

# **POINTE ROYALE POA POLICIES, RULES, AND REGULATIONS**

## **(INCLUDES BOARD OF DIRECTORS ACTIONS THROUGH FEBRUARY 23, 2024)**

(ALL OWNERS, RESIDENTS AND GUESTS INCLUDING NIGHTLY RENTALS AND LONG TERM LEASES)

1. No obnoxious, offensive or illegal activity shall be permitted and no such activity will be allowed which becomes a public or private nuisance. This shall include, but is not limited to, any abusive or harassing behavior, either written, verbal or physical, or any form of intimidation or aggression directed at other members, residents, guests, occupants, invitees, or directed at management, its agents, its employees, or vendors.
2. No structure or vehicle of a temporary nature (trailer, tent, mobile home, modular home, manufactured home, recreational vehicle, camper, garage or outbuilding) shall be used on any lot, driveway, parking area, or other common area as a residence, or living abode of any type, either temporarily or permanently.
3. The entrance, operation, and parking of vehicles in Pointe Royals subdivision will be subject to the following. If the following criteria is not met entry will be refused.
  - A. All vehicles entering Pointe Royale Golf Village must display a current license plate(s)
  - B. Owner/Guest Entry Policy at the Gate.
    - 1) If a guest is visiting a residence, including nightly rental guests, from 7AM to 8PM the following must be provided to the gatehouse attendant for entry: A valid document from an owner or authorized rental agency showing the check-in and check-out dates or the name and address of the residence being visited.
    - 2) If a guest is visiting a residence, including nightly rental guests, from 8PM to 7AM the following must be provided to the gatehouse attendant for entry: A valid document from an owner or authorized rental agency showing the check-in and check-out dates or the owner or resident must call the gatehouse and provide the gate attendant with the guests name and length of stay.
    - 3) If a guest is visiting a residence, including nightly rental guests, from 11 PM to 5AM the following must be provided to the gatehouse attendant for entry: In addition to all criteria listed above in #2, a picture ID validating the identity of the guest that has been authorized by an owner or authorized rental agency. (Approved by the POA Board on June 28, 2014.)
    - 4) If none of these criteria can be met, the gatehouse attendant will instruct the guest to call the owner/resident and request the owner/resident contact the gatehouse at 417-334- 5778. If owner cannot be contacted attendant will refuse entry.

(5) If owners or guests are towing a trailer, boat with trailer, motor home or RV it must be tagged upon entry at the gatehouse by the attendant. Police, Fire Department, Ambulances, Utility companies or any other emergency vehicles will be given immediate access to the subdivision.

C. Vehicles may not be parked in such a manner to impede or prevent ready access to any part of the subdivision, such as streets, golf paths, and maintenance areas, parking areas, driveways or garages. Vehicles will be subject to towing at owners' expense.

D. Boats, RVs, motorhomes, campers, trailers, golf carts, tractors, inoperative vehicles, construction and/or commercial equipment may be stored in driveways, under decks or on patios for a period not to exceed 3 days in any one monthly period. Except that golf carts and lawn mowers may be stored on a patio or deck or under a deck indefinitely if all sides of the patio/deck, that are not already a solid wall, are completely enclosed with latticework that is appropriately stained or painted to be harmonious with the residential unit and such latticework shall have openings no larger than one and one-half inches between slats. Any change to a patio/deck to allow the parking of a golf cart or lawn mower pursuant to this regulation must first be approved by the Architectural Control Committee.

E. All vehicles must be properly parked in the driveway and not in the yard.

F. No parking is allowed on Pointe Royale Drive between the Gate House and the first driveway beyond golf course maintenance. *(Approved by POA Board on 6.26.2020)*

4. All household pets must be on a leash when not on the Owner's property. Owners and their visitors are required to pick-up after their pet if not on owner's property. Walkways, streets, common area, vacant lot, limited common area and the golf course are not owner's property. Any household pet that becomes a nuisance or obnoxious to other residents of Pointe Royale may be required to be removed from the subdivision.

5. Any assessment that remains unpaid will be charged a \$25 late fee each month and for each account (annual, golf or special) until the assessment is paid in full.

6. No yard, vacant lot, common area, or limited common area shall be used as a dumping ground for trash or yard waste. Yard waste can be disposed of at the golf maintenance area in the appropriate bins and burning areas, but must be first removed from trash bag.

7. No garage sales, yard sales, patio sales, porch sales, etc., will be permitted within Pointe Royale. The POA board can approve special Pointe Royale Garages Sales. Auctions of personal or real property may occur if the auction is held entirely within the premises and no items are in the yard, driveway, deck, etc.

8. All signs are prohibited in the subdivision except as follows:
- A. Signs for identification of streets, traffic control and/or directional purposes
  - B. Signs advertising a property for sale or lease
  - C. Signs advertising construction or repairs of a property during the period of time the project is on-going
  - D. Signs advertising an auction of personal or real property which may only be placed on the premises the day of the sale.
  - E. Election signs (3 are allowed) are permitted from 30 days prior to the election until immediately after the election is over.
  - f. Commercial security system signs are allowed under the following conditions: they shall be placed no more than two feet from a residence's front porch (or the edge of vegetation adjacent to the same) and no more than two feet from the front sidewalk. Commercial security system signs shall be no more than 18 inches in breadth and 8 inches in height. Commercial security system signs are only permitted during the life of a valid security system contract. No non-commercial security system signs shall be permitted.

In all cases described above, except election signs, no more than two (2) signs may be placed on the property. The sign or signs must not exceed 2 sq ft or (18" x 16").

Outdoor home décor items such as welcome signs are considered decorations that are governed by the ACC and are not subject to this rule. (Approved by board 2/23/2024)

9. No personal article(s) shall be left in the common areas such as swings, sand boxes, play toys etc., unless approved by the POA board and then becomes permanent to the common area. The POA assumes no liability for any loss or damage to articles left in any common areas or on any part of the property owned by the POA.
10. Owners and their guests shall exercise care to avoid making loud, disturbing or objectionable noises anywhere on common property so as not to disturb others and will obey all posted hours for pool, hot tub, tennis courts, clubhouse and other amenities.
11. Garbage and trash shall be disposed of only in the individual's private or supplied trash container or dumpster. All single-family or patio homeowners must keep their container in an enclosed area and the container shall not be visible from the street, except after 3pm the day before garbage pickup and 24 hours after garbage pickup day. Reinforced trash bags will be allowed if the owner, due to special circumstances, cannot

promptly return the container to its enclosed area, after pickup. When a property owner or the owner's tenant violates the trash container regulation by placing or leaving trash on the curb outside the above designated time period, the property owner shall be fined \$50, but such fine will not be levied more than once per week for each violation. (Approved by the POA Board on August 22, 2014)

One warning will be given to each property (not resident or occupant) prior to being fined \$50 for violating the trash container regulation. The warning process will start over January 1 of each year. (Approved by the POA Board on April 1, 2016)

12. Open burning within the subdivision is strictly prohibited.
13. The discharging of firearms at any time within the subdivision is strictly prohibited. The discharging of fireworks within the subdivision is likewise prohibited except for certain functions that may be approved in advance by the POA Board of Directors.
14. Neither the POA, COA nor Golf Association shall be responsible for any property damage caused by golfers while playing or preparing to play golf.
15. Any damage(s) to the general common elements, common personal property or real property and/or improvements thereto owned by the Association, shall be repaired at the expense of the person or persons determined to have caused said damage(s)
16. No clotheslines or other such apparatus used for drying items of any kind will be allowed on any properties within the subdivision.
17. Exterior, holiday yard and home decorations, will be allowed up to 30 days prior and 14 days after said holiday, all others with ACC approval with the exception of Christmas decorations which will coincide with the City of Branson policy of November 1<sup>st</sup>.
18. Trash, yard waste, litter, toys, etc., may not be piled and or stored on an Owner's property. Compost piles are prohibited. Grass or leaves may not be blown into the street(s). The trash service will not pickup containers or bags with yard waste. Tree limbs and yard waste may be emptied (no plastic trash bags) into the golf maintenance roll-off bin, burn area or chipper area, during normal business hours.
19. Solicitation(s) of any kind from door to door or on common property, streets, and facilities of the subdivision is prohibited. The General Manager is authorized to publish a periodic Items of Interest, via email, to owners covering Pointe Royale events, policies, general business matters, etc., usually on a weekly basis. The General Manager is also authorized to provide to owners a periodic, informal Pointe Royale Owner Notification that identifies such things as group meetings or activities that are non-political, not-for-profit or charitable activities and general information items addressing such matters as memorial services for an owner, lost pets, etc. Neither of these publications are considered to be solicitations of any type.

20. No owner or visitors are allowed to walk on the golf course or use the golf cart path unless they are playing golf. No owner or visitor will allow his or her pet(s) on the golf course at any time.
21. Golf carts are not allowed on sidewalks and when being driven on any street within the Pointe Royale Subdivision, golf carts will drive on the right curb lane with the flow of traffic. Only a person sixteen (16) years of age or older, who possesses a valid driver's license to operate a motor vehicle on a public roadway, shall drive a golf cart in the Pointe Royale Subdivision.
22. The POA will pump out grinder pump tanks on an emergency basis after every reasonable attempt has been made to contact the owner. The charge for pumping the tanks will be based on the cost of the contractor plus a \$100 administration fee for each occurrence. (Approved by the POA Board on June 28, 2019)
23. Mowing of yards, vacant lots and edging along curbs and sidewalks. When vegetation (lawn grasses or weeds) overgrows a property owner's curb, or the sidewalk on the property owner's side of the sidewalk by three inches or more, or if the vegetation reaches the height of seven (7) inches in a yard or vacant lot, the owner will be notified by telephone or email and given three (3) days to correct the problem. Failure to do so will cause the POA to mow the property at a cost to the owner. The cost will be based on the cost of the contractor plus a \$100 administration fee. If the work is done by POA Maintenance staff, the cost will be based on \$75/per man hour plus a \$100 administrative fee. Further, a property owner will be given no more than one call and/or email per twelve-month period. After one notification, cutting and a fine will occur immediately when an infraction occurs. (Approved by the POA Board on June 28, 2019)
24. Delinquent accounts. An attorney will be used for the collection of past due member accounts. When any part of a POA member's account(s) becomes past due for 60 days or more, a lien will be filed on the property and the account shall be turned over to the POA's attorney for full legal action.
25. No skateboarding will be permitted within the Pointe Royale subdivision.
26. A fee of \$50 will be charged for any returned check or returned ACH (Auto Draft). (Approved by the POA Board on June 28, 2019)
27. The POA Clubhouse is a totally smoke-free facility. Firearms and pets are prohibited in the clubhouse, patio and deck areas, and tennis courts. Working dogs used by persons with disabilities will be allowed when the dog is under the control and restraint of its handler.

28. Alcohol on Golf Course. Any owner found taking alcoholic beverages or alcoholic drinks on the golf course, in violation of the restaurant's liquor license, shall be immediately removed from the golf course with no return of any fees paid, fined \$50 and suspended from the golf course for thirty (30) days. Upon a second violation, owners shall be fined \$150 and suspended from the golf course for ninety (90) days. Any non-owner in violation of the restaurant's liquor license shall be removed and banned from the golf course for a duration as shall be determined by the Golf Committee.
29. Long-Term Leasing Policy. A long term lease is defined as a leasing period of not less than six (6) months. All single family, patio homes and condominium unit owners or their agents may long term lease or rent their property for a period of not less than six (6) months. The following information must be provided to the business office and is the responsibility of the property owner when long-term leasing.
- A. A copy of a written lease agreement must be provided to the Associations business office within ten (10) days from the execution of the written lease or rental agreement. At minimum the lease or rental agreement must state the name(s) of the lessee(s), contact information for the lessee(s), a minimum leasing period of not less than 6 months and the property address. The owner must notify the business office of any changes to a lease agreement.
  - B. During the period of the written long-term agreement the owner may assign some or all of their amenity rights to the lessee. When a property owner assigns an amenity right to a lessee their rights are forfeited. To assign amenity rights to a lessee(s) an amenity assignment form must be executed by the owner and provide to the business office. Amenity assignments are available in the business office. The owner must notify the business office of any changes to an amenity assignment.
  - C. All Association(s) Rules & Regulation must be provided to the tenant at the time of executing the written lease or rental agreement. The owner is responsible for the lessee(s) compliance of Pointe Royale's Rules & Regulation and is responsible for any violation(s) that occur.
  - D. The Property owner must be current on all POA, COA and Golf assessments and any other Association charges.
  - E. If items A & B are not provided to the business office within 10 days of engaging in a long-term rental the following violation and fine process will take place. First Notice – Warning, Second Notice - \$1,000 fine, Third Notice - \$3,000 fine. Continued violations will be referred to the Board of Directors. (Approved by the POA Board on June 28, 2019)

30. No Food, coolers or glass containers are permitted inside fenced pool areas. No alcohol obtained from an outside source is permitted on any POA property. Food and non-alcoholic drink from out an outside source are permitted in designated areas only.
31. Any member may obtain a membership list with current mailing address by paying a \$10 fee with the understanding that the list may not be sold or used for advertising.
32. Upon demand each owner will be provided one free copy of the POA Declarations and By-Laws. If the owner needs an additional copy one can be purchased for \$25 each. A copy may also be obtained from [www.pointeroyalegolfvillage.com](http://www.pointeroyalegolfvillage.com). (Approved by the POA Board on June 28, 2019)
33. Nightly Rental and Short-Term Leasing Policy. A nightly rental and short-term lease is defined as a leasing period of less than six (6) months. Only condominium unit owners or their agents may rent by the night or short-term lease their property for a period of less than six (6) months. Single family homes and patio homes are not eligible for nightly rental or short-term lease. Any single family and patio home violation of this policy will result in the following fine process. First Notice – Warning, Second Notice \$1,000 Fine, Third Notice \$3,000 fine. Continued violations will be referred to the Board of Directors. The following information must be provided to the business office and is the responsibility of the property owner when renting by the night or short-term leasing.
  - A. Owners or their agent must provide a current copy of their City of Branson business license to the Associations business office.
  - B. Owners or their agent must report by building and unit number(s), all units being managed under the business license.
  - C. All nightly rental and short-term lessees must check in at the Gate House and provide documentation per the Associations Guest Entry Policy.
  - D. All nightly rental and short-term lessees must abide by Pointe Royale’s Rules & Regulations. The owner is responsible for the lessee(s) compliance of Pointe Royale’s Rules & Regulation and is responsible for any violation(s) that occur.
  - E. The Property owner must be current on all POA, COA and Golf assessments and any other Association charges.
  - F. If items A & B are not provided to the business office prior to a unit owner engaging in a nightly rental or short-term business the following violation and fine process will take place. First Notice – Warning, Second Notice – \$1,000 fine, Third Notice - \$3,000 fine. Continued violations will be referred to the Board of Directors. (Approved by the POA Board on June 28, 2019)
34. Policies for Pointe Royale Access Cards and Remote Gate Openers.
  - A. Access cards issued to Pointe Royale property owners, are for the exclusive use of a

property owner or authorized members of a property owner's family, and guest(s) and may be used only by a property owner or authorized members of a property owner's family, guest(s), and overnight or long-term renters who are renting from a property owner in good standing.

- B. A property owner who is not in good-standing will have all of his or her access cards turned off. This is property owner specific, not property specific. That is, a property owner who owns multiple properties at Pointe Royale and who is not in good standing on any or all properties he or she owns will have all of his or her access cards turned off until such time as he or she is in good standing in all accounts.
  - C. A property owner in good standing may not permit a property owner who is not in good standing to use his or her access card, or to use other property owner's access cards over which he or she may exercise control.
  - D. A property owner is in good standing when he or she has satisfied all of his or her financial obligations, including dues, late fees, assessments, special assessments, fines, court judgments, attorney fees, and the like.
  - E. A property owner who is not in good standing will be prohibited from accessing or using Pointe Royale amenities, including but not limited to the pools, tennis courts, fitness center. Owners may use the clubhouse facilities at the public rates.
  - F. A property owner who is not in good standing may utilize the golf course and will pay the public rate and may not use a personal golf cart or play while walking the course.
35. Penalty For Improper Use Of Access Cards & Remote Gate Openers
- A. A property owner in good standing who permits a property owner who is not in good standing or any unauthorized person or persons use his or her access card will receive a warning for the initial offense.
  - B. A property owner in good standing who permits a property owner who is not in good standing or any unauthorized person or persons to use his or her access card, and who has been previously warned for improper usage of access cards and/or clickers within the previous twelve (12) months, will have all his or her access cards turned off for a period of ninety (90) days for the second offense and



fined \$100.00. The owners status will be considered to be not in good standing until such time as the ninety (90) days expires and the fine is paid.

- C. A property owner in good standing who permits a property owner who is not in good standing or any unauthorized person or person to use his or her access card and who has been cited twice or more within the previous two (2) years, will have all of his or her access cards turned off for a period of one hundred eighty (180) days and fined \$200.00. The owners status will be considered to be not in good standing until such time as the one hundred eighty (180) days expires and the fine is paid.
- D. Property owners not in good standing will be assessed a \$100.00 fine each time they use the access card of another property owner.
- E. Property owners not in good standing will be assessed a \$100.00 fine each time they use Pointe Royale amenities for which an access card is required so long as they are not in good standing.

36. Smoking is prohibited inside the clubhouse, pool house and cart barn and 6 feet from any outside entrance, operable window and ventilation system. Smoking is also prohibited within the fenced area of the clubhouse pools, 90's pool and tennis courts. Other common areas may be deemed nonsmoking. In this event all nonsmoking areas will be marked with a "No Smoking" sign or the international "No Smoking" symbol. (Approved by the POA Board on July 10, 2015.)

37. The private/personal use of drones is prohibited within the Pointe Royale subdivision. Exceptions will be permitted through the ACC on a case-by-case basis through an application and approval process. Pointe Royale will consider the privacy of homeowners in the use of drones and liability for personal injury to guests and other homeowners and property damage. The application will include a detailed explanation of the proposed use, a waiver of liability and authorization for the local airport authority.

Commercial drone use within Pointe Royale is permitted. The definition of commercial use is limited to consumer deliveries such as Amazon, UPS, FedEx, USPS, etc... and governmental agencies for property identification, maps etc...

Any federal, state or local regulations that may be enacted supersede this policy. (Approved by the POA Board on August 28, 2015.)

38. Property owners and/or members are now allowed to use video recording devices to record or live stream Golf or POA Board Meetings. The POA Board will set up its own camera for recording purposes that shows the Board and staff, only. This recording will be posted to the owner's portal as soon as possible. Owners and/or members that refuse to follow this policy may be removed from the meeting and until further notice at the board's discretion.
39. Any maintenance, upgrades, improvements, or occupancy of Pointe Royale property must be approved by the General Manager and paid for by the association if it is deemed to be the responsibility of the association. No maintenance, upgrades, improvements, or occupancy of Pointe Royale property, regardless of timeframe or extent, or any notice or lack of notice provided from Pointe Royale to the Owner of Pointe Royale ownership, will create or justify, a claim of Adverse Possession or squatter's rights or any such request to transfer Pointe Royale property to an Owner.
40. Architectural Control Committee (ACC). Except as to the original construction by the Developer, no building fence, wall or other structure shall be commenced, erected or maintained upon the subdivision, nor shall any exterior addition, change or alteration be made thereto, until and unless the plans and specification topography and compliance with the Declaration of Protective Covenants by the ACC of the Association. The ACC shall be composed of three (3) or more representatives appointed by the Board of Directors of the Association. In the event the ACC fails to approve or disapprove a requested action within twenty-one (21) days after the request has been property submitted to the ACC, the request is considered to have been approved. All actions of the ACC shall be subject to review by the Board of Directors of the Association and appeals may be taken to the Board of Directors for final resolution. Additional details regarding the showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design, location in relation to surrounding structures and roles and functions of the ACC may be found in Article XI and Exhibit 1. of the Declarations of Restrictive Covenants.

### **ACC Application Process**

An ACC application must be submitted for the following, but not limited to, projects: new construction on any lot or major alteration to any existing structure, including roofing materials, any change or addition to an owners home or lot such as playground equipment, TV satellite dishes, gazebo, roof mounted solar energy systems, fuel tanks, etc

All requests to the ACC must be submitted on the form prescribed by the ACC. The form is available in the Business Office or on the Association's web site at [www.pointeroyalegolfvillage.com](http://www.pointeroyalegolfvillage.com). The application must be signed by an owner, not the owner's contractor.

ACC applications are valid for six (6) months from the date of approval unless a written extension is approved prior to expiration. If the project has not been completed and an extension has not been obtained prior to expiration, work must cease or a fine of \$100 per day will be levied until an extension has been approved. Also, the contractor(s) working on the project may be denied access to the job site until an extension has been approved. For other than new home construction, if said project is not completed in 180 days, a 30 day extension may be granted by the ACC upon new application from owner.

### **ACC Approved Policy**

The following are approved specifications and guidelines for common ACC requests. An ACC request must still be submitted and approved prior to beginning any exterior modification.

**A. Deck & Patio Railings:** Railings may be constructed around a ground level deck or patio as long as the following rules are followed: Railing may be no taller than 36 inches; Railing must be attached to deck or patio by nails, screws or anchored in concrete. Railing must have vertical or horizontal balusters, not more than four (4) inches and not less than 3" apart, so not to block view of golf course, neighboring home, or street. (Approved by the POA Board on March 23, 2018).

**B. Solar Panel Policy:** Pointe Royale Property Owners' Association and its Architectural Control Committee (collectively the "Association") recognizes the desire of some of its members to incorporate energy-efficient elements onto their homes to reduce energy costs and to protect the environment.

The Association also recognizes it has a duty to enforce the restrictive covenants within the development and to ensure that all improvements within the subdivision are both aesthetically appealing, compliant with City of Branson and State of Missouri Building Codes, as well as the restrictive covenants of Pointe Royale.

With these goals in mind, it is the Association's objective to create policy which balances these goals by allowing its members to install solar panels on their private property without unnecessarily involving itself into the affairs of its members. As such, the following solar panel policy is hereby adopted by the Association:

The installation of Solar Panels on private property shall be permitted by the Architectural Control Committee (the "ACC") under the following conditions and in the following circumstances:

1. All solar panels must meet the requirements specified in **Exhibit A**, attached hereto;
2. All solar panels must be installed on rooftops and may not be installed on any other portion of the housing structure or in any portion of the lawn or landscaped area;
3. Solar panels shall only be installed on single-family dwellings or patio homes. The installation of Solar panels is not permitted on any condominium unit.
4. If a solar panel is installed on patio home, it is recommended, but not required, that the unit owner who is installing the solar panel(s) obtain a written agreement with the second unit owner of the patio home regarding the responsibility of installation, maintenance, and removal of the party roof and solar panel(s) for the life/lives of the roof and Solar Installation. In the event an agreement is obtained, a copy of the agreement must be given to the ACC.
5. In the event Solar Panels are mounted on any Pointe Royale owned building, all applicable State of Missouri and Branson City Codes shall apply.

The Association and the ACC hereby reserve the right to amend this policy as may be necessary in its sole and absolute discretion.

**Exhibit A:**

**Roof Mounted Solar Energy Systems on Single Family Dwellings**

**ALL WORK MUST BE DONE BY THE DESIGN PROFESSIONALS APPROVED DRAWINGS AND MEET ALL 2015 I.C.C. CODES AND THE 2014 NATIONAL ELECTRIC CODES.**

**Location:**

a. To the maximum extent possible, a roof-mounted solar device shall be installed so as to minimize its exposure when viewed from the front of the residence, unless to do so will have the effect of substantially interfering with the use of the device or significantly increasing the cost of the device.

b. The preferred location of the device shall be on the back roof of the residence and below the peak of the roof. Should this location not provide adequate solar exposure, the ACC will consider other options. **NOTE:** Unless granted a variance by the ACC, all solar panels will be installed on one side of the roof, and only on one continuous running section.

- c. In no case will a pole-mounted device be considered.
- d. In no case will solar panels be allowed on non-attached structures (sheds, garages, etc.)
- e. In no case will vertical panels, panels that do not match the pitch of the roofline, or panels on vertical walls be allowed.
- f. Installation of solar devices on a covered patio or porch that was not built under the home's original roof line will be handled on a case by case basis based on meeting Branson City Code for load bearing and wind loading requirements.

**Installation:**

- a. All installations must comply with all applicable Branson and Taney County building codes and other governmental regulations.
- b. Standoffs used for the sole purpose of changing mounting angle of the panels will not be permitted. Solar tracking systems used to position the panels to follow the sun will not be permitted.
- c. All solar devices shall be low profile; non-rack mounted panels, consistently following the roofline.
- d. As per Branson City Code, all solar panels will be installed a minimum of 36" off-set from all roof edges and peak.
- e. All solar devices must be secured so that they do not jeopardize the safety of residents or cause damage to adjacent properties. Pointe Royale is within an area of high wind speeds and engineering measurement will be required to conform to the Branson City Code for wind load and weight load requirements.
- f. Any solar device must be installed by a certified, bonded and insured installer. Copies of all contractor insurance, bond and certifications will be submitted to the ACC PRIOR to any work beginning on solar project.

**Solar Device Materials:**

- a. In keeping with community aesthetics, the color of the device and exposed pipes, panels, and other apparatus must be approved by the ACC.

b. The device framing systems will be dark in color, i.e. bronze or flat black. No white or aluminum frames will be approved.

c. The device panels will be the prevailing industry standard of blue or black, or must match the coloring of homeowner's roof.

d. If the roof mounted solar panels are removed, the corresponding hardware shall be removed, and the impacted shingles will be replaced. Roof "patches" will not be allowed.

e. Wiring must be installed through the roof and routed inside the house or routed to the soffit nearest the home's electrical meter panel. Connections to the inverter from the soffit will be encased in PVC. Exposed conduit (PVC) will be painted to match the adjacent roof and siding color. In no case will wiring be exposed. Inverters and disconnects will be installed as close to the electrical meter panel as possible.

**Maintenance of Solar Equipment:**

a. Homeowner of record will be responsible for all maintenance and repair of solar equipment for as long equipment exists on said property.

**Solar System Review Documents:**

To obtain the ACC's acceptance of a solar device, the following information will be submitted:

a. Location that the device is to be installed on the property/structure, showing all sides where the device is to be installed;

b. Type of device to be installed;

c. Dimensions of the proposed device;

d. Color of the proposed device – framing and panels;

e. Pictorial/brochure of the device;

f. Verification of the wiring method (through the roof or external conduit), that

there will be no exposed wires, and any conduit will be painted to match adjacent building surfaces.

g. Appropriate Branson or Taney County building permit, along with copies of all contractor insurance, bond and certifications will be submitted to the ACC **PRIOR** to any work commencing on solar project.

h. If a solar panel is installed on patio home, it is recommended, but not required, that the unit owner who is installing the solar panel(s) obtain a written agreement with the second unit owner of the patio home regarding the responsibility of installation, maintenance, and removal of the party roof and solar panel(s) for the life/lives of the roof and Solar Installation. In the event an agreement is obtained, a copy of the agreement must be given to the ACC.

i. Should the proposed solar system not meet the guidelines as discussed above, a written statement by a solar energy expert will be required, stating the restrictions imposed by the ACC will have the effect of:

1. Substantially interfering with the collection of solar energy,
2. Significantly increase the cost of the device. In that case, the ACC may, as an exception, permit variances to the requirements to the minimum amount as is reasonably required, to allow the device to function properly and to minimize any increase in the cost of the device to the Owner.

## **Patio Homes**

### **Roof Mounted Solar Energy Systems on Patio Homes**

In addition to following all ACC requirements for single family homes, the following will apply to owners of patio homes in Pointe Royale:

a. If a solar panel is installed on a patio home, it is recommended, but not required, that the unit owner who is installing the solar panel(s) obtain a written agreement with the second unit owner of the adjoining patio home regarding the responsibility of installation, maintenance, and removal of the party roof and solar panel(s) for the life/lives of the roof and solar installation. In the event an agreement is obtained, a copy of the agreement must be given to the ACC. (Approved by the POA Board on March 23, 2018).

- C. Exterior Trash Enclosure Policy:** The ACC has worked with the Board to allow owners of Pointe Royale single family and patio homes to be able to store trash outside their homes, if desired, as long as they adhere to the following rules and recommendations.

The idea is to get the trash outside to help alleviate the smells in the home that often are a problem in the heat of the summer. By standardizing the size and aesthetic nature of the enclosures, it is hoped the ACC can work with homeowners to solve this long standing problem.

**The Enclosure:**

- The outdoor enclosure must be built on the **side or rear** of the home.
- The enclosure may either be attached to the home or constructed a maximum of 12" from the wall of the home, and must have four (4) sides counting the wall of the home, if used. Naturally, a gate will also be required. Outbuildings will not be allowed.
- The size of the enclosure will be a maximum of 4' L x 4' W x 4' H. The ACC will attempt to work with owners if the standard size won't work, but our goal is to store trash and nothing more.
- A floor of some sort is required, such as pavers, brick, concrete pad, or gravel.
- The enclosure may be constructed of material that matches the home's siding, or the owner may also use an ACC approved material such as: stockade fencing, vinyl fencing, privacy lattice, or any other material that will complement the home's aesthetics as judged by the ACC. The idea is to hide the trash container from normal view from the street or neighboring homes.
- An ACC permit is required prior to building the enclosure. (Approved by the POA Board on April 27, 2018).

- D. Stump Removal Policy:** Any tree(s) and/or shrubs(s) removed by a property owner must also have the stump ground out and removed. Any stumps already existing prior to the approval of this policy will have a six (6) month grace period to complete the removal. Any trees or shrubs removed after the approval of this policy will require stump removal within one (1) month. (Approved by the POA Board on August 24, 2018). If the stump is not ground out and properly removed within the required time period an owner will be given 1 warning letter to remove the stump(s) within 30 days. If the stump is not removed by the expiration date of the 30 day warning letter a monthly fine of \$150 per stump will be assessed. (Approved by the POA Board on February 22, 2019).

- E. Addition to POA Rules and Regulations under ACC Approved Policy**



### Single Family/Patio Home Flag Policy

1. All flags shall be displayed in a respectful manner on a flag pole made of wood, metal, fiberglass, or other durable material in either a permanent in-ground installation or mounted by a bracket on the home or to a deck railing.
2. In-ground flag pole installations require an ACC Application approval and shall be set back a minimum of 10' from the property line, either in front or in back of the home. An in-ground flag pole shall be metal. Flag sizes allowed are standard 3' x 5' for on-house bracket installation or 4' x 6' for an in-ground pole installation. A maximum of two (2) flags shall be displayed on an in-ground flag pole installation.
3. Flags shall be kept in good repair and replaced when the flag(s) become tattered. Inappropriate or obscene language on any flag is not allowed.
4. An American flag shall be lighted at night if displayed on a 24-hour basis; otherwise, it shall be properly folded or stored and brought inside nightly.

### General Policy Regulation

These Policies, Rules, Regulations along with the Covenants and By-Laws are the responsibility of the Owner(s) of the property to understand, acknowledge and abide by. It is the Owner(s) of the property, whether a full time or part time resident, whether the property is leased or a nightly rental, who will be held accountable by Pointe Royale.

- A. Violations of any of the above Policies, Rules and Regulations will be subject to a warning notice or letter for the first offense, a fine of \$100 for the second notice or offense, and a fine of \$250 for the third notice or offense, unless otherwise stated. After three violations the matter will be referred to the General Manager or the POA Board of Directors for subsequent action of additional fines, cancellation of amenities, towing at the owner's expense or as may otherwise be determined.
- B. A 15% administrative fee or \$100 which ever is greater, or has specifically been specified in a regulation, shall apply when Pointe Royale staff is required to act in lieu of an owner or the owners appointed representative. (Approved by the POA Board on June 28, 2019)
- C. The POA Board of Directors may revise, alter, add to or delete any of the Policies, Rules, and Regulations at any time and as provided for in the Declarations and By-Laws of the Associations.

- D. VIOLATIONS AND ENFORCEMENT: The POA Board of Directors shall have the right to enjoin or remedy by appropriate legal proceedings, either at law or equity or by special fines any violation of the above policies, rules, and regulations and to recover reasonable attorneys' fees by the lien rights of the Association.
- E. ADDITIONAL POLICIES and REGULATIONS, Owners, Residents and Guests are further reminded that in addition to the above Policies, Rules, and Regulations there are also policies and regulations contained in the Declaration of Restrictive Covenants and By-Laws of the Property Owners' Association that must be followed. These documents are available on the POA website at [www.pointeroyalegolfvillage.com](http://www.pointeroyalegolfvillage.com).

Pointe Royale Property Owners Association  
142 Clubhouse Drive  
Branson, MO 65616  
Phone: 417-334-0634  
Fax: 417-334-0624  
[www.pointeroyalegolfvillage.com](http://www.pointeroyalegolfvillage.com)