protocol. Typically, the ECC meets on the 4th Wednesday of each month to review alleged violations of the Governing Documents. In the event ECC determines a violation exists on a property, the ECC will send a "Courtesy Notice" by first class mail to the property owner/Member. The Courtesy Notice will reference the Governing Document that has been violated and request the Member to correct the violation. The ECC will calendar a follow-up inspection of the property to occur 14 days after the date of the Courtesy Notice. If the ECC follow-up inspection indicates the violation continues to exist, the ECC will send a "Notice of Non-Compliance" by first class mail to the property owner/Member, which will invite the Member to meet with a designated member of the Association's Board of Director's to discuss and attempt a resolution of the violation. If the violation is not resolved and continues to exist, the ECC will conduct another inspection of the property 27 days after the date of the Courtesy Notice, and if this ECC inspection indicates the violation continues to exist the ECC will refer the matter to the Association's Board of Directors for disciplinary proceedings in accordance with these Rules. If the violation is not corrected within one year after the date of the ECC Courtesy Notice, the ECC will request the Association Board of Directors to commence formal legal action to compel the property owner/Member to cure the violation and otherwise comply with the Association's Governing Documents. Deviations from these general procedures and protocols shall not impair or otherwise prejudice the rights and authority of the Association to enforce these Rules or other Association Governing Documents.

B. Board Hearing and Action. If the violation is not cured within the time frame allowed in Section 1702(1)(A), the case will be referred to the Board of Directors to begin enforcement procedures. A written notice will be sent to the Member notifying the Member of a Board Hearing with the date, time and place of the Hearing. The nature of the alleged violation for which the Member may be disciplined or the nature of the damage to the Common Area or Amenities for which a Special Assessment may be imposed, and a statement that the Member has the right to attend the Board hearing and/or submit a written statement of defense in advance of the hearing. The Member may, not need be, represented by legal counsel at the Board hearing. If the Member intends to

have the Member's legal counsel attend the Board hearing, the Member must notify the Association in writing at least 10 days prior to the hearing so the Association may arrange to have its legal counsel attend the hearing. The notice of Board hearing must be sent to the Member by either personal delivery or individual delivery pursuant to Civil Code Section 4040 at least 10 days prior to the Board hearing date. The Board shall meet in executive session for the conduct of the hearing unless requested otherwise by the Member. Following the Hearing, the Board may take the matter under submission and deliberate in executive session outside of the presence of the Member.

Prior to the effective date of any discipline imposed, proof of notice of the Board hearing will be placed in the minutes of the Board meeting. The minutes of the meeting will include the date and manner in which the Member was noticed along with a written statement of the results of the hearing and the discipline, if any, imposed. *(Added 6/10/13, 5/1/2026)*

2) **Repetitive ECC Violations:** In cases where a Member cures a violation but then continues to repeat the same violation more than twice in a two year period, the violation notification process may be revised as follows:

A. Upon a second violation for the same issue in a two year period, the ECC will send a letter to the Member to notify the Member that the case is being referred by the ECC directly to the Board of Directs to begin enforcement procedures.

B. The letter will provide notice of a Board hearing, containing the same information, and be sent to the Member in the same manner and within the same time, as provided in section 1702(1)B above. *(Added 6/10/13, 5/1/2026)*

3) Hearing in absence of Members: If a member fails to appear at the Board hearing, the Board may proceed with the hearing, consider evidence presented to it, and determine whether a violation has occurred. The Board has the power and authority to take one or more of the following actions: *(Amended 6/10/13, 5/1/2026) (Added 06/01/19, amended 09/1/2021, Removed 5/01/2026)*

A. Impose a monetary penalty (fine) in accordance with the schedule of Fines contained in Section 1702(14) below.

B. Levy a Special Assessment for damage to the Common Area or Amenities or such other purposes as authorized by the Declaration of C&R's and the Davis Stirling Common Interest Development Act (the "Act")

C. Suspend the privilege or right of the Member, the Member's family members, guests, tenants, licensees or invitees, to use and enjoy any or all Common Areas, Amenities and Association Property for a period of time as may be determined by the Board up to and including one (1) year from the date of the suspension is imposed in the case of any non-continuing violation, but in the case of a continuing violation, including but not limited to non-payment of any assessment, the suspension may be imposed for so long as the violation continues. *(Added 9/19/98; Amended 10/21/06; Renumbered 9/10/10, 5/1/2026)*

D. Make a finding that a Member is not in good standing for any reason or purpose authorized under the Governing Documents. *(Added and Renumbered 5/1/2026)*

4) Opportunity to Cure violations. A member shall have the opportunity to cure the violation prior to the Board hearing. The Board shall not impose discipline in either of the following circumstances.

A. The Member cures the violation prior to the Board hearing.
B. If curing the violation would take longer than the time between the date of the notice of the Board hearing and the date of the Board hearing, the Member provides a financial commitment to cure the violation. For Purposes of this Section, a "financial commitment to cure" means submission of credible documentation evidencing that the Member has made a financial commitment toward curing the violation, including but not limited to a signed contract with a contractor accompanied by a paid deposit or invoice, or other reasonable proof that a correction is underway and will be completed within a reasonable time.

Discipline After Hearing: If Member is found to be in Violation of the Governing Documents following the Board hearing and the member has failed to either (i) submit reliable evidence that the violation has been cured or (ii) provide financial commitment to cure a violation which cannot be cured within the hearing notice period, the Board may take any authorized disciplinary, including the following, which are considered to be disciplinary actions requiring a Board hearing before imposition of the discipline:

A. Fines (see Section 1702(14) below, which contains the Schedule of fines);

B. Levy of a Special Assessment for damage to the common Area or Amenities or such other purposes as authorized by the Governing Documents;

C. Suspension of Amenity use privileges as authorized by the Governing Documents; and

D. A finding that a Member is not in good standing for any reason or purpose authorized under the Governing Documents.

6) No Hearing Required. The following items are not considered disciplinary actions and therefore do not require a Board hearing before imposition:

A. Actions taken under Section 1701 (bans);

B. Courtesy Notices/Warning letters;

C. Institution of legal proceedings;

D. Lawful entry upon separate interest for purpose authorized by the C&R's;

E. Initiation of Internal Dispute Resolution or Alternative Dispute Resolution;

F. Collection of overdue assessments; and

G. Towing vehicles improperly parked on private property pursuant to California Vehicle Section 22658.

7) Fine and Special Assessment Due Date. Fines imposed by the Board after a hearing shall be due immediately upon notice of the hearing decision to the Member. Special Assessments levied by the Board shall be due thirty (30) days from the date the notice of hearing decision is given, or upon such other later date specified therein not to exceed sixty (60) days from the date of the notice.

8) Internal Dispute Resolution. If the Board and the Member are not in agreement following the Board hearing held pursuit to Section 1702(1)B, the Member may request Internal Dispute Resolution (IDR) pursuant to the Act. If the board hearing results in an agreement between the Board and the Member to resolve the Dispute, the Board will prepare written resolution documenting the agreement and Board decision which shall be signed by the Board and the Member. When signed, the written resolution will be legally binding and enforceable by court action.

9) Violation of Law. In the event a Governing Document violation also constitutes a violation of federal, state, or local law, the Board may, in addition to the other actions identified herein, notify the appropriate governmental agency of its findings and provide them with the evidence the Association possesses.

10) Civil Action. The Board may, at any time it deems appropriate and after complying with the requirement to offer Alternative Dispute Resolution if applicable, file a civil action to obtain compliance with the Governing Documents; the Board need not first fine a member. In a court action, the Board may seek injunctive relief (a court order requiring a member to obey the Governing Documents), reimbursement of costs and expenses incurred by the Association, and payment of fines, if any.

11) Tenants and Guests. Occasionally, violations are committed by tenants or guests of the Member. The Member is responsible for those violations. The notice of hearing will be sent to the Member, although the Board may, should it desire, correspond with non-owner occupants of the property responsible for the alleged violations. Only the member has the right to attend the hearing; however, tenants may attend the hearing, if invited and accompanied by the Member, for the purpose of providing witness testimony.

12) Suspension of Privileges. The Board may, after notice and hearing as provided herein, suspend a Member's privilege of use and enjoyment of Association Amenities

after five (5) days following either the Board hearing or, if no Board hearing or, if no Board hearing is conducted, the deadline for the Member to deliver or mail to the Association a response. Any suspension of privileges shall become effective no sooner than (5) days following the date that notice of hearing decision is given.

13) Monetary Penalties (Fines).

(i) As authorized by Civil Code Section 5850, and subject to the limitations set forth below, the Association may assess reasonable fines for violations of the Governing Documents pursuant to the fine schedule ("Schedule of Fines") adopted by the Board and distributed to all Members.

(ii) A late charge or interest shall not be charged to a Member for nonpayment of a fine.

(iii) Fines imposed as a monetary penalty for violation of the Governing Documents may not become a lien against the Member's separate property enforceable by private sale. Special assessments levied to reimburse the Association enforceable by private sale. Special assessments levied to reimburse the Association pursuant to the Declaration of C&Rs may become a lien against the Member's separate property enforceable by sale as authorized by the Declaration of C&Rs and the Act.

(iv) A monetary penalty for violation of the Governing Documents shall not exceed the lesser of the following:

(a) The monetary penalty stated in the schedules of Fines in effect at the time of violation.

(b) One hundred dollars ($100.00) per violation.

(v) Notwithstanding Subsection 13(iv) above, the Board may impose a fine stated in the schedule of Fines or supplement thereto that is in effect at the effect at the time of the violation that is greater than $100.00 per violation, if the violation may result in an adverse health or safety impact on the Common Area or another Association Member's property.

(vi) Before imposing a fine greater than $100.00 pursuant to the above exception, the Board shall make written findings specifying the adverse health or safety impact in a Board meeting open to the Members. The written findings made with respect to specific violations not addressed in these Rules shall not identify the Member (by name, property, address, Assessor Parcel Number, or otherwise) and shall be filled with the minutes of the open meeting at which they are made.

14) Schedule of Fines.

In accordance with California Civil Code Section 5850 and the Declaration of C&Rs, the Association hereby adopts the following fine schedule ("Schedule of Fines"). The Board reserves the right, pursuant to written findings passed in an open meeting prior to imposition of discipline, to find that any conduct which violates the Governing Documents may result in adverse health or safety impacts on the Common Area or another Association member's property.

Non-Health and Safety Violations:

Violation/Offense	Fine/Penalty
Each Violation/Offense	$100.00

Health and Safety Violations:

Violations/Offense	Fine/Penalty
1st Offense	Up to $_____per violation
2nd Offense	Up to $_____per violation
3rd Offense	Up to $_____per violation
4th Offense	Up to $_____per violation

The fines that may be assessed under these Rules may vary on a case-by-case basis depending on the severity or egregiousness of the particular violation. The fines that may be assessed under these Rules are for a single violation/offense occurring on a single day. Similar violations/offenses occurring on different days may justify the Board's imposition of cumulative fines. If the Board determines that a violation may result in an adverse health or safety impact on Common Areas, Amenities, or another Association Member's property, the Board will make a specific written finding of such determination in an open session Board meeting.

For purposes of these Rules and Schedule of Fines, a second or repeat violation/offense means a violation of the same Rule consisting of the same or similar conduct within a rolling twelve (12) month period.

15) Notice of Curing Violation. Members are required to notify the Association in writing of correction/cure of all alleged violations/offenses so that the Association

may inspect the correction/cure. Failure to so notify the Association may result in additional enforcement measures and proceedings.

16) Non-ECC Violations. In addition to the enforcement provisions applicable to ECC violations under these Rules, where a violation of the C&Rs, Bylaws, Association Rules, or other Governing Documents of the Association by a Member, a Member's family, guests, employees, invitees, licensees or tenants is alleged to have occurred, or where conduct policies set by the Board or Amenity Managers are violated, a written notice will be sent to the Member advising the Member of the violation. The notice may include a warning and request for compliance with the Governing Document(s) violated and/or depending on the nature of the violation, a notice of Board hearing at which the Board may impose disciplinary action. The same procedures applicable to Board Hearing and Action, Hearing in absence of Member, Opportunity to Cure Violation, Discipline after Hearing, No Hearing required, Fine and Special Assessment Due Date, Internal Dispute Resolution, Violation of Law, Civil Action, Tenants and Guests, Suspension of Privileges, Monetary Penalties (Fines), Schedule of Fines and Notice of Curing violation contained in Section 1702 of these rules shall apply to Non-ECC Violations. After the Board hearing has taken place, the Board has the power and authority to take one or more of the following actions:
(Renumbered 6/10/13, Amended 5/1/2026)

(A) Require a written apology to be delivered to any Association staff member involved or to anyone that may have been affected adversely. Require that the Member, the Member's family members, guests, tenants, licensees or invitees may not discuss the specific conduct violation issue with any staff member involved.

(B) Impose a monetary penalty (fine) in accordance with the Schedule of Fines contained in Section 1702 (14).

(C) Levy a Special Assessment to cover the cost of enforcement as provided in the Declaration of C&R's and the Act.

(D) Suspend the Member's membership privileges for a period of time as may be determined by the Board up to and including one (1) year from the date the suspension is imposed in the case of any non-continuing violation, but in the case of a continuing violation, including but not limited to non-payment of any assessment, the suspension may be imposed for so long as the violation continues effective immediately following the Board's action. During the period of suspension, the Member under suspension (and the Member's family members, guests, tenants, licensee's and invitees) cannot utilize Association services, Common Areas, Amenities, or events as guests of another Association Member.

(E) Suspend the privilege or right of the Member, the Member's family Member's, guests, tenants, licensees or invitees, to use and enjoy any or all Common Areas, Amenities and Association Property for a period of time as may be determined by the Board up to and including one (1) year from the date of the suspension is imposed in the case of any non-continuing violation, but in the case of a continuing violation, including but not limited to non-payment of any assessment, the suspension may be for so long as the violation continues. During the period of suspension, the Member under suspension (and the Member's family members, guests, tenants, licensee's and invitees) cannot utilize Association services, Common Areas, Amenities, or events as guests of another Association Member. *(Added 9/10/10; Amended 09/01/2021, 5/1/2026)*

SECTION 1703. APPLICATION

Enforcement procedures under this Article shall apply to all unresolved violations existing on the date this Article is adopted or amended by the Board.
(Amended 11/17/01, 5/1/2026)

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ARTICLE 18
AMENITY SPECIAL ACTIVITIES USE BY INDIVIDUALS OR GROUPS

(Adopted 7/9/88 & Amended 1/18/92; Repealed & Adopted new 6/10/08)

SECTION 1800. PURPOSE AND SCOPE

(a) The purpose of this Article is to accommodate reasonable "Special Uses" and "Commercial Uses" of the facilities and common areas by groups of individuals where that use does not unduly conflict with the ordinary and regular use of amenities and common areas by Association Members; to provide for "Service Providers" for Association Members and to establish uniform criteria for Special Uses, Commercial Uses and Service Providers.

(b) As used in this Article, the following words and terms have the following meanings:

(1) "Special Use" means any use of an amenity or common area by any individual or group of individuals that is in addition to or materially different than the regular and ordinary use of the amenity or common area to which Members are entitled under the Governing Documents.

(2) "Special Use" shall not include any of the following:

(A) Association employees who provide services for Association Members and their guests for a fee, pursuant to employment contracts or within the scope of their employment.

(B) Persons who qualify as Service Providers under the provisions of Section 1809.

(C) Activities sponsored by the Association.

(3) "Special User" means any individual or group of individuals who applies for and is granted permission to make a Special Use of an amenity or common area in accordance with this Article.

(4) "Commercial Use" means any use through which the Special User collects fees, charges, rents, payments, or any other compensation for the use or occupation of the amenity or common area.

(5) "Commercial User" means any user who applies for and is granted permission to make a Commercial Use of an amenity or common area in accordance with this Article.

(6) Service Providers include, but are not limited to, instructors, coaches, and trainers who provide services for Association Members for a fee at an amenity or common area, under the conditions set out in Section 1809.

(7) (A) "Recognized Club" means any nonprofit club, group, or other association of persons, whether incorporated or unincorporated, recognized by the Association as making a significant and material contribution to the social, welfare, educational, or recreational activities or interests of Association Members, comprised of fifteen or more members, the members of which consist solely of Association Members and Bear Valley Springs resident tenants who

are non-Association members who have been assigned Use Privilege Cards under Section 305(g).
(Amended 3-10-10, 6/5/24)

i. Individuals who are not Bear Valley Springs property owners or Privilege Card holders, may participate in a Recognized Club as a Sponsored Non-Resident Club member. *(Amended 2/10/2025)*

ii. Sponsored Non Resident Club Members must be sponsored by a Recognized Club Member who is a Bear Valley Springs property owner in good standing, or, a Bear Valley Springs tenant who has been assigned amenity privileges. A single individual cannot sponsor more than 10 Non-Resident Club Members in any one Recognized Club. *(Added 8/10/11)(Amended 6/5/24) (Amended and re-numbered 2/10/2025)*

iii. Sponsored Non-Resident Club Members cannot sit on the Recognized Club's board or hold administrative roles within the Recognized Club. The only exception to this are Recognized Clubs which operate as a chapter of a nationally recognized organization (i.e. Cub Scouts, Girl Scouts, Pony Club, 4-H).*(Added 2/10/2025)*

iv. Recognized Clubs must always consist of a majority (fifty percent plus one) of Association Members and Bear Valley Springs resident tenants who are Non-Association members who have been assigned Use Privilege Cards under Section 305 (g). *(Added 2/10/2025)*

(B) The organizational documents of Recognized Clubs shall not conflict with the Governing Documents or purposes of the Association.

(C) All Recognized Clubs shall maintain an official roster of club members (including Name, Lot and Tract Numbers of Association Members and Bear Valley Springs resident tenants who are non-Association members who have been assigned Use Privilege Cards under Section 305(g).
(Amended 8/10/11, 6/5/24)

(D) It is the responsibility of the Club to keep its membership list up to date and make the list available to the Association upon request. *(Amended 12/10/12, 11/10/2025)*

(E) Applications for new Recognized Club status must be filed with the Board Secretary and approved by the Board at its regular monthly meeting .*(Amended 12/10/12, 11/10/25)*

(F) The Board of Directors may remove Recognized Club status if a club fails to meet status requirements. To maintain Recognized Club eligibility and the afforded privileges therein, the Recognized Club must:

(i) Adhere to all BVSA policies, rules and governing documents,

(ii) Annually file Club By-Laws, membership lists, and insurance coverage (as needed) with the BVSA Board Secretary and maintain (at least), the minimum membership threshold with BVSA members in good standing. *(Amended 9/10/12)*

(iii) Continue to operate with community in mind. Recognized Club status requires that clubs and organizations operate as a nonprofit organization. (Added 03/10/10)

The following groups will be given priority for scheduling:

(i) Association Members

(ii) Recoghnized Clubs

(iii) And groups consisting solely of Association Members and their Families will be given priority in scheduling dates of Special and/or Commercial Use.

(c) This Article is applicable to all persons who make or request a Special Use of an amenity or common area for either profit or non-profit activities not conducted or sponsored by the Association.

SECTION 1801. SPECIAL USE REQUEST AND AGREEMENT

All users of an amenity or common area subject to this Article must execute the Section 1811 Special Use Request and Agreement. If the request is approved by the Amenity Manager it will be sent to the General Manager or Board of Directors for final approval or denial, as provided in Section 1807. Until a Special Use Request and Agreement has been finally approved as provided under this Article, no person or group shall have any right to make a Special Use of an amenityy or common area. Special Use request forms are available at each amenity. *(Amended 06/01/19)*

SECTION 1802. FEES AND DEPOSITS

(a)(1) Except as expressly provided otherwise in this Article, all Special Users of an Amenity or common area shall be charged a rental fee, in an amount to be established by the Board, for the purpose of at least partially reimbursing the Association for the estimated overhead and administrative costs incurred by the Association because of the Special Use of the amenity, including, but not limited to, utilities and payroll costs. A Special User and/or commercial user that is otherwise subject to the rental fee may receive an exemption from this fee for an event if a significant percentage of the net revenue derived from the event will be used in Bear Valley Springs to contribute to the social, welfare, educational or recreational activities or interests of Association Members. The request for exemption must be in written form, addressed to the General Manager and include the net revenue from the event and the amount and purpose of the revenue that will be used in Bear Valley Springs. Approval or denial of the request will be at the discretion of the General Manager and the Board of Directors, who will so indicate their decision on the original request, which will be returned to the

Special User, a copy of the request and disposition will be filed with the Association Secretary. (*Amended 6/5/24*)

(2) Recognized Clubs shall be permitted to make Special Use of amenities and common areas and receive an exemption from a rental and/or commercial fee for an event at an amenity location if a significant percentage of the net revenue derived from the event will be used in Bear Valley Springs to contribute to the social, welfare, educational or recreational activities or interests of Association Members.

(3) A fee schedule, established by the General Manager (or Board of Directors) will be applied for use of BVSA equipment by Recognized Clubs. The applicable fee schedule applies when or if BVSA staff must erect or transport or if equipment is removed from BVSA designated amenity location. Equipment includes but not limited to: tables, chairs, BBQ's and tents. Outside vendors, when utilized, shall have all appropriate health department certificates, insurance that indemnifies BVSA and signed release of liability.
(Amended 02-10-11, 6/5/24, 10/10/25)

(b) (1) Except as otherwise provided in this Article, all Special Users of an amenity must, at the time of submitting the required Special Use Request and Agreement, deposit with the Association a cleaning and repair deposit in a reasonable amount established by the Board. If the Special User leaves the amenity as clean and in the same condition and state of repair as existed prior to the Special Use, the deposit will be refunded. The deposit shall be forfeited to the Association if any cleaning or repair is required.

(2) Repetitive Special Users may elect to have monies remain on deposit during the term of their reservations, which may not exceed twelve months.

(3) Recognized Clubs will be exempt from the cleaning and repair deposit requirement so long as the Club leaves the amenity or common area in a clean and good condition.

(c) (1) All Commercial Users must pay, in addition to the rental fee required under Section 1802(a), a fee not to exceed ten percent (10%) of the Commercial User's net revenue derived or attributable to the Commercial User's use of the amenity or common area. This fee shall be due and payable to the Association promptly (but no later than two business days) after the end of the Commercial User's use of the amenity or common area.

(2) The Association reserves the right to inspect and audit the books and records of any Commercial User at any reasonable time to verify the gross revenue and the amount of the fee to be paid. (*Amended 6/5/24*)

SECTION 1803. UNUSUAL AMENITY HOURS

If an amenity or common area is kept open for a Special Use during unusual hours, (hours when the amenity or common area is normally closed), the Special User must reimburse the Association for all additional operational costs incurred by the Association for keeping the amenity or common area open during the unusual hours.

SECTION 1804. CLOSURE OF FACILITIES

(a) Any request to close an amenity or common area, entirely or partially, to general use by all Association Members in order to accommodate a Special Use, will require approval of the Amenity Manager and the General Manager and must be stated in the Special Use Request and Agreement Form. (*Amended 6/5/24*)

(b) In order to be considered for approval, the form must be executed by an Association Member and be submitted to the Association not less than 30 days in advance of the requested date of closure.

SECTION 1805. INDEMNIFICATION AND INSURANCE

(a) All Special Users and recognized clubs shall agree, by their use of Association amenity or common area, to indemnify and hold the Association free and harmless from all claims arising out of, or related to, the use of an amenity or common area.

(b) In addition, if the use of an amenity or common area includes activities or events that, in the sole discretion of the Facility Manager, General Manager or Board, involve a degree of risk or injury to or death of persons or damage to property, the Special User shall obtain at its sole expense, and maintain at all times during the Special Use, a policy of general liability insurance with policy limits satisfactory to the Association and naming the Association as an additional insured. If this insurance is required, the Special User must provide a certificate of insurance evidencing the policy to the Association at least five working days prior to the Special Use of the amenity or common area.

SECTION 1806 ADVERTISING

(a) Any proposed advertising, solicitation, news items, or invitations to the general public (persons who are not Association Members or District residents) relating to Special Users must first be approved by the General Manager before publication, distribution or other dissemination.

(b) The Association is not responsible in any manner whatsoever for the results of any unauthorized advertisement or solicitation. Any members of the general public responding to advertisements, solicitations or other similar materials not so approved, may be denied access to Special Use of the Community Amenities and Common Areas at the sole discretion of the General Manager. (*Amended 6/5/24*)

(c) Any advertising, news items or invitations to the public relating to Special Uses permitted under this Article must include instructions describing the procedures for obtaining a road or guest pass required for public access into Bear Valley Springs and the Community amenity or Common Area.

(d) It is the responsibility of the Special User to ensure that these instructions are included in any advertising, news items, or invitations, and the Association shall not be responsible for the instructions or a denial of access to members of the public that may result if the instructions are not given.

SECTION 1807. SPECIAL USE REQUEST AND AGREEMENT PROVISIONS

(a) All Special Use Requests and Agreements must contain all terms of the Special Use.

(b) All Special Use Requests and Agreements must be signed by an authorized representative of the Special User and by an authorized representative of the Association, which may be the Amenity Manager, the General Manager, or the Board President or designee, depending on the circumstances and as prescribed in subdivisions (c), (d) and (e).

(c) All requests for Special Use of amenities or common areas by a Recognized Club must be approved by the Amenity Manager unless the use will, to any substantial degree, preclude the use of the amenity or common area by other Association Members, in which case the request must also be approved by the General Manager.

(d) All requests for non-commercial Special Use of amenities or common areas by any person or persons, other than a Recognized Club, must be approved by the Amenity Manager and the General Manager.

(e) Except for Recognized Clubs, all requests for Commercial Use of amenities or common areas must be approved by the General Manager or the Board and the Special Use Request and Agreement must be signed by the Board President or his or her designated representative at least thirty (30) days before the requested use is to begin. (*Amended 6/5/24)*

(f) In the event a Recognized Club needs to be displaced due to unforeseen circumstances, the Amenity Manager will attempt to give a two week notification to the Club and if available, provide an alternate location for the Club's use. (*Added 6/5/24)*

SECTION 1808. TIME LIMITS

(a) Approvals or denials of Special Use requests will be made not less than seven (7) business days after receipt of the Special Use Request and Agreement by the Association representative responsible for approving or denying the request.

(b) Any Special Use for a period longer than eight (8) hours in any single day or for more than one day must be approved by the General Manager or the Board.

(c) Special Use of amenities and common areas by Recognized Clubs on a regular, periodic basis, as for example, once per week, once per month, twice per month, quarterly, may be approved by the General Manager or the Board, so long as a Special Use Request and Agreement is in effect covering those periods of time.

(d) Cancellations of approved Special Uses must be made by the Special User not less than three (3) days prior to the first day of the requested Use.

SECTION 1809. SERVICE PROVIDERS

(a) Service Providers (Providers) must meet all of the following conditions in order to maintain their status as Service Providers:

(1) Annually register with the Amenity Manager and the Association and pay an annual administrative fee established by the Board. This registration process will include a registration card.

(2) Obtain at their sole expense, and maintain at all times during their services, a policy of general liability insurance with policy limits satisfactory to the Association and naming the Association as an additional insured. The Provider must provide a certificate of insurance evidencing the policy to the Association at least five working days prior to their use of the amenity or common area and indemnify and hold the Association and the District free and harmless from all claims arising out of, or related to, the use of the amenity or common area.

(3) Register any persons using their services with the Amenity Manager and the Association. This must include names and lots and tracts of Association Members and names and addresses of Bear Valley Springs resident tenants who are non-Association members who have been assigned Use Privilege Cards under Section 305(g). In addition, Association Liability Release Forms for Adults and Minors, must be filed with the Association, and signed by any and all persons using their services, that indemnify and hold the Association and the District free and harmless from all claims arising out of, or related to, the use of an amenity or common area.

(4) May only provide services for Association Members and Bear Valley Springs residents who have been assigned Use Privileges Cards under Section 305(g). (*Amended 6/5/24*)

(b) Providers that do not adhere to all portions of this subdivision will be deemed Commercial Users and are subject to all the provisions of this article applicable to them.

(c) Service Providers must check in at each service occurrence with Amenity Management/staff prior to providing any services and apprise staff of service length and clients served.

(d) Providers who are not Association Members will require a road pass furnished by the Association Member using their services, and be accompanied at all times by said Association Member.

SECTION 1810. WAIVER OF PROVISIONS

Waiver of any of the provisions of this Article requires the approval of the Board.

SECTION 1811. APPLICATION FOR RECOGNIZED CLUB STATUS

NAME OF CLUB _____

PURPOSES AND GOALS OF CLUB _____

_____

ORGANIZATION TYPE _____

(If incorporated, attach copy of Articles & Bylaws; If unincorporated, attach copy of any Bylaws or other Governing Document)

OFFICERS

	NAME	TRACT #	LOT #
President	_____	_____	_____
Vice President	_____	_____	_____
Secretary	_____	_____	_____
Treasurer	_____	_____	_____

Others (List on Reverse side)
If there are no officers:
Authorized Representative_____ _____ _____

==========

ASSN. MEMBERS	**NAME**	**TRACT**
LOT		

(List additional Assn. Members on reverse side or separate sheet)

THE BOARD ACTED TO _____THE APPLICATION ON_____
(Approve or Disapprove)

Reason for Disapproval_____

SECTION 1811. INDEPENDENCE DAY PARADE RULES AND GUIDELINES, PURPOSE AND SCOPE

(a) The purpose of this Article is to ensure that the Independence Day Parade is an event that demonstrates respect for our country and our community and celebrates what is best in all of us.
(b) The Bear Valley Springs Association ("ASSOCIATION") is a non-partisan and non-political organization. It does not promote any individual, business, social, commercial, or political purpose.
(c) The Independence Day Parade is solely for the purpose of promoting a patriotic celebration of Independence Day in a family-oriented environment. *(Added 6/5/24)*

SECTION 1812. PARADE RULES

(a) The parade rules and guidelines are for the safety and quality of the parade. Failure to abide by these rules will result in removal from the parade.
(b) The parade is presented for entertainment purposes only. It is not designed as a forum for political, social, religious, or economic ideas or doctrines. Therefore, no such entry will be permitted. The parade committee shall, in its sole discretion, determine whether an entry is appropriate for this parade.
(c) All entries in the parade are expected to reflect the spirit of Independence Day and must be suitable for a family entertainment event.
(d) No type of abusive, foul, or offensive language will be allowed.
(e) Entries are encouraged to show their patriotism by wearing red, white & blue or incorporating these colors and the Patriotic theme into their entry.
(f) Flags & Banners: No political party representation, no presidential flags, no Confederate flags, or anything controversial. Military Flags and American Flags are welcome.
(g) No political campaigning or advocating, opposing, or advertising any political or social issue or person is allowed.
(h) No parade entry or participant may display any signage of a political nature such as "vote for", "elect", or "impeach", or any other politically-directed nature.
(i) Elected officials may not campaign for re-election or another office nor display any electioneering materials. Those elected officials not running for a public office may ride in the parade with signs and clothing identifying only their current status.
(j) A logo or business name may be used on an entry however, the entry may not be used primarily for advertising purposes and must be in keeping with the patriotic spirit of the parade. (Added 6/5/24)

SECTION 1813. PARADE GUIDELINES

(a) The parade always falls on the 4th of July.
(b) Parade Route: The parade starts at the Oak Tree Country Club. The parade route continues on N. Lower Valley Rd. to the ballfield, turns right on Bear Valley Rd, and continues past Cub Lake, ending at S. Lower Valley Rd.
(c) Horses and other animals must be controlled at all times.
(d) Feel free to dress up in costume or to decorate your tractor, golf cart, or other vehicle in red, white, and blue. (Added 6/5/24)

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ARTICLE 19
ANIMAL CONTROL
(Adopted 4/17/89)

SECTION 1900. ADOPTION; PURPOSES AND APPLICATIONS; DEFINITIONS

(a) This Article is adopted pursuant to Paragraphs 7b(8), 11e(2)(j)(ee) of the C&Rs and Section 100 of these Rules.

(b) The purposes of this Article are:
- (1) To establish uniform Association Rules for keeping animals in BVS;
- (2) To maintain a pleasant and safe environment for all Members and BVS residents;
- (3) To provide for the protection of wildlife in BVS; and
- (4) To accommodate participation of young residents in youth organization projects with animals.

(c) This Article applies to all Association Members, their families, guests, invitees, and licensees, and to all residents of BVS. *(Amended 1/27/01)*

(d) Unless the context indicates otherwise, the term "animal" as used in this Article, includes fish, birds, reptiles and insects.

SECTION 1901. GENERAL

(a) All State and Federal laws and Kern County Ordinances must be observed.

(b) Applications for animal shelters and enclosures must be reviewed and approved by the Environmental Control Committee (ECC) before construction is begun.

(c) Slaughtering of animals for commercial purposes is strictly prohibited.

(d) Keeping animals for profit is considered an occupation and requires an Occupation Permit from the ECC.

(e) Notwithstanding any other provision of this Article, the ECC may, upon written application filed with it, approve special projects of members of 4-H Clubs and Future Farmers of America, provided all the following conditions are met:
- (1) The project is carried out on lots of not less than one acre;
- (2) Animals in the project do not include more than one bovine; and
- (3) Any animal in the project that is not permitted to be kept under other provisions of this Article is disposed of within 30 days after the completion of the project.

(f) Sanitary conditions must be maintained by cleaning animal enclosures at least weekly, but not less often than necessary for the animal's good health and not less often than necessary to prevent the odors from becoming offensive or to prevent conditions that tend to breed flies or other insects or furnish food for breeding places for rats or mice.

Farm animals, horses, cattle, goats, sheep, etc. shall not be permitted to feed or graze within 50 feet of any residence or other structure where food for human consumption is prepared, served or consumed. See County of Kern Code of Ordinances 7.12.030 for other dimensions based on lot sizes.

(Amended 02-10-11)

(g) The following protective measures for domestic animals and wildlife must be practiced:

(1) Dogs must be on a leash when off their owner's property. Dogs running at large are prohibited by Kern County Ordinance. *[Ref: CSD Code 3-2-1]*

(2) Stallions, bulls, rams and bucks must be kept in fenced areas built strong enough to contain them and isolated from other animals.

(3) Bees must be provided a supply of water near their colony.

(4) Animal density must be kept low enough to prevent over grazing of pastures.

(5) Release of any domestic animal into the wild is strictly prohibited.

(6) Capture or attempts to capture or tame any wild animal is prohibited.

(7) All native mammals, reptiles and birds are protected by Federal law and cannot be taken or kept without a permit from the California Department of Fish and Game.

SECTION 1902. ANIMALS PERMITTED IN BVS - GENERAL

(a) Animals owned or controlled by persons residing in condominiums are subject to BVS Condominium Association Rules. *(Amended 1/27/01)*

(b) No animals of any kind may be raised, bred, or kept on any lots in BVS except the following:

(1) Pets kept in cages or aquariums;

(2) A reasonable number of usual and ordinary household pets, such as dogs or cats, provided they are not kept, bred or maintained for any commercial purposes and are kept under control at all times; and

(3) Other animals expressly permitted under this Article.

(c) Notwithstanding the foregoing, no pet or other animal may be kept in BVS that is obnoxious or unreasonably annoying to other persons or creates a nuisance. The term nuisance includes, but is not limited to, habitual running at large and barking dogs. *(Amended 1/27/01; Amended 08/10/16, 02/12/2026)*

(d) Barking dog means a dog that barks, bays, cries, howls or makes any noise audible beyond the boundaries of the property on which the dog is situated for an extended period of time to the disturbance of any person at any time of day or night, regardless of whether the dog is physically situated in or upon private property. Such extended period of time shall consist of incessant barking, baying, crying, howling, or making of any noise for 30 minutes or more in any 24-hour period, or intermittent barking baying, crying, howling or making any noise for 60 minutes or more during a 24-hour period. A dog shall not be deemed a "barking dog for purposes of this section if at any time the dog is barking, a person is trespassing or threatening to trespass upon private property in or upon which the dog is situated, or when the dog is being teased or provoked.

1.) The ECC may issue a 10-day notice to correct based upon either a police report or a signed ECC complaint form.

2.) Each day a barking dog violation exists beyond the 10-day correction period shall be a separate violation and be subject to a separate penalty. *(Added 02/10/2026)*

SECTION 1903. FARM ANIMALS

Except for cattle, the following animals are permitted on lots of one acre or more, subject to the specified limitations:

(a) Poultry and pigeons are limited to an aggregate of ten and must not be allowed to roam or fly outside their enclosures.

(b) Rabbits are limited to ten.
(Amended and moved to subsection (c) 11/10/14)

(c) Goats, sheep, alpacas, horses, mules and donkeys are limited to four per acre in any combination but not to exceed a total aggregate of four animals per acre. Effective July 1, 1990 the minimum corral area must be at least 576 square feet for each horse. For each additional one quarter of an acre over and above the minimum of one acre for horse property an additional horse, mule or donkey may be kept. *(Amended effective 4-10-08, Amended and renumbered effective 11/10/14)*

(d) On lots one acre or more, chickens are limited to 10 per acre. On lots larger than one acre, an additional 5 chickens per ½ acre are permitted, but not to exceed a maximum of 50 chickens on any lot. *(Added 8/10/11) (Renumbered effective 11/10/14)*

(e) One (1) potbellied pig is limited to lots of one acre or more. There shall be a minimum of five hundred (500) square feet of securely fenced outside yard area that is available and accessible. The fence shall be designed and maintained to prevent escape from the enclosed area. All fencing must be approved by the Environmental Control Committee. *(added 04/10/18)*

SECTION 1904. CATTLE

Cattle are limited to parcels ten acres and larger in size and are limited to one animal per two acres of usable pastureland.

SECTION 1905. BEES

Bees are limited to two colonies per acre, placed a minimum of 75 feet from any residential structure, property line or right of way. The total number may not exceed 10 colonies.

SECTION 1906. APPLICATION OF NUMERICAL LIMITS

The numerical limits on animals under this Article do not apply to the animal's offspring under six months of age.

SECTION 1907. ADMINISTRATION OF ARTICLE

Administration of this Article is delegated to the Environmental Control Committee.

SECTION 1908. ENFORCEMENT

This Article will be enforced as provided in Article 17 and Section 308.

SECTION 1909. WAIVER OF PROVISIONS

Any waiver of a provision of this Article requires the prior written approval of the Board.

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ARTICLE 20
SMOKING AT ASSOCIATION OPERATED FACILITIES

(Adopted 10/16/93; Amended 06/10/16)

SECTION 2000. COMPLETE BAN

Smoking (as defined in Article 20, Section 2003) is prohibited at or in the following Association-operated facilities:

(a) All enclosed spaces at a place of employment. *(Amended 05/10/14)*
(b) The stable area of the Equestrian Center.
(c) Horse trails, by riders or hikers.
(d) The Equestrian Center Meeting Room.
(e) The Tennis and Paddle Courts enclosed areas.
(f) Entire Swimming Pool Area.
(g) Bear Valley Nature Path
(h) Whiting Center

(Amended 2/18/95; Amended 06/10/16, 11/10/25)

SECTION 2001. RESTRICTED SMOKING PERMITTED

Smoking (as defined in Article 20, Section 2003) at the following facilities is permitted only at designated locations which are clearly indicated by the posting of signs and the placement of proper receptacles for the disposal of the tobacco products:

(a) Archery Range
(b) Campgrounds
(c) Rifle and Trap Ranges
(d) Cub and Four-Island Lakes
(e) The Golf Course, including the Driving Range

(Amended 02/04/14; Amended 06/10/16, Amended and Renumbered 11/10/25)

SECTION 2003. DEFINITIONS

(a) "Smoking" to include electronic smoking devices, vaping, use of tobacco products that produce smoke, (any device that can be used to deliver an inhaled dose of nicotine or other substances; as well as tobacco products that do not produce smoke or vapor {chewing tobacco or snuff})
(b) " Electronic Smoking Device" means an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances, including any component, part, or accessory of such a device, whether or not sold separately. "Electronic

Smoking Device" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.

(c) "Smoke" means the gases, particles, or vapors released into the air as a result of combustion, electrical ignition, or vaporization, when the apparent or usual purpose of the combustion, electrical ignition, or vaporization is human inhalation of the byproducts, except when the combusting or vaporizing material contains no tobacco or nicotine *and* the purpose of inhalation is solely olfactory, such as, for example, smoke from incense. The term "Smoke" includes, but is not limited to, tobacco smoke, Electronic Smoking Device vapors, marijuana smoke, and illegal substance smoke.

(Added 06/10/16, Amended 11/10/25)

SECTION 2002. ENFORCEMENT

This Article shall be enforced as provided in Article 17 and Section 308.

(Renumbered 2/18/95; Deleted Sections 2002 and 2003 and Renumbered Section 2004 to 2002 05/10/14)

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ARTICLE 21

RC MODEL AND DRONE FACILITY

(Adopted 7/10/09; Amended 08/10/16; Amended 8/14/21)

SECTION 2100. HOURS OF OPERATION *(Renumbered 05/10/14)*

(a) Hours of operation will be from 7 AM until sunset for electric models, and 9 AM until sunset for internal combustion powered models, 7 days a week. Hours of operation are established by the Board and may be changed without prior notice. *(Amended 05/10/14, 3/14/21)*

(b) After hours use (non-flying) of the site will observe a 10 PM "QUIET TIME." After hours use is allowed so long as it does not disrupt other site activities, cause harm or damage to the facility or surrounding property. *(Section 2101(b) deleted, Section 2100(a) and (b) amended and renumbered 05/10/14)*

SECTION 2101. SAFETY *(Renumbered 05/10/14)*

(a) General

1. A model aircraft shall be defined as a non-human-carrying device capable of sustained flight in the atmosphere. It shall not exceed limitations established in this code and is intended to be used exclusively for recreational or competition activity. This includes, but is not limited to, any radio controlled aircraft, drones,helicopters, gliders,quadcopters etc. *(Amended 11/10/16, 3/14/21)*

2. The maximum takeoff weight of a model aircraft, including fuel, is 55 pounds, except for those flown under the AMA (Academy of Model Aeronautics) Experimental Aircraft Rules.
3. Facility users will abide by this Safety Code and all rules established for the flying site and will not willfully fly model aircraft in a reckless and/or dangerous manner.
4. Users will not fly model aircraft in sanctioned events, air shows, or model demonstrations until it has been proven airworthy.
5. Users will not fly model aircraft unless it is identified with name and address, or AMA number, inside or affixed to the outside of the model aircraft. This does not apply to model aircraft flown indoors.
6. Acceptable methods of propulsion will be limited to reciprocating internal combustion engines, and/or electric motors. Users will not operate model aircraft with metal-blade propellers or with gaseous boosts (other than air), including model rocket engines or gas turbines of any kind, nor will they operate model aircraft with fuels containing tetranitromethane or hydrazine.
7. Users will not operate model aircraft carrying pyrotechnic devices which explode burn, or propel a projectile of any kind.
8. Users will not operate model aircraft while under the influence of alcohol or within eight (8) hours of having consumed alcohol.
9. Users will not operate any model aircraft while using any drug which could adversely affect their ability to safely control model aircraft or vehicles.
10. Children age 6 and below will not be allowed on the flight line. All minors must be accompanied and supervised by an adult parent or guardian whenever model aircraft are being flown. Children under the age of 12 are only allowed on the flight line as a pilot while under flight instruction by a qualified adult pilot instructor. (*Amended 3/14/2021*)
11. R/C aircraft may not be flown from residential homes, tracts, or lots. (*Amended 3/14/21*)
12. Aircraft, whether RC models or drones, etc. may only be flown at the RC Model Field under the flight constraints as delineated in Article 21 and are disallowed from flying on or over any BVSA Facilities, Amenities, or Common Ground. R/C aircraft may not be flown over any roadway or over residential homes. *(Added 11/10/16) (Renumbered 05/10/14) (Amended 3/14/2021)*

SECTION 2102. RADIO CONTROL AND FLIGHT PATTERN
(Renumbered 05/10/14; Amended 08/10/16; Amended 3/14/21)

(a) Operation

1. All model flying shall be conducted in a manner to avoid over flight of unprotected people, vehicles, or horses that may be in the area, regardless of whether or not said people, vehicles or horses are purposely or accidentally encroaching on the designated "Fly Zone", runway, or model airfield common areas. Any person who violates the posted approved air space shall be subject to disciplinary procedures, as outlined in BVSA Rules, Article 17, which may include a suspension of their amenity privileges and/or be fined by the Bear Valley Springs Association. Members are responsible for their

guests and may be disciplined for guests who violate these rules. *(Amended 8/10/11; Amended 05/10/14; 3/14/21)*

2. All model flying must be performed according to the posted Fly Zone Map, designated pilot boxes or flight line pilot locations, utilizing takeoff and landing patterns as outlined below. Adherence to these guideline will provide a safety buffer between model aircraft and the nearest hard boundaries and other official BVSA amenities that are directly adjacent to the model airfield. *(Added 05/10/14) (Amended 3/14/21)*
   (a.) The Model Airfield flight line is located on the north side of the runway near the picnic benches and awning cover. Pilots shall stand in designated protective pilot boxes located on the flight line, and utilize the airspace facing due south/west towards Lower Valley Road as the designated Fly Zone.
   (b.) R/C pilots may fly to the south within 50 ft. of the paved roadway on Lower Valley Rd., in order to keep a safe distance from cars and pedestrians using Lower Valley Road. Flying beyond that point or over the roadway is prohibited.
   (c.) The normal flight pattern is dictated by westerly prevailing winds, so that take-offs and landings will normally take place in an east-to-west (or left-to-right) manner while standing in a pilot box on the flight line. This approach is mandatory for all aircraft regardless of gas, glow, diesel, electric, ducted fan, or glider unless easterly winds dictate landing from a west-to-east (right-to-left) direction.
   (d.) Flying in the airspace east of the flight line should only be performed in order to enter the landing pattern for a final approach, during which R/C pilots must keep a 50' minimum safe distance between their model aircraft and the CSD Transfer station. Flying beyond that point or over the CSD Transfer Station is prohibited.
   (e.) Float planes and other amphibious aircraft may be flown from Jack's Hole when there is sufficient water to use a runway. Take-offs and landings shall take place only on the southernmost half of Jack's Hole, which is delineated by "Low Flying Aircraft" signs posted on the western and eastern shores of Jack's Hole. Amphibious model aircraft may not take-off or land north of the "Low Flying Aircraft" signs. The flight line for R/C pilots flying amphibious aircraft shall be along the southern shoreline of Jack's Hole (on the north side of the Model Airfield parking lot), Westerly prevailing winds dictate that normal amphibious aircraft take-offs and landings shall be from east-to-west (right-to-left) direction.
   (f.) R/C aircraft pilots may not fly past the half-way point of Jack's Hole, and must keep a 50' minimum safe distance from the Nature Walking Path and Equestrian Trails to the north and west of Jack's Hole.
   (g.) R/C boats are permitted the full, unrestricted use of Jack's Hole with the exception of BVSA sponsored special events, such as fishing derbies; and whenever amphibious model aircraft are using it as a landing zone.
   (h.) Amphibious R/C aircraft may use Jack's Hole on Wednesdays and Saturdays during the morning hours (beginning at 7am for electric models, and 9am for internal combustion powered models), up until 12pm. Fishermen may use Jack's Hole after 12pm pn Wednesdays and Saturdays, and will have the exclusive use of Jack's Hole throughout the rest of the week without restrictions.
   (i.) Electric and sail powered R/C boats shall be allowed on Cub Lake. R/C aircraft of any kind are disallowed at Cub Lake.
   (*Added 3/14/21*)
3. Users will have completed a successful radio equipment ground-range check before the first flight of a new or repaired model aircraft.
4. Users will not fly model aircraft in the presence of spectators until becoming a proficient flier, unless assisted by an experienced pilot.
5. At all flying sites a line must be established, in front of which all flying takes place. Only personnel associated with flying the model aircraft are allowed at or in front of the line. In the case of air show demonstrations a straight line must be established. An area away

from the line must be maintained for spectators. Intentional flying behind the line is prohibited.

6. Users will operate model aircraft using only radio-control frequencies currently allowed by the Federal Communications Commission (FCC). Only individuals properly licensed by the FCC are authorized to operate equipment on Amateur Band frequencies.
7. No powered model maybe flown outdoors closer than 25 feet to any individual, except for the pilot and located at the flight line.
8. Under no circumstances may a pilot or other person touch a model aircraft in flight while it is still under power, except to divert it from striking an individual.
9. The operator of a radio-controlled model aircraft shall control it during the entire flight, maintaining visual contact without enhancement other than by corrective lenses that are prescribed for the pilot. No model aircraft shall be equipped with devices that allow it to be flown to a selected location that is beyond the visual range of the pilot. *(Amended 05/10/14)*

(Added subsection 2. and Renumbered 2,3,4,5,6,7,and 8 to 3,4,5,6,7,8,and 9 on 05/10/14)

(b) Free Flight model aircraft of any kind, including model rockets, are not permitted at this facility. (*Amended 3/14/21*)

SECTION 2103. MEMBER AND MANAGEMENT RESPONSIBILITIES

(Renumbered 05/10/14)

This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13)*

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ARTICLE 22
RULES FOR BEAUBIEN BASEBALL FIELD

(Adopted 8/10/10)

SECTION 2200. GENERAL SITE RULES

(a) Any dog or other pet must be restrained by leash while at this facility. All pets; including horses and dogs, must be contained and kept off the playing fields. [*Ref: District Ordinance No. 09-230,, Sec, 635C]*

(b) No bikes, skates, roller blades or other transportation devices may be used on the fields or between fields in the fan area unless permitted for field preparation. Bikes must be walked when on site. [*Ref: District Ordinance No. 09-230, Sec,6310B]*

(c) All events are scheduled through the Whiting Center Manager or Sports Coordinator. All fields and batting cages will have a priority system use:
   (1) All BVS youth games and events.
   (2) Youth league practice.
   (3) Senior softball games.
   (4) People who have scheduled the field with the Sports Coordinator.
   (5) Drop-ins must relinquish the field after one hour of use if others want to play.

(d) Overnight parking is prohibited unless authorized by the Whiting Center Manager and must conform to all B.V.S.A. and C.S.D. rules. [*Ref: BVCSD No.6311A.]*

(e) Every person utilizing the ballfield must possess a valid BVSA Use Privilege Card or Guest Pass. (*Added 10/10/26*)

SECTION 2201. BALLFIELD CONDUCT RULES

(a) No person under the influence of any alcoholic beverage or illegal drugs shall be allowed to enter or remain at this facility. The use of tobacco, vaping, alcohol, and, or illegal drugs is prohibited on the playing fields and in dugouts. The use of tobacco or alcohol is permitted in the parking area 200' from the fields for those of legal age. [*Ref: BVCSD Ordinance No.6313A.]*

(b) Conduct or language to incite or encourage violence or unsportsmanlike behavior is prohibited.

(c) Members are responsible for their guests conduct, including guests' family members.

(d) All trash, debris and garbage must be placed in proper receptacles provided for it. [*Ref: BVCSD Ordinance No. 633A.]*

(e) Foul language is prohibited.

(f) Harassing of players, managers, coaches, fans or umpires is prohibited.

(g) Game Official or Staff has the authority to enforce the rules.

(h) There is zero tolerance for fighting. Police will be informed of the incident.

SECTION 2202. BALLFIELD SAFETY RULES*:*

(a) Fields are not to be used when conditions have made them muddy, icy, or otherwise unplayable.

(b) Use of proper safety equipment is recommended to be worn when using the amenity.

(c) Children under 9 shall not be left unsupervised.

SECTION 2203. MEMBER AND MANAGEMENT RESPONSIBILITIES*:*

This Article will be enforced as provided in Article 17 and Article 3. *(Added 12/10/13)*

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ARTICLE 23
RULES FOR CUB LAKE DOG PARK
(Adopted 8/10/11)

SECTION 2300. GENERAL RULES

(a) Hours of operation are established by the Board and may be changed without prior notice.
(b) Every person bringing a dog into the dog park must possess a valid BVSA Use Privilege Card or BVSA Guest Pass.
(c) All dogs entering the dog park must display a Bear Valley Springs Association issued I.D. tag. The I.D. tags may be obtained at the Association office during normal business hours. The requirements and procedure for obtaining an I.D. tag for your dog(s) are as follows:
   1. You must be a member in good standing, or, be a renter in Bear Valley Springs with amenity privileges assigned to you.
   2. If you have more than one dog, you will need to obtain an I.D. tag for each dog.
   3. You must sign a release of liability form at the time you are issued an I.D. tag. There will be a nominal fee charged for each tag issued, in accordance with the Bear Valley Springs Association Fee Schedule.
   4. All Bear Valley Springs Association issued dog I.D. tags will expire annually and must be renewed annually.
(d) No other animals may be brought into the dog park.
(e) Dogs under 4 months of age are prohibited.
(f) Maximum limit of 2 dogs per adult in the park at any time.

SECTION 2301. DOG PARK CONDUCT RULES

(a) Dogs must be leashed when entering and exiting the dog park.
(b) The owner must close the main entrance gate before proceeding into either of the designated areas for large or small dogs.
(c) Dogs in excess of 20 pounds are encouraged to enter into the dog park designated for larger dogs. Dogs less than 20 pound are encouraged to enter into the dog park designated for smaller dogs.
(d) Dog owners must be inside the dog park and within view of their dog(s) at all times. They must keep their leash in hand at all times.
(e) All off-leash dogs must be under voice control of their owners. If you cannot control your dog off leash, keep your pet leashed at all times.
(f) No food (dog or human) is allowed in the park without prior management approval. *[Reference Article 18]*
(g) Owners shall provide drinking water for their dogs as needed.
(h) Owners must clean up dog feces. Seal waste in the provided plastic bags before disposing in designated receptacles.

(i) No digging or persistent barking. Owners are responsible for filling any holes their dogs make.
(j) Smoking (as defined in Article 20, Section 2003) is prohibited. *(Amended 06/10/16)*
(k) Sitting or climbing on the dog park fencing is prohibited.

SECTION 2302. DOG PARK SAFETY RULES:

(a) Use of the Cub Lake dog park is at your own risk, including but not limited to the risk of being bitten, being knocked down, tripped, etc.
(b) Owners are liable for damage or injury inflicted by their dog(s); the Bear Valley Springs Association has no liability or responsibility for injuries in the dog park.
(c) For the safety of your dog(s) and other park visitors, choke, prong (pinch) and spike collars are strictly prohibited. If you use these types of collars, remove them before entering the park.
(d) Aggressive dogs are not permitted in the dog park. Dogs must be removed at the first sign of aggression.
(e) Female dogs in heat are prohibited from entering the dog park.
(f) Children under 48 inches tall are prohibited from entering the dog park unless accompanied by an adult.
(g) No bicycles, skateboards, roller blades are allowed inside the dog park.

SECTION 2303. DOG PARK RULE ENFORCEMENT:

Any person who violates these rules shall be subject to disciplinary procedures, as outlined in BVSA Rules, Article 17 and Article 3. Members are responsible for their guests and may be disciplined for guests who violate these rules. *(Amended 12/10/13)*

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ARTICLE 24
BEAR VALLEY NATURE PATH
(Adopted 8/10/11)

SECTION 2400. GENERAL RULES

(a) Hours of operation are established by BVSA Management and may be changed without prior notice.
(b) Every person using the Bear Valley Nature Path and Cub Lake Walking Path must possess a valid BVSA Use Privilege Card, BVSA Guest Amenity Use Pass, or be accompanied by someone with an appropriate card or pass. Amenity Use Privilege Card or BVSA Guest Amenity Use Pass must be presented upon request by a BVS Amenity Patrol or BVS Management.
(c) Parking must be at Beaubien Field or Cub Lake designated parking areas.

(d) Users of Bear Valley Nature Path and Cub Lake Walking Path must remain on approved and posted path.
(e) The following motorized vehicles are prohibited on the Bear Valley Nature Path and Cub Lake Walking Path; All e-bikes, golf carts, mopeds, gas-powered motor bikes, quads, dune buggies, and other similar equipment and devices. (Ref: KC Ordinance 09-230 and BVCSD Code 6-3-6].*(Amended 05/10/26)*
(f) Maximum MPH for any vehicles is 10 miles per hour and riders must abide by the conduct rules as outlined in Section 2401. (*Amended 11/10/2025, 05/10/26*)
(g) Baby strollers, roller skates, children's toys and scooters (human-powered or battery operated up to 24 volts) and mobility scooters are permitted on the Bear Valley Nature Path and Cub Lake Walking Path and must abide by the conduct rules as outlined in Section 2401.

SECTION 2401. BEAR VALLEY NATURE PATH AND CUB LAKE WALKING PATH CONDUCT RULES

(a) Pedestrians have right-of-way.
(b) Dogs are the only animals permitted on Bear Valley Nature Path and/or Cub Lake Walking Path must be on a leash at all times. Owners of dogs must keep area clean of pet droppings.
(c) All trash, debris and garbage must be placed in containers provided. [Ref: CSD Code 6-3-15:A.4.]
(d) Dumping of manure, garbage, trash or other debris upon or in the vicinity of the nature path and/or walking path is strictly prohibited. [Ref: CSD Code 6-3-15:A.4.]
(e) Courtesy and good conduct must be observed when encountering other users of Bear Valley Nature Path.
(f) Use of profane and vulgar language is prohibited.
(g) Smoking (as defined in Article 20, Section 2003) is not permitted on Bear Valley Nature Path or Cub Lake Walking Path. [Ref: BVSA Article 20 Sec 2000 (c)] *(Amended 06/10/16)*

SECTION 2402. MANAGEMENT AND ENFORCEMENT OF BEAR VALLEY NATURE PATH RULES

(a) Any person who violates these rules shall be subject to disciplinary procedures, as outlined in BVSA Rules, Article 17 and Article 3, Section 308. Members are responsible for their guests and may be disciplined for guests who violate these rules.

A

accidents, 24
amenities, alcohol and beverage use, 30
amenities, archery range, 31
amenities, beaubien field, 88, 90, 92
amenities, boating, 45
amenities, campgrounds, 33
amenities, equestrian center, 37
amenities, equestrian riding and hiking trails, 41
amenities, fishing, 43
amenities, general rules, 24
amenities, golf course, 62
amenities, guest passes, 28
amenities, member's responsibilities, 27
amenities, oak tree country club, 48
amenities, rifle and trap range, 56
amenities, rule enforcement, 29
amenities, rules enforcement, 29
amenities, special use by individual or group, 74
amenities, swimming pool, 51
amenities, tennis courts, 54
amenities, tobacco smoking, 84
amenities, use privilege cards, 24
amenities, whiting center, 60
animal control, 81
animals permitted in bvs, 82
animals, bees, 83
animals, cattle, 83
animals, farm, 83
animals, numerical limits, 83
animals, poultry, 83
animals, protective measures, 82
animals, stallions and bulls, 82
animals, wild, 82
archery range, 31
association employees, 24

B

ballfield conduct and safety rules, 88
bee-bee guns, 28
board advisory committees, 6
board meetings, 3
board meetings, action taken, 5
board meetings, agendas, 5
board meetings, annual election, 10
board meetings, annual election meeting procedures, 19
board meetings, member participation, 5
board meetings, notice of, 5, 20
board meetings, special, 20
boating, 45
bows and arrows, 28
bulletin boards, 24

C

campgrounds, 33
clubs, 74
comittees, formation, 6
committees, procedures, 7
committees, purpose, 6
committees, reports, 8
committees, resignation and discharge, 9

D

dog park, 90, 92
dog park I.D. tag, 90
dog park release of liability, 90
dog park rule enforcement, 91
dog park safety, 91
dogs, at ball field, 88
dogs, at ranges, 32
dogs, leash rules, 82
dogs, on trails, 41

E

election, adjourned for lack of quorum, 16
election, annual meeting, 10
election, inspector of, 12
election, inspector of, powers and duties, 21
election, lack of quorum procedures, 16
election, proxies, 14
election, proxy form, 22
election, register in person, 15
election, secret ballot procedures, 13
election, tabulation of ballots, 17
election, voting, 21
elections, meet the candidates night, 11
enforcement of rules, bylaws and C&Rs, 67
enforcement, ecc violations, 68
enforcement, ecc written complaint, 71
enforcement, fines, 68
enforcement, member privileges, 70
enforcement, non-ecc complaint, 72
enforcement, non-ecc violations, 70
enforcement, procedure with notice and hearing, 68
enforcement, procedures w/o notice and hearing, 67
enforcment, hearing, 73
equestrian center, 37
equestrian center etiquette, 37
equestrian center safety, 38
equestrian riding and hiking trails, 41

F

farm animals, 83
fines, 68
firearms, 28
fishing, 43
four-island lake boating, 45

G

golf course, 62
golf course driving range, 63
golf course power golf carts, 63
guest passes, 26

H

horse grazing, 81
horse pastures, 37
horse trailers, 39
horse trailers, home storage, 65
horse turn-outs, 37
horseback riding and trails, 41
horses at lakes, 44
horses, boarding, 37
horses, equestrian center rules, 37
horses, Milano Arena, 39
horses, mules and donkeys numerical limits, 83
horses, patterning of, 39
hours of operation, 24

M

Milano Arena, 39

O

oak tree country club, 48

P

paint-ball weapons, 28

patterning horses, definitions, 40

patterning, horses, 39

pool, 51

pool, children under age of fourteen, 51, 52

projectile device, 28

R

recognized club application form, 79

recognized clubs, 74

recreational vehicle parking and storage, 65

rifle and trap range, 56

rule changes, procedure, 1

rule changes, proposed, 1

rule enforcement, 67

rules, posting of changes, 2

rules, rules advisory committee, 1

S

service providers, 78

special use advertising, 77

special use fees and deposits, 76

special use indemnification and insurance, 77

special use of amenities by individual or group, 74

special use request, 75

swimming pool, 51

T

tennis courts, 54

W

whiting center, 60

whiting center, minors, 60

whiting center, weight room, 60