

**LAKE OF THE PINES ASSOCIATION
RULES & REGULATIONS**



Petition and Assembly

A. Recitals

1. The Lake of the Pines Association (the "Association") is the entity formed to manage and govern the community of Lake of the Pines, a common interest development, in accordance with the *Restated Declaration of Covenants, Conditions and Restrictions*, recorded on July 7, 2006, as Document Number 20160014460, in the Official Records of the County of Nevada, State of California as may be amended from time to time (the "Declaration" or "CC&Rs").
2. Article III, Section 4 of the Declaration authorizes the Board of Directors for the Association to adopt association rules.
3. The terms defined in the Declaration have the same meaning when used herein unless the context clearly indicates a contrary intention. The Board of Directors adopted these petition and assembly rules (the "Rules") in accordance with the relevant provisions of the Declaration, Bylaws, and the California Civil Code.
4. California Civil Code Section 4515 states that community associations cannot prohibit their members from exercising “their rights under law to peacefully assemble and freely communicate with one another and with others with respect to common interest Association living or for social, political, or educational purposes”.
5. It is well-established precedent under federal and state law that reasonable time, place and manner restrictions may be placed upon the exercise of free speech and assembly rights under the First and Fourteenth Amendments of the United States Constitution and the First Amendment of the California Constitution so long as such restrictions are neutral in content and serve a significant interest. *Cox v. New Hampshire* (1941) 341 U.S. 569.
6. The purpose of these Petitioning and Assembly Rules (“Rules”) is to provide for the orderly and peaceful exercise of the rights granted Members in good standing under Civil Code Section 4515 while simultaneously balancing such rights against the Association’s need to properly manage the Common Areas for the benefit of all Members. The Common Area of the Association consists of all property owned by the Association, including but not limited to land and buildings.

7. The Association's Board of Directors has determined that the certain Common Area facilities may be utilized for petition and assembly purposes, subject to the restrictions set forth herein.

B. Rules

1. Place and Time of Meetings and Assemblies

- a. Members may use the Common Area for purposes of assembling or meeting for purposes relating to common interest Association living, association elections, legislation, election to public office, or the initiative, referendum, or recall processes.
- b. Members may invite public officials, candidates for public office, or representatives of homeowner organizations to meet with Members and their invitees or guests and speak on matters of public interest.
- c. Meetings and assemblies for purposes of subsections (a) and (b) above may only occur within the Yacht Lounge or Sports Lounge Meeting Room (the "Meeting Areas") located within the Association. Other than the Meeting Areas, the use of any other Common Area (including but not limited to Common Area parks and golf course) for the purposes of subsections (a) and (b) above is prohibited.
 - i. Maximum Capacity. In order to preserve the health and safety of the community, the number of people allowed to use the Meeting Areas for meetings and assemblies shall be subject to any maximum capacity requirements set forth by the applicable city or county jurisdiction. The use of the Meeting Areas for meetings and assemblies shall not interfere with the ingress and egress of Members and their guests and invitees in the Association.
 - ii. Obligation to Notify Association. Groups who wish to use the Meeting Areas for the purposes set forth in Sections 1(a) and (b), above, shall first notify the Association in writing at least ten (10) days in advance of the proposed date and time of the meeting or assembly. The Association shall then either (a) approve the proposed date and time; or (b) provide an alternate date and time, in the event the Meeting Areas requested by the group is unavailable at the originally proposed date and time.
 - iii. Times and Date Limitations. Use of the Meeting Areas (Yacht Lounge or Sports Lounge Meeting Room) for the purposes set forth in Sections 1(a) and (b), above, shall be limited to the first Friday of every month between the hours of 5:00 pm to 7:30 pm, and the last Wednesday of every month between the hours of 3:00 pm to 5:30 pm, and subject to the Association's approval of the requested time and date.

- iv. No Fees. Members shall not be charged a fee for the use of the Meeting Areas for the purposes set forth in Civil Code Section 4515 and Section 1(a) and 1(b) of these Rules.
- d. Meetings and assemblies are not permitted in other areas in the Association, and are limited to Common Area Meeting Areas in a manner that: (a) will not interfere with the intended use of other parts of the Common Area by impeding pedestrian or vehicular traffic; (b) will avoid the creation of unreasonable noise that may disrupt Members and their guests or invitees; and (c) will ensure the activities themselves are not disturbed by other activities that may be occurring in the Association's Common Area.
- e. Members are limited to no more than two (2) consecutive days for meetings and assemblies, and the Association reserves the right to limit a particular Member five (5) days per year for meetings and assemblies if needed to accommodate other Members wishing to engage in similar activities. The purpose of these limitations is to avoid a single Member monopolizing the meeting and assembly areas.

2. Manner of Meetings and Assemblies

- a. Meetings and assemblies may not be for any unlawful purpose.
- b. Signs must be removed immediately following the meeting or assembly. Signs shall not contain obscene, pornographic, patently vulgar, gruesome or grisly material or displays, or highly inflammatory slogans likely to provoke a disturbance.
- c. Only Members and their guests or invitees, as well as invited public officials, candidates for public office, or representatives of homeowner organizations are permitted at assemblies and meetings, but they are not open to the public at large. Members are responsible for the activities and behavior of their guests and invitees.
- d. The meeting or assembly host must be a Member of the Association and must be present during the entire event.
- e. The meeting or assembly host shall be responsible for the conduct of all guest and attendees of the event.
- f. The Association's Common Area are not places of public accommodation and may not be fully accessible for use by persons with disabilities. No restrooms will be provided.
- g. Unless otherwise stated in these Rules, the use of the Meeting Areas is subject to the Association's governing documents.
- h. All decorations shall be free-standing. Nothing is to be nailed, screwed, taped, tacked, or glued to any interior or exterior floor, wall, or ceiling. Candles, oil lanterns and/or devices with an open flame are not permitted. Glitter, confetti, and/or sand are prohibited. Machines producing an emission (glitter, confetti, fog, etc.) are prohibited.

- i. The Association is not responsible for any damage, loss, or theft of personal property in the Common Area before, during, or after the use of Common Area for a meeting or assembly.
- j. The meeting or assembly group is prohibited from using all other Association amenities.
- k. Food and beverage, when desired, may be contracted through the Association's F&B Department. No outside food or beverage is permitted.
- l. The serving or consumption of alcohol in the Meeting Areas is prohibited.
- m. The distribution of flyers for the purposes of subsections (a) and (b) above is prohibited in all Common Area, with the exception of the Meeting Areas.

Approved: May 16, 2018 – R-18-040 – Effective June 15, 2018