

MALLARDS' LANDING ASSOCIATION
200 UNION ROAD BELMONT NH 03220

Mallards' Landing Association Rules and Regulations

This document must be reviewed and understood by every member, family member and visitor to Mallards' Landing. **By signing the annual package site permit, you are stating that you and your guests will abide by these Rules and Regulations year round.** These Rules & Regulations are for the benefit of the Association Membership and compliance is required by members, as well as their family members and guests. Failure to comply with these Rules & Regulations may result in temporary or permanent suspension of your site permit or membership in Mallards' Landing Association. Temporary suspensions are during prime season May1st – Aug31st.

1. **Ultimate Responsibility:** Members will be held accountable for all actions of their family members and guests.
2. **Speed Limit:** TEN MILES PER HOUR. This includes golf carts, motorized and non-motorized vehicles.
3. **Quiet Hours:** Quiet hours are between 10:00 PM and 7:00 AM, per the Town of Belmont's noise ordinance passed in 2010. No outdoor gatherings or loud noise will be allowed during quiet hours. Minor children (16 or younger), are not to be out wandering or congregating within the park after 11:00PM.
4. **Camp Fires:** Annual Fire permit required for Mallards Landing and the Town of Belmont. Must always be attended. NO flame more than two (2) feet (per Belmont Fire Department). Wood and paper only. Do not burn garbage or leaves as dumpster and yard waste area is provided.
5. **Dumpsters:** Household waste only in the dumpsters. No appliances, rugs, furniture, etc. in the dumpsters. These items must be disposed of by the member including boat shrink wrap. Check MLA website for local dumping facilities. Permits for dumping large items are available at the Belmont town hall. The fine for putting anything other than household waste in the dumpster is the cost of one month's dumpster service (currently over \$300). The dumpster area is under video surveillance to ensure compliance.
6. **Pets:** Domestic Only! Dogs must be leashed. Pet owners will clean up after their pets and dispose of pet waste properly. This includes the Rail Road corridor. Dogs, cats, and other pets are never allowed on the beach or in the swim area. The beach area is defined as from the start of the beach sand on the south side of the water front extending north to the main boat dock. Dog owners can use the grassy area on the south end of the beach and north of the main dock to give their pet access to the water or a boat. Exception for Legal Identified service animals.
7. **Docks:** Fishing, playing on or diving from all docks or the bridge is not permitted.
8. **Use of Roads and Designated Routes:** Use designated routes and roadways within the park. Members should exercise courtesy when cutting through other members personal areas. Bicycles, golf carts, and other modes of transportation must be used on the roadways only, never between cottages or parked cars.

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9. **Site Appearance:** Sites must be kept clean and safe. Old appliances, furniture or other assorted trash or junk may not be left on or around the site. All units must be skirted.
10. **Motor Vehicles:** All vehicles on Mallards' Landing Association property must be registered and have a valid inspection sticker.
11. **All new site plan application:** must include a parking plan for a minimum of two vehicles.
12. **Vehicle/Boat Washing:** No washing of vehicles or boats or other recreational vehicles at your site. Wash area at Birch Hall must be used for this purpose.
13. **Watering at Sites:** No watering of the grass (other than newly sodded or seeded areas) is permitted. Flowers, vegetables and shrubs only can be watered at member sites.
14. **Tree removal:** No removal of trees by individuals without prior Board approval. Notify the Board in writing if you think a tree needs to be removed or pruned.
15. **Beach:** The beach area is defined from the start of the beach sand on the south side of the waterfront extending north to the main boat dock.
 - a) There are no lifeguards on duty.
 - b) Children must be supervised.
 - c) You are responsible for the safety of your children.
 - d) No glass containers are permitted on the beach or in the water.
 - e) No parking on the beach road at any time....the beach road area extends from 64 Mallards Landing Road to the boat launch.
 - f) No golf carts permitted to park on the south side grassy area adjacent to the beach.
16. **ATV's:** Operation is not permitted within Mallards' Landing between April 15th and October 15th. During off season they must be operated by persons with a valid state driver's license and driven on Mallards' Landing roads in such a way that does not damage roads or terrain.
17. **Golf Carts, Mopeds, and all Other Motorized Vehicles** (except as restricted in Rule #16): These vehicles are permitted year round in Mallards' Landing. All golf carts or other approved vehicles not bearing a valid current license plate must be registered and numbered following the "**Golf Cart / Buggy Registration**" procedure enclosed in your member packet. Drivers must follow the 10 M.P.H. speed limit and must possess a valid states driver's license, and drive in a responsible manner.
18. **Overnight Guests Sleeping Outside Members Domicile:** Only one (1) unit per site. Unit consists of facility occupied overnight such as: tent, automobile, van, travel trailer, camper, etc. FEE: \$10.00 per night, payable in advance, collected by Member having guest and turned over to Assistant Treasurer, or to

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any other Board member. Maximum stay is 15 days (cumulative) per Association year for the same unit anywhere within Mallards' Landing Association.

19. **Site Construction:** No additions or modifications to structures without approval from Board of Directors and permit from the Town of Belmont. See Site Committee Information. All modifications (siding, new windows, roofs, decks, porches, landscaping etc.) must be completed within 180 days of permit date. A MLA issued permit is valid for only 12 months from date of issue. Note: If a site presently has an open project, you must notify the Board of Directors of your completion date by June 1st.
20. **Building Permits:** Mallards' Landing Association is the property owner. No individual members shall go to town for any permits without prior board approval.
21. **Fences, walls, etc:** No new fences allowed without permission from the Board of Directors. This includes living fences, walls or other boundary markers.
22. **New Homes:** Any manufactured home or modular home entering the park shall not exceed 10 years of age. The units must also meet all current building specifications and have Board of Directors and town approval.
23. **Selling of Site:** A member wishing to sell a unit must first notify the Board of Directors in writing. Mallards' Landing Association has first option to purchase any unit BEFORE it is offered for sale. If the asking price is lowered, Mallards' Landing has a new first option to purchase at the reduced price. See website for procedure on selling a home in Mallards' Landing Association.
24. **New Member Approval:** Deposits accepted by a member for his structure do not bind the Board of Directors to accept membership of the prospective buyer. (See "Procedure for Selling Your Unit" for complete details.) Potential buyers will apply for membership application and appear before the Board of Directors for approval prior to the final sale of any unit at Mallards' Landing.
25. **Boat Trailers:** Empty boat trailers will be stored in the fenced lot next to Birch Hall; Site parking of any trailer/camper is not permitted.
 - a) All trailers must be marked with owner's name and site number.
26. **Docks and Moorings:** All members and their guests are responsible for compliance with both State and Mallards' Landing Association dock and mooring rules. Beaching of boats is permitted - see docks and moorings rules and regulations (in this packet) for specific information.
 - a) Live parking is described as; a legal driver must occupy the boat at all times when parked. No overnight parking permitted. 10 minute curtesy time suggested.
27. **Unit Ownership:** There shall be no new multiple family ownership of units.
28. **Permanent Residency:** No permanent residency on the west (lake) side of the tracks.
29. **Visitor Parking:** Visitor parking is for visitors, not for member parking. Visitors parking area is not to be used as permanent parking. Members may temporarily park their vehicles at Birch Hall.

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30. **Use of Alcoholic Beverages.** No alcohol is permitted at any Mallards' Landing Association meeting.
31. **Fireworks:** Discharge of fireworks ANYWHERE within Mallards' Landing is NOT permitted.
32. **State and Local Statutes, Ordinances and Regulations:** Any behavior or activities anywhere on the Association property that would violate any statute, ordinance or regulation of the State of New Hampshire or the Town of Belmont, even if it happened outside of the Association property is also a violation of these Rules and Regulations. If any State or local statute, ordinance or regulation conflicts with any Mallard's Landing Rule or Regulation, the more restrictive provision shall apply.
33. **Playground Hours:** 9:00 a.m. to dusk. Children under 12 must be accompanied by an adult.

(Rev. 11/2016)

Note: When you sign your site permit, you are acknowledging that you have read, fully understand and will abide by all of the rules and regulations.

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Fundamental Principles to be Preserved

(Memorandum from Atty. Charles F. Sheridan, Jr. - November 7, 1995)

I think Mallards' should prioritize its action to preserve the following features which are fundamental to its viability, economic operation, and ability to operate in the manner that it now does. They are:

1. The avoidance of the creation of any subdivision rights in its members in and to its real estate. If Mallards' were to create such interests, then under applicable subdivision laws, it would have to greatly reduce the number of units now provided, probably by over half.
2. The preservation of its tax exempt status under Federal income tax laws as a social club. This is important in two respects in limiting Mallards' costs:

First, its state and federal tax liability, Mallards' avoids the payment of any income tax, state or federal, on the dues it receives from its members. It is critical that it observes the basic requirements of a social club under 501-c(7).

Second, its real estate tax costs. For real estate tax assessment purposes its status as a social club provides an intangible element of value above that attributable to a member's cottage, to which a portion of a selling price of a member's units and rights is attributable.

3. The preservation of its exempt status from local zoning laws under the so-called "grandfather" exception. Were those laws to apply, Mallards' would be limited as to the nature of its use and the degree of its usage of its lands.
4. The avoidance of being characterized as a mobile home park and the individual dwellings of its members as manufactured housing within the meaning of RSA 205-A.

The issue of "permanent residency" has a bearing on all of these principles. While it may not be a defining event, and while we are still considering its pertinence, a status of permanent residency by a material number of its members would seem to reflect adversely on all these principles so far as Mallards is concerned. While initially Mallards' may not take action to oppose a claim of personal residency by a member, neither will it be supportive of their efforts to qualify for that status whether they're dealing with the Town or otherwise.

Individual members should be aware that the responsibility of the Board is to make decisions that benefit the membership as a whole, and not of individuals when they come into conflict. Accordingly, members of Mallards' should be alert to the prospects that the Board will act to oppose their individually claiming such status based on their possessing a unit at Mallards'.

(Rev. 2016)