

Swains Creek Pines Lot Owners Association  
Guidelines, Rules & Regulations  
As adopted by the Board of Directors on July 18, 2010

It is important that owners, families, friends, guests, and renters are aware of the established rules within our community. The goal is to ensure that we may all enjoy the peace and pleasure of Swains Creek Pines.

***Please post this copy of our “Guidelines, Rules and Regulations” for your family and guests to review so they too will comply. Property owners shall be responsible for any violations by any persons staying at or using their property.***

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1. **VEHICLES:** Motor Vehicles operated within the confines of Swains Creek Pines must have a muffler or other noise-reducing device. This includes motorcycles and ATVs. ALL motor vehicles are to be operated within Swains Creek Pines at a speed of no more than 25 miles per hour or at a slower speed based upon prevailing road conditions. Pedestrians, dust hazards, wet roads, and heavy traffic conditions are a few of the reasons to reduce travel speed to less than 25 miles per hour.

**UTAH LAW requires all ATV operators under the age of 18 to wear a helmet & be under direct supervision of a person who is at least 18 years of age.**
2. **ROADS:** All roads within Swains Creek Pines are “dedicated” Kane County roads and the Sheriff’s Office will enforce all traffic and safety issues. All vehicles must be operated only on roadways. The Kane County Sheriff’s Office has determined that the unpaved roads on Cedar Mountain are open for OHV (Off Highway Vehicle) use. **No off-road riding is allowed, except on designated trails**, and there is no OHV riding on highways or paved roads. Do not drive on your neighbors’ property or any private property without permission.
3. **RUNWAY: DO NOT walk on, drive on, park on, or fish from the runway!** No motor vehicles, except aircraft, shall be operated on the landing strip or aircraft parking area, except vehicles permitted in the parking area to load, unload, and service aircraft. The runway is posted with **NO TRESPASSING—PRIVATE PROPERTY** signs and the violator and/or property owner will be assessed for damages if they trespass on the runway. Snowmobiles are permitted on the runway only for access to properties in the winter, providing the Association is not held liable for accidents or injuries, and the operators of such snowmobiles are responsible for any resulting runway damage.
4. **FISH POND: Lot owners, relatives or guests shall not remove more than five (5) fish per lot (not per person) per day.** Those people fishing in the Swains Creek pond shall have in their possession a valid SCPLOA Fish Permit, which is only issued to **lot owners** in good standing. There shall be NO cleaning of fish at the pond, in the restrooms or in the pavilion sink.
5. **QUIET TIME:** Please remember that quiet time is between the hours of 10 p.m. and 9 a.m. (Mountain Standard Time).
6. **FIRES, CHARCOAL GRILLS & FIREWORKS:** Signs are posted regarding current fire conditions and restrictions. These restrictions are regulated by the Cedar Mountain Fire Protection District and by the U.S. Forest Service and are to be adhered to by property owners and all other persons. **Only approved fire pits may be utilized and no fireworks are ever to be discharged within Swains Creek Pines.**
7. **FIREARMS:** No person shall discharge any firearm within Swains Creek Pines, including BB-guns and pellet guns.
8. **ANIMALS:** No animals, birds or fowl shall be kept or maintained on any property, except dogs, cats and pet birds. Kane County ordinances require that **ALL DOGS MUST BE LEASHED.**
9. **GARBAGE: PLEASE KEEP OUR MOUNTAIN BEAUTIFUL—DO NOT LITTER!** Garbage dumpsters are located near the horse pastures, and lot owners and guests shall dispose of any household rubbish or garbage accumulated during their stay in these dumpsters. **Items such as appliances, furniture or construction materials MUST be hauled out of Swains Creek Pines and should not be left in or near the dumpsters.** The Kane County dumpsite is located at mile marker 88 (near Glendale) on Highway 89.

10. PAVILION: The pavilion and the barbeques are available for use by lot owners and their guests. Reservations for use of the pavilion must be made with the SCPLOA Manager. There is a \$50 deposit required which will be refunded if the facility is satisfactorily cleaned up.
11. HORSE PASTURE: The horse pasture is intended for part-time recreational use by Swains Creek Pines Lot Owners only. Horse owners wishing to utilize this amenity must first contact and register with the SCPLOA Manager to verify availability, review the specific rules pertaining to its use, and obtain approval to bring horses onto the pasture. It is recommended that horse owners register with the Manager at least seven (7) days prior to their arrival date.
12. COMMON AREAS: No private property or vehicles shall be left on common areas without prior approval of the SCPLOA Board of Directors or the Manager. The only exception is for private vehicles belonging to aircraft owners which may be parked near the tie-down area.
13. LIENS AGAINST PROPERTY: All lot owners shall be required to pay an annual assessment (dues) as outlined in the By-Laws. Any assessment (including Special Assessments) which is not paid by March 1<sup>st</sup> of any year shall be considered delinquent. Assessments not paid within sixty (60) days of said date will be assessed for administrative costs equal to the amount of the dues plus a \$10 late fee; and, any payment not received within ninety (90) days of said date will be assessed an additional \$20 late fee. The Association will record a lien against the subject property if dues are not paid within ninety (90) days of the date due. Lot owners shall be responsible for the cost of any legal action required to collect subject assessment(s). No lot owner can waive or otherwise escape liability for the assessment provided for herein due to non-use of common property or abandonment of their property. **Unpaid assessments will result in the property owner being considered “not in good standing.” This designation will preclude such property owner from utilizing all common areas and facilities, as well as voting in the general election.**
14. RENTALS: Lot owners who intend to offer their property for rent (for profit or not) must first contact and register with the SCPLOA Manager to obtain a copy of the specific policy pertaining to rentals. Owners are responsible for ensuring their renters follow the Guidelines, Rules & Regulations, as well as the CC&Rs. Rental forms are available at [www.swainscreekpines.com](http://www.swainscreekpines.com) or from the SCPLOA Manager.
15. RESPONSIBILITY: Members of the Board of Directors, the Manager, and lot owners are responsible for the enforcement of these Guidelines, Rules and Regulations and for bringing them to the attention of members and/or guests. Please contact the Manager or a member of the Board of Directors for clarification or to report violations.
16. STRUCTURES: (\*See Note.) All structures, including cabins, trailers, garages, sheds, decks, stairs, shelters, etc. shall be kept in safe and good repair. Owners of properties with such structures shall be liable for repair or removal of defective structures. All structures are to be constructed according to County and State building regulations and are to be maintained accordingly. **ALL structures, add-ons and buildings must be approved** by the Architectural Committee of the Swains Creek Pines Lot Owners Association (SCPLOA). Contact the Manager or a member of the Board of Directors for instructions.

All new cabins or homes shall have a floor area of at least 400 square feet. Decks and walkways shall not be considered to be a part of the minimum floor requirement. Left over materials and scrap must be hauled out of the area, and contractors and owners will be responsible for site cleanups. There will be NO dumping of construction materials or clean up debris into the dumpsters, onto Forest Service Lands, or onto private property. Violators are subject to a \$1000 fine.
17. AMENDMENTS: (\*See Note.) These guidelines may be changed, amended or repealed by action of the Board of Directors of the Swains Creek Pines Lot Owners Association meeting in a business session.

***Please observe and comply with these Guidelines, Rules and Regulations and require your guests to do likewise. These are in place for the betterment of our community and to allow everyone to enjoy their Swains Creek Pines experiences.***

\* Note: Section included in SCPLOA Covenants, Conditions and Restrictions (CC&Rs)