

Moody Point Community Association Rules and Policies — July 24, 2012 (amended 3/13)

THIS DOCUMENT IS AN EASY REFERENCE TO RULES AND POLICIES THAT REGULATE GENERAL MOODY POINT COMMUNITY LIFE. IN ADDITION, EACH HOMEOWNER ASSOCIATION HAS ITS OWN RULES AND POLICIES.

Moody Point is a housing development consisting of five homeowner associations and a community association. All members of the Moody Point Community Association (MPCA) collectively own and operate the Common Land, structures, and water systems. Common Land includes Lot 4 (contains foot bridge, benches, walking trails, canoe racks, pier and floating dock, screen house, sewer pump station, meadow, pond and dry hydrant, fire access road, woodlands and shoreline); Lot 11 (contains well field, water pump station, utility area and woodlands); and Lot 6-0 (contains woodlands).

All home and lot owners in the development, plus the property at 17 Cushing Road, are members of the MPCA and subject to annual fees as approved by the membership. Legal documentation of the common properties and their proper maintenance is delineated in the Warranty Deeds, Deed to the Water System, Articles of Agreement, By-Laws, The Moody Point Community Association Environmental Management Plan, and established MPCA board policies. The seven-member MPCA Board of Directors is “empowered to examine and resolve any issues that are beneficial to the [MPCA] Members, including but not limited to drainage, water and sewer systems, irrigation, refuse pick-up, supplier services, community safety, and issues requiring interface with Federal, State, County and Town Governments and their representatives, committees and commissions.” (BL, Article IV, A)

GOAL OF THE MPCA

The purpose of the Moody Point Community Association, as stated in the Articles of Agreement, Article 2, Section 1, is “to serve and promote the recreational interests of all present and future owners ...” In this light, the association is “to hold, manage, regulate, construct and maintain certain common areas, open space areas, trails, walks, paths, ponds, or other facilities to be used in common by the members of the Association and to be constructed upon the land owned or to be owned by said Association.” (AA, Article 2, Section 2)

The By-Laws support this goal as follows: “The Common Land [Lots 4, 6, and 11] is intended to be used as open space, as a visual and noise barrier, a wildlife habitat, access to Great Bay for boating, an area for peaceful enjoyment of nature by all, and to supply water and sewer utilities for the Moody Point on Great Bay subdivisions. Its enjoyment shall be limited to Members and their guests. (BL, Article VI, A-1)

“The Association shall govern the use and maintenance of the walking trails, ponds, open space, environmentally sensitive areas, observation decks, recreation facility and buildings, mailboxes, and other jointly owned facilities and shall continually monitor said use and maintenance in order to insure at all times that the Property and improvements are always used and maintained in accordance with the provisions in said Moody’s Point Company deed(s).” (BL, Article VI, A-4)

RULES AND POLICIES

These are MPCA Board-established policies except for those that reference the specific governing documents named below:

- Articles of Agreement (AA)
- By-Laws (BL)
- Environmental Management Plan (EMP)
- Warranty Deeds (WD)

This is intended to be a brief guide to these official documents.

1. Boats:

- a. “No boats may be beached, landed, launched or otherwise used from the shoreline ...” (WD, 6-B). They may be launched from the pier or floating dock only.
- b. Watercraft may be delivered to the dock area by motor vehicle once in the spring and retrieved in the fall. Otherwise, motor vehicles are prohibited from this area as per Warranty Deed. Either the Property Manager or the President of the MPCA Board of Directors must be notified of the resident’s intent to drive a vehicle to the dock area.
- c. Kayaks and canoes may be stored in the screen house from November 1 – May 1. Owners assume all responsibility for stored kayaks and canoes. The boats should be stored as far away from the combination-lock door entrance as possible and should in no case be stored within 10 feet of the door entrance. There should also be at least a 3-foot space between the glass walls and the boats so that access is maintained around the inside perimeter of the screen house. The intention is to maintain a portion of the screen house space to be open/useable by members.

2. Bulletin Board:

- a. A community bulletin board is located on Lot 11 near the dumpsters. The bulletin board is to be used strictly for communication among members of MPCA.
- b. The Community Life Committee (CLC) will have responsibility for postings and board maintenance. All postings must be dated and should be submitted in writing to the chair of the CLC or his/her designee.
- c. Concern for the privacy of MPCA members and for the security of their homes and property must be taken into account when postings are prepared.
- d. Postings may be related to:
 - Association business (e.g., announcements about the dates of upcoming meetings, status of planned MPCA projects, community social events, community potlucks, informative nature walks, group field trips, neighborhood special interest groups).
 - Announcements related to the town of Newmarket (e.g., notices of town meetings, local elections, vacancies) that are pertinent to the Moody Point community.
 - Cultural and educational events in the Newmarket area.
 - Items for sale by Moody Point residents.
- e. All postings are at the discretion of the CLC.

3. Canoe/Kayak Racks:

- a. Canoe/kayak racks are provided for residents' convenience. Rack space is available on a first-come-first-served basis.
- b. The resident must affix identification to the watercraft, including his or her name, address and telephone number.

4. Communication:

There are three forms of communication at Moody Point, all of which fall under the auspices of the Moody Point Community Association (MPCA):

- Bulletin board (see section "Bulletin Board" above)
- Website (see section "Website" below)
- MPCA-wide email announcements (see section "Email Announcements" below)

All three are to be used strictly for communications to members of the MPCA.

5. Dock (Pier) and Float: (Also see section "Pond and Fire Hydrant")

- a. The pier and floating dock are maintained by the MPCA for residents' use only. Trespassing by nonresidents will be prosecuted.
- b. The floating dock is to be used for temporarily mooring one's canoe, kayak or other small boat. Overnight mooring is prohibited. (Note: The float is beached each November and returned to the water in May.)
- c. Residents' use of these facilities is at their own risk.

6. Cistern:

- a. The 45,000-gallon cistern is located underground next to Cushing Road on the north side of the Ridge near 217 Cushing Road. It provides additional water for fire protection.
- b. The cistern is maintained by the Moody Point Water Systems Committee (WSC) and is subject to regulations of and periodic inspection by the Town of Newmarket Fire Department. The landscaping around the cistern is maintained by the Ridge.
- c. Any resident who notices leaks or external damage to the cistern and its associated piping, should IMMEDIATELY notify the Property Manager or a member of the Water Systems Committee (WSC).

7. Dumpster:

- a. The MPCA provides a dumpster for Moody Point residential **HOUSEHOLD TRASH ONLY**.
- b. Residents are requested to close dumpster doors after depositing refuse in order to keep animals out.
- c. No corrugated paperboard, recyclables, brush or bulk items are to be left either in or outside of the dumpster. *Nothing is to be left outside the dumpster.* (Information/regulations for the disposal of these items are available at the Town of Newmarket Department of Public Works, 659-3093.)
- d. No hazardous waste may be disposed of at the dumpster or anywhere else in Moody Point. (See also sections "Fertilizers and Pest Controlling Chemicals" and "Hazardous Waste")
- e. Christmas trees are collected curbside as announced by the Property Manager. Christmas trees are NOT to be left at the dumpster.

- f. Residents can use the dumpster area to store large vehicles, trailers, and boats (see section “Parking”).
- g. Any residents who think they see someone illegally using our dumpsters should immediately call the Newmarket Police ASAP with the license plate number of the vehicle and any other pertinent information.

8. Email Announcements:

The MPCA maintains a list of email addresses to which it regularly sends information pertinent to residents. It is the responsibility of residents to make sure that the association has their current email addresses. Residents should provide this information to an MPCA board member or a member of the Community Life Committee (CLC).

- a. MPCA-wide email announcements will be at the discretion of the MPCA Board and/or the Board president. Questionable items will be reviewed by the CLC at the request of the MPCA Board.
- b. The CLC will be responsible for all social and other CLC related MPCA-wide email announcements as designated by the Board.
- c. All MPCA-wide email announcements must have clear subject lines; when appropriate, the word “URGENT:” should begin the subject line.
- d. MPCA-wide email announcements should be timely and pertinent to the Moody Point community, such as:
 - Notice of upcoming elections, updates on town activities, development of the Mills and other such items
 - News about Moody Point issues, such as water service, Lot 4, legal issues
 - Information about MPCA and MPCA-related meetings
 - Moody Point social activities
 - Timely Topics announcements

9. Fertilizers and Pest Controlling Chemicals:

- a. The term “pest” includes mosquitoes, ticks, and all those insects that are deemed harmful to people, animals, aquatic life, trees and other vegetation.
- b. The MPCA Board of Directors contracts only with licensed professionals who apply nothing but approved substances on Common Land within the 250 foot conservation set-back from the shoreline, as mandated by federal, state and local regulations.
- c. “The Waterfront Condos,” “The Ridge,” and “The Hill” Associations contract for fertilizer and chemical application. It is neither necessary nor recommended that individual homeowners in these Associations use additional chemicals or fertilizers.
- d. Residents of “Lubberland” and “The Meadow” Associations whose properties may fall within 250 ft. of “The Protected Shoreline” must use licensed professionals who are familiar with EPA and NHDES regulations. (EMP)

10. Fireworks:

Use of fireworks at Moody Point is prohibited.

11. Fishing:

“There shall be no fishing (except from the pier [and floating dock]) and no digging of any shellfish from [the] shoreline.” (WD, 6-C)

12. Hazardous Waste:

Dispose of all hazardous waste in accordance with the Town of Newmarket Policy and Procedures. **Do NOT leave hazardous waste at or in the dumpster.** FYI: Computers, most electronic and related equipment are now classed as hazardous materials. (Information/regulations for the disposal of these items are available at Town of Newmarket Department of Public Works, 659-3093.)

13. Hunting:

“There shall be no hunting” on Common Land. (WD, 6-A)

14. Irrigation Systems:

- a. Controls for in-ground automatic irrigation systems are regulated by the irrigation contractor at the direction of the MPCA Board of Directors. Consideration is given to sound landscape practices, soil, wind and weather conditions, conservation requirements and water levels in the wells.
- b. **Residents must not alter the programming of their irrigation systems except to discontinue their use. [Don't tinker with your timer!]**
- c. Where required by deed, owners will install in-ground automatic irrigation systems. (WD)
- d. Any owner currently having no in-ground automatic irrigation system may apply to the Board of Directors for approval to retrofit his or her property with irrigation. All costs of such a system, including the cost to tie into the community water system, must be borne by the applicant.
- e. All systems are subject to the regulation and control of the MPCA Board of Directors, as owners/operators of the community water system.

15. Mail:

- a. Every residence at Moody Point, with the exception of 17 Cushing Road, is provided a specific mailbox, located as conveniently to the residence as possible. Note: U.S. Postal Service regulations prohibit use of cluster boxes for purposes other than collection and distribution of U.S. mail.
- b. In the instance of first time occupancy, keys will be obtained from the builder. For all other keys, call the Property Manager for details.
- c. Keys to mailboxes assigned to pre-owned units must be transferred to the new owner by the real estate agent or an appropriate designee at the time of closing.
- d. Individual on-street mailboxes and delivery tubes are prohibited except for Lot 12.

16. Parking

- a. The four parking spaces located by the mailbox area facing the waterfront on Cushing Road shall be used by guests of members for temporary parking only. These spaces shall be restricted to the parking of standard-sized vehicles for no longer than 7 days. Please contact the Property Manager with any questions or concerns.
- b. The dumpster area is available for storage of residents' larger vehicles. Residents must contact the MPCA's Property Manager first so that your vehicle, trailer, or boat can be listed as being stored there. Members must post their name and address on any vehicle or boat stored in the dumpster area so that the MPCA can identify who is storing there; storage of any vehicle or boat in the dumpster area is strictly at the risk

of the owner. The MPCA allows storage there as a courtesy to members but does not take responsibility for the stored items.

17. Pest Control:

See section “Fertilizers and Pest Controlling Substances.”

18. Pets:

- a. Residents are required to keep their pets (cats and dogs) leashed at all times when outdoors. (WD, Lots 4 & 11; Newmarket town ordinance) Note: Our homeowner associations’ documents also include pet leashing requirements.
- b. Residents must clean up after their pets and properly dispose of the waste.

19. Pond and Dry Hydrant:

- a. This manmade retention pond supplies water in the event of a fire at or near Moody Point. As such, it is maintained for and subject to regulations of the Town of Newmarket Fire Department.
- b. Since the pond serves as a natural source of water for wildlife, regulation and maintenance of this area is under the oversight of the Water Systems Committee (WSC) and the Environmental Committee and is included in the Environmental Management Plan. Residents should address issues and concerns to the Environmental Committee. (WD, Art. 1, 5-N) (BL, Article VII, B-1)
- c. The Board recommends that all Association members caution friends and family to exercise due caution near the pond. Swimming in the pond is prohibited. Ice skating is permissible only when conditions allow and is at the sole risk of participants.

20. Recycling:

- a. All recycling is regulated by the Town of Newmarket. Information may be obtained from the Department of Public Works by calling 659-3093.
- b. Recyclables may be left curbside on Cushing Road or Lubberland Drive on Monday morning of each week using the blue bin provided by the town or an appropriately labeled covered container. Residents are asked to cover, weigh down, or bind the recyclables to prevent debris from being strewn.
- c. Recyclables may also be taken to the Newmarket Transfer Station on Ash Swamp Road.
- d. No recyclables shall be left in or outside the dumpster at the Utility Area.
- e. See sections “Dumpster” and “Hazardous Waste.”

21. Screen House:

The screen house is for the sole use of Moody Point residents, their immediate families and close friends, and Community Life Committee functions (see section “Social Events”). It is provided for association members’ enjoyment of our beautiful natural surroundings here at Moody Point. Members must continually keep in mind the environmental sensitivity of this important estuary system and act accordingly.

- a. The building must be kept locked when no resident is present. All residents are provided with the combination to the lock (see final page) upon receipt of this guide. If necessary, the combination may be obtained from any Director.

- b. No motorized vehicles or equipment of any kind, except maintenance vehicles and specialized vehicles for the disabled, are permitted on the trails or at the screen house. (See section “Boats” regarding moving boats.)
- c. Pedestrian access is restricted to established trails leading to scenic vantage points.
- d. Hunting is prohibited within the area. (See section “Hunting.”)
- e. Boats may be launched and landed only at the dock/pier. (See section “Boats”)
- f. Swimming is allowed only from the dock/pier, and at one’s own risk. (See section “Swimming.”)
- g. Children must be accompanied by an adult.
- h. Excessive noise, including loud audio equipment, is prohibited at all times in consideration of both wild life and residents.
- i. Large-group events at the screen house are limited to those scheduled and organized by the Community Life Committee and other recognized entities within the MPCA. Private events for 20 people or fewer may also be scheduled, *contingent upon approval by the Community Life Committee*; residents gaining approval for such events are responsible for all cleanup and repairs, if required. The Community Life Committee Chair or designee will keep a calendar for noting screen house outings of more than 10 but fewer than 20 participants.
- j. All use of the screen house and the surrounding deck and dock area is at one’s own risk.
- k. The screen house and adjoining deck at Moody Point may be used for CLC-approved classes and other similar, organized, prescheduled activities as long as the following conditions are met:
 - The class or activity must be in keeping with the serenity of the location and the duration of the class or activity shall not exceed two hours.
 - All classes or activities must be open and offered to all Moody Point residents and must accommodate only a safe and appropriate number of participants for the particular activity, not to exceed the maximum number specified in Item k above.
 - All participants, except the instructor, must be Moody Point residents and their guests. If the instructor is not a Moody Point resident, a facilities fee may be charged at the discretion of the CLC.
 - Moody Point residents should be able to use the facility in a way that does not interfere with the class or activity during the time that the class or activity is taking place.
 - The screen house must be “broom” cleaned and all furniture must be returned to their original positions immediately following the class or activity.
 - All activities or classes must first be cleared with and scheduled by both the Community Life Committee and the MPCA Board at their discretion.
 - All times and dates must be posted on the Bulletin Board and the MPCA website at least one week in advance.
 - At least one designated Moody Point resident must be present before and after the activity or class to ensure that all of the above conditions are met.
- l. The screen house can be used during the winter months for kayak and canoe storage (see section “Boats”).

22. Sewage Lift Station:

- a. This building near the circle on Lubberland Drive collects sewage through gravity-fed pipes from all homes into a holding tank and periodically pumps it one mile to the town sewer line on Bay Road. The building contains two redundant pumps, an emergency generator, and instrumentation for automatic operation and remote monitoring.
- b. The sewage system is operated and maintained by our water systems operator, who is overseen by the Moody Point Water Systems Committee (WSC). It is operated and maintained according to federal, state, and local laws.
- c. Proper operation of this facility is critical to our community. A red warning light and siren above the building door provide redundant back-up warning of problems. Any resident seeing the light or hearing the siren should IMMEDIATELY notify the Property Manager or a member of the Water Systems Committee (WSC). Any resident who notices sewage around any home or manhole should notify the Property Manager or a member of the Water Systems Committee (WSC).
- d. A current listing of emergency contacts in priority order will be posted on the building next to the entry door.

23. Sewer and Water Systems:

- a. The MPCA will assume the cost of repairs to homeowner plumbing only when such issue(s) can be shown to be a direct result (in both time and place) of work being performed on the MPCA water or sewer system. Notification of the problem must be made to a member of the WSC at the time discovered and before a plumbing contractor is brought in.
- b. **Restricted Flow/Blockage**
 - 1) Of the Sewer Main: The MPCA will assume financial responsibility to clear the line.
 - 2) Of a Service Line (from a dwelling unit to the Sewer Main): The unit owner or Condo Association will assume responsibility.

Break in Sewer System

- 3) In the Sewer Main: The MPCA will assume responsibility to repair the line.
- 4) In a dwelling's Service Line anywhere along its length until it connects through a "T" to the Sewer Main¹: The unit owner or Condo Association will assume responsibility to repair the line.²

Repairs Performed

5) All Sewer Main and Service Line break repairs will be performed by vendors contracted through the WSC of the MPCA. All invoices for such work will be billed to the responsible party by the Property Manager of the MPCA. MPCA oversight of vendors is important for insurance, bonding, and quality control reasons. Moreover, the use of proven vendors familiar with our system is significantly more cost-effective.

Note 1: There is an easement across Common Land as necessary for the run of a Service Line as a consequence of their deed and initial "tie-in" fee paid.

Note 2: A break in a dwelling's Service Line directly caused by a shifting or 'settling' of the Sewer Main will be the responsibility of the MPCA.

24. Shoreline:

The shoreline of Great Bay constitutes a fragile environment that must be cherished and respected. Once or twice a year, the Environmental Committee schedules a shoreline cleanup during which volunteer residents gather manmade objects (styrofoam, plastic bags, etc.) that have floated up on shore. Aside from these occasions, residents should refrain from walking in tidal areas. Also, kayaks and canoes should be launched only from the pier or floating dock (see section "Boats").

25. Signage:

Residents are prohibited from posting commercial signs of any kind throughout the development except for those directly related to the sale of property. (Association Deeds) Note: U.S. Postal Service regulations prohibit use of cluster boxes for purposes other than the distribution and collection of mail.

26. Social Events and Community Life Committee:

The success of any community association lies in the willingness of its members to work cooperatively, collaboratively, and congenially. Furthermore, many residents of Moody Point greatly enjoy one another's company. To facilitate communication, collaboration, and group recreation, the association approved the formation of a Community Life Committee (CLC) at its annual meeting in 2002. The nature of this committee was intentionally *not* codified in the 2006 revision of the MPCA By-Laws in order to allow for fluidity in membership and duties, as the community's needs and desires change over time. Currently the CLC sponsors a variety of social and educational events throughout year, including potluck dinners, barbecues, holiday parties, and educational presentations on a variety of topics of interest to residents. The CLC distinguishes among three types of events that can use MPCA facilities:

- CLC-sponsored events: Coordinated by CLC and open to the entire Moody Point community.
- CLC-affiliated events: Approved by CLC, coordinated by one or more Moody Point residents and open to the entire Moody Point community.
- CLC-approved events: A private affair, approved by CLC, held at an MPCA facility but managed by a private individual (see section "Screen House" regarding restrictions on these events).

CLC does not contribute to the budget of CLC-affiliated or CLC-approved events. Also, CLC never uses MPCA funds for the purchase of alcohol.

27. Swimming:

- a. "There shall be no swimming from [the] shoreline except from the pier [and float]." (WD, 6-D)
- b. The Fire Pond is not designed, maintained, or monitored for recreational purposes. Due to concerns about water quality, swimming in the pond is prohibited.

28. Trails:

- a. Motor vehicles, except maintenance vehicles or specialized vehicles for the disabled, are prohibited from the trail except by special permission of the Board of Directors. (WD, 6-E)
- b. All foot traffic must be restricted to the trail itself. Owing to the environmentally sensitive nature of the flora and fauna, residents must remain on the trail and avoid walking through the underbrush or over the meadow.
- c. The trail is mowed periodically throughout the growing season. For environmental reasons, insecticides are not used to control mosquitoes and ticks. Residents are advised to wear appropriate clothing, footgear, and insect repellent.
- d. Excessive noise, including audio equipment, is prohibited at all times in order to protect wildlife and residents. The privacy of those residents who abut Lot #4 is to be respected.
- e. No hunting is allowed anywhere on Moody Point Common Land. (WD, 6-A)
- f. Winter use of the mowed portions of Lot #4, including the trails and fire pond, is allowed.
- g. Trails may be used any hours, day or night.
- h. Minor children must be accompanied by adults.
- i. Pets: See section "Pets." (WD)
- j. Those who use trails and other areas of Lot #4 do so at their own risk. The MPCA is not responsible for injuries.

29. Trespassing

MPCA Common Land is for the use of members and their guests only. If strangers are observed, members may inquire about whether they are invited guests of members or have permission to be on the property. If the strangers have not been invited, they should be informed that this is private property and politely asked to leave. If members do not wish to approach the strangers, or if the strangers refuse to leave, members should call the Police Department's nonemergency number, 659-6636, as per advice of the Newmarket Chief of Police, and advise the Property Manager.

30. Utility Area:

- a. The Utility Area (behind the dumpsters) is available to residents for the storage of RVs, boats, and other equipment too large to be garaged at the resident's home.
- b. To store an item at the Utility Area, residents must register it with the property manager.
- c. Items stored at the Utility Area must be identified with the owner's name, address and telephone number.
- d. As the Utility Area is mowed and/or brush-hogged periodically, all equipment must be parked on the periphery in order not to obstruct maintenance crew's work.

31. View Cutting:

This is a delicate issue at Moody Point due to covenants, conservation rules and regulations. Annual cutting will be done in accordance with state regulations and the Environmental Management Plan. (EMP)

- a. Each year near mid-October Moody Point residents will have the opportunity to submit requests for cutting on Lot 4. Around that time an email letter will be sent to

all Moody Point residents calling for any cutting requests. Full instructions are on the website and will be sent as reminders in the fall of each year. Cutting requests will only be accepted once per year. Unapproved cutting done on MPCA Common Land will be subject to MPCA fines, as stated below.

- b. Any persons who have done unauthorized and/or unapproved cutting (of trees, saplings, plants, shrubs, etc.) on MPCA Common Land will be subject to MPCA fines and all costs associated with any administrative actions and the restitution of the property for each occurrence. The MPCA fine will be \$500 for the first offense, \$1,000 for the second offense and \$1,000 thereafter for any subsequent offenses. All costs associated with restitution include, but are not limited to any and all legal, fine or administrative costs incurred by the MPCA as a result of this unauthorized cutting, as well as any and all costs associated with restoring the property to its original condition.

32. Violations and Fines:

- a. The Association shall ... have the right to develop ... rules and requirements to enforce the spirit and intent of the Warranty Deed [and] may also establish penalty assessments ... for such violations in keeping with the provisions of the Moody Point Condominium Declaration. (WD, 6-A through R)
- b. The [MPCA] Board may, at its discretion, assess fines and penalties against a Member or a Lessee ... and prohibit or terminate the use of lands under the control of the Association by any Member or Lessee who violates any of the rules, regulations and restrictions. (BL, Article VI, A-21)
- c. Fines may be imposed for the following violations: (1) violations of the leash law for pets, (2) illegal use of the dumpster, and (3) littering (including pet waste). The fine policy for these violations is as follows: (1) warning issued for the first offense, (2) fine of \$25 for the second offense, (3) \$50 for the third offense, and (4) \$100 for the fourth and any subsequent offenses. This sequence will be implemented for each type of violation.
- d. Fines may also be imposed for unauthorized/unapproved cutting on MPCA Common Land (see section "View Cutting" above).
- e. Members should report any violations to the MPCA Property Manager. The Property Manager will then notify the violator and impose a fine as per MPCA policy (if appropriate), keeping the anonymity of the person reporting the violation.
- f. Unpaid fines are subject to the same MPCA late charge and delinquency interest policies currently in place for all MPCA billings.
- g. A violation can be appealed to the MPCA Board only after the fine has been paid.

33. Waste Disposal:

See sections "Dumpster" and "Hazardous Waste."

34. Water Pump House and Well Field:

- a. The MPCA water wells and pump house are located immediately west of the intersection of Eagle Drive and Cushing Road. There are three deep bedrock wells, a pump house with two (12,600 gal.) storage tanks, a pressurization system, water treatment system, instrumentation for automatic operation and remote monitoring, and a backup generator with propane supply.

- b. The water system is operated and maintained by our water systems operator, who is overseen by the Moody Point Water Systems Committee (WSC). It is operated and maintained according to federal, state, and local laws.
- c. Proper operation of this facility is critical to our community. A red warning light will display above the door in the event of a malfunction. Any resident seeing this light illuminated MUST CALL a member of the Water Systems Committee or the Property Manager IMMEDIATELY.
- d. Water problems such as reduction in water pressure, or significant air in the pipes, must be reported as above.
- e. A current listing of emergency contacts in priority order will be posted on the pump house next to the entry door.
- f. The location, isolation and repair of outside water leaks will be performed by the MPCA's water service contractor with oversight by the Water Systems Committee (WSC). The cost to repair water system leaks in the water main and from the water main to each home's curb stop (outside shutoff valve) will be the responsibility of the MPCA. From the curb stop in to the dwelling, the cost to repair will be the responsibility of the building owner. [See Amendment adding 34.g on page 13.]

35. Website:

The community maintains a website at www.moodypoint.org/. This site provides a wealth of information for residents, including association By-Laws and minutes, as well as information and announcements about issues and events both at Moody Point and in the surrounding area.

- a. All items on the website are the responsibility of a specific committee, association or the MPCA Board, as designated by the Board. Each committee and association must monitor its designated section(s) of the website and provide updates to the MPCA webmaster.
- b. Concern for the non-secure nature of the website must be taken into account when postings are prepared.
- c. Advertisements of items for sale are not permitted.
- d. Examples of acceptable website items include:
 - News about Moody Point issues
 - Moody Point social activities
 - Newmarket and local social activities (for profit)
 - Newmarket and local news, fund-raising, social activities and programs (not-for-profit)
 - Area resources that are pertinent to Moody Point residents
 - Educational notices about health issues (*e.g.*, Lyme disease, measles), disaster preparation
 - MPCA governing documents
 - Minutes from MPCA meetings
 - List of officers for all associations

Amendment to: Moody Point Community Association Rules and Policies
Dated July 24, 2012 — (approved March 18, 2013)

Section 34 – Well Pump House and Well Field

Add new subsection g.

In the event that a property owner and/or an association requires that water be shut off or turned on via the curb stop valve the following actions must take place.

- Property owner and/or association must notify the property manager of the required action and whether this is an emergency or can be a scheduled activity.
- The property manager will notify the licensed water systems operator and the MPCA WSC of the request and coordinate scheduling the activity.
- Cost for the request to turn on or turn off will be the property owner and/or association responsibility.
 - Pricing will be at the current hourly rate per the current contract with the licensed water systems operator.
- Any time that water is being turned on, the property owner and/or association making the request must have a licensed plumber on site to prevent any damage due to possible leaks in the building.

The water system infrastructure up to and including the curb stop valve is the property of the MPCA. If the property owner and/or association decide to turn their water on/off at the curb stop without involving the MPCA WSC and/or the current authorized water systems operator, they will be held responsible for any damage and repair costs associated with the actions, as determined by the MPCA WSC with their authorized water systems operator.