

# **BRIARWOOD ACTION ASSOCIATION**

## **RULES AND REGULATIONS**

**\*Revised October 19, 2024**

(Supersedes rules and regulations previously revised October 21, 2023. August 25, 2020. November 9, 2018. July 17, 2008)

- **PROPERTY OWNERS SHALL BE DEFINED AS: "THE INDIVIDUALS LISTED ON THEIR DEEDS AS RECORDED BY JEFFERSON COUNTY". IN CASES WHERE MULTIPLE OWNERS ARE NAMED ON ONE DEED, THE FIRST TWO PEOPLE LISTED ON THE DEED, OR THE FIRST TWO MARRIED COUPLES LISTED ON THE DEED, SHALL BE ALLOWED LAKE PRIVILEGES.**
  
- **THE FOLLOWING ARE NOT CONSIDERED PROPERTY OWNERS: CHILDREN, GRAND CHILDREN AND OTHER RELATIVES NOT RESIDING IN BRIARWOOD.**
  
- 1) **PROPERTY OWNERS MUST BE CURRENT ON FEES AND ASSESSMENTS TO HAVE ACCESS TO THE BRIARWOOD ESTATES FACILITIES. PROPERTY OWNERS WHO ARE NOT CURRENT WILL BE ALLOWED INGRESS AND EGRESS TO THEIR LOT(S) BUT SHALL BE DENIED USE OF FACILITIES, INCLUDING BUT NOT LIMITED TO LAKES, PARKS AND BEACHES OWNED BY BRIARWOOD ESTATES.**
  
- 2) **PROPERTY OWNERS MUST ACCOMPANY ALL GUESTS AT ALL TIMES. PROPERTY OWNERS ARE LIABLE FOR ANY DAMAGES OR FINES INCURRED BY SAID GUESTS.**
  
- 3) **PERSONS NOT ADHERING TO THE LAKE RULES POSTED AT THE ENTRANCE TO THE PARKING/BEACH AREA SHALL NOT BE ALLOWED TO USE THE LAKE FACILITIES.**
  
- 4) **ALL BOATS SHALL OPERATE AT A "NO WAKE SPEED" ONLY.**
  
- 5) **JET SKIS ARE NOT ALLOWED ON ANY BRIARWOOD ESTATES' LAKES.**
  
- 6) **ANY BOAT OPERATED ON FISHERMAN'S LAKE, SPRING LAKE OR LAKE BRIARWOOD MUST BE REGISTERED TO A PROPERTY OWNER WHO MUST BE ON BOARD WHEN BOAT IS IN USE. ALL BOATERS SHALL ADHERE TO THE MISSOURI BOATING LAWS. THE APPROPRIATE BRIARWOOD BOAT STICKER SHALL BE FIRMLY ATTACHED TO BOAT.**

- 7) FISHERMAN'S LAKE AND SPRING LAKE SHALL BE FOR FISHING ONLY. BOATS SHALL ONLY USE TROLLING MOTORS ON THESE LAKES.
- 8) FISHING RULES FOR ALL LAKES- ABSOLUTLY NO ALTERNATIVE METHODS. ROD AND REEL ONLY. NO SNAGGING PERMITTED.
- 9) SWIMMING IS AT OWN RISK.
- 10) NO GLASS CONTAINERS OR BOTTLES ALLOWED AT THE BEACH.
- 11) NO FISHING SHALL BE PERMITTED IN THE BEACH SWIMMING AREA.
- 12) THE PARK AND BEACH ARE CLOSED AT SUNDOWN.
- 13) NO CAMPFIRES ARE PERMITTED IN THE PARK OR BEACH AREA. TRASH MUST BE PLACED IN DESIGNATED RECEPTACLES.
- 14) NO PETS ARE ALLOWED ON THE BEACH. PETS NOT OTHERWISE CONFINED TO A LOT MUST BE ON A LEASH.
- 15) ALL VEHICLES SHALL OPERATE AT A SPEED NOT TO EXCEED THIRTY (30) MILES PER HOUR OR AS POSTED.
- 16) ATVS ARE STRICTLY PROHIBITED. GOLF CARTS AND UTVS ARE ALLOWED ON ROADS AND PERSONAL PROPERTY ONLY. LICENSED MOTORCYCLES ARE RECOGNIZED AS PROPER MEANS OF TRANSPORTATION, HOWEVER, PRACTICE RIDING ON ROADWAYS, BEACHES, COMMON GROUND OR BRIARWOOD ACTION ASSOCIATION EASEMENTS OR PROPERTY IS PROHIBITED. NO TRAILS ARE PROVIDED. MINIBIKES ARE NOT PERMITTED. PROPER MUFFLER SYSTEMS SHALL BE REQUIRED FOR AUTOMOBILES AND MOTORCYCLES. RIDING ON DAMS, STREAMS OF WATER OR THE BEACH IS PROHIBITED.
- 17) ALL GOLF CART DRIVERS ON BRIARWOOD ESTATES' ROADS MUST BE IN POSSESSION OF A VALID DRIVER'S LICENSE. THE USE OF HEADLIGHTS IS REQUIRED WHEN DRIVING GOLF CARTS AT NIGHT.
- 18) THE BRIARWOOD ACTION ASSOCIATION RESERVES THE RIGHT TO PLACE A LOAD LIMIT ON COMMERCIAL VEHICLES USING THE ROADS AND DRIVES IN THE SUBDIVISION AND, AT THEIR DISCRETION, MAY REQUIRE A PERMIT FOR VEHICLES EXCEEDING SAID LIMIT. CONTRACTORS MUST USE CONSTRUCTION ROUTE MANDATED BY BAA BOARD.

- 19) CURRENT BRIARWOOD STICKERS MUST BE AFFIXED TO RESIDENTS' VEHICLES, INCLUDING BOATS. VEHICLE AND BOAT STICKERS WILL BE GRANTED ONLY AFTER PROOF OF REGISTRATION AND INSURANCE IS PROVIDED AND ASSESSMENTS HAVE BEEN PAID. CARS PARKED IN BEACH PARKING AREA WITHOUT CURRENT STICKER WILL BE TOWED AT OWNER'S EXPENSE.
- 20) IT IS STRICKLY FORBIDDEN TO GIVE BOAT STICKERS OR AUTOMOBILE STICKERS TO NON-PROPERTY OWNERS.
- 21) NO PARKING ON ROADWAYS. CARS WILL BE TOWED AT OWNERS EXPENSE.
- 22) THERE SHALL BE NO PARKING ON EITHER SIDE OF THE PARK, ON THE DAMS OR OTHER AREAS DESIGNATED BY THE BRIARWOOD ACTION ASSOCIATION. PARKING FOR BOAT TRAILERS IS LIMITED TO THE DESIGNATED AREA.
- 23) ALL MOTOR HOMES AND CAMPER TRAILERS SHALL BE LOCATED IN AREAS DESIGNATED BY THE BRIARWOOD ACTION ASSOCIATION.
- 24) CAMPING IS NOT PERMITTED WITHIN BRIARWOOD ESTATES UNLESS DESIGNATED BY THE BRIARWOOD ACTION ASSOCIATION, TEMPORARILY TO A PARTICULAR AREA.
- 25) HUNTING AND THE DISCHARGE OF FIREARMS IN THE SUBDIVISION IS SPECIFICALLY FORBIDDEN.
- 26) ALL HOMEOWNERS ARE REQUIRED TO MAINTAIN THEIR LOT(S) IN A NEAT CONDITION. OWNERS SHALL CUT ALL BRUSH AND WEEDS ON THEIR LOT(S). IN THE EVENT OWNERS DO NOT MAINTAIN THEIR LOT(S), BRIARWOOD ACTION ASSOCIATION SHALL DO SO AND THESE CHARGES WILL BE ADDED TO THE ANNUAL DUES AND COLLECTED IN THE SAME MANNER AS PROVIDED FOR COLLECTION OF DUES.
- 27) ALL TRASH AND REFUSE CONTAINERS SHALL BE SECURED FROM INSECTS AND ANIMALS AND DISPLAYED ONLY ON PICK-UP DAY.
- 28) SWIMMING POOLS AND GAS TANKS MUST BE LOCATED BEHIND THE HOME UNLESS OTHERWISE APPROVED BY THE BAA BOARD.

- 29) NO STREET (DUSK TO DAWN) LIGHTS SHALL BE INSTALLED WITHOUT WRITTEN PERMISSION OF ALL AFFECTED PROPERTY OWNERS. AFFECTED PROPERTIES WOULD INCLUDE BUT ARE NOT LIMITED TO ALL ADJOINING LOTS, LOTS ACROSS THE STREET AND ALL ADJACENT LOTS ACROSS THE STREET. PRIOR TO OPERATION OF ANY STREET LIGHTING, ALL SIGNATURES MUST BE PRESENTED TO THE BOARD FOR THE APPROVAL OF OPERATION. ANY COMPLAINTS ABOUT UNAPPROVED STREET LIGHTS MUST BE REPORTED WITHIN THE FIRST 90 DAYS OF OPERATION OF ANY STREET LIGHT.
- 30) ALL ARCHITECTURAL PLANS ARE TO BE SUBMITTED TO THE ARCHITECTURAL COMMITTEE TO BE CONSIDERED ACCORDING TO THE BRIARWOOD ARCHITECTURAL GUIDELINES AND THEN WILL BE PRESENTED TO THE BAA BOARD FOR FINAL APPROVAL.
- 31) SEA WALLS MUST NOT PROTRUDE INTO THE LAKE. FLOATS OR OTHER STRUCTURES MAY NOT BE CONSTRUCTED WITHOUT PROPER WRITTEN APPROVAL OF THE BRIARWOOD ARCHITECTURAL COMMITTEE.
- 32) ALL DOCK CONSTRUCTION MUST BE APPROVED BY THE BRIARWOOD ARCHITECTURAL COMMITTEE PRIOR TO CONSTRUCTION. ANY FLOATING DOCK STRUCTURE MUST BE SUSPENDED BY ENCAPSULATED FOAM DOCK BLOCK.
- 33) DETACHED SHEDS MAY NOT EXCEED 200 SQUARE FEET. SIZE, TYPE AND LOCATION MUST BE SUBMITTED PER THE BRIARWOOD ARCHITECTURAL GUIDELINES AND THEN PRESENTED TO THE BAA BOARD FOR FINAL APPROVAL. NO METAL SHEDS WILL BE ALLOWED.
- 34) DETACHED GARAGES ARE ALLOWED PER SPECIFICATION IN THE BAA COVENANTS.
- 35) ADJOINING LOTS MAY BE REPLATTED AS ONE LOT, AND ASSESSED AS ONE LOT, WHEN IT IS SURVEYED AS ONE CONTINUOUS PARCEL OF LAND WITH NO COMMON GROUND, ROADS OR OTHER PROPERTIES, OWNED BY OTHER PARTIES. THE SURVEY AND LEGAL DESCRIPTION IS TO BE RECORDED WITH THE JEFFERSON COUNTY RECORDER OF DEEDS OFFICE. A COPY OF THE SURVEY, LEGAL DESCRIPTION WITH THE RECORDER OF DEEDS STAMP, INCLUDING THE BOOK AND PAGE NUMBER, IS TO BE PROVIDED TO THE BRIARWOOD ACTION ASSOCIATION BOARD FOR NOTIFICATION OF ASSESSMENT CHANGE TO ONE LOT. THE FEE CHANGE WILL BE EFFECTIVE IN THE NEXT CALENDAR YEAR ASSESSMENT.

- 36) NO LOT OR RESIDENCE THEREON OR ANY PORTION THEREOF MAY BE LEASED, RENTED, OR LICENSED FOR USE TO ANY THIRD PARTY. PROVIDED, HOWEVER, ANY LOT OWNER ENGAGED IN RENTAL OR LEASING ACTIVITIES, AS OF THE DATE OF RECORDING OF THIS AMENDMENT, SHALL BE ALLOWED TO CONTINUE SUCH RENTAL OR LEASING ACTIVITIES UNTIL THE PRESENT TENANT HAS VACATED THE PROPERTY, EITHER AT THE EXPIRATION OF THE CURRENT RENTAL/LEASE PERIOD OR ANY RENEWAL TERM THERETO. WITHIN 20 DAYS OF THE RECORDING OF THIS AMENDMENT AND WITHIN 20 DAYS OF THE EXECUTION OF ANY NEW LEASE OR RENEWED LEASE, ANY LOT OWNER ENGAGED IN RENTAL OR LEASING ACTIVITIES PERMITTED UNDER THIS SECTION MUST PROVIDE A TENANT REGISTRATION FORM, IN A FORM PROVIDED BY BAA, ALONG WITH A COPY OF ANY LEASE OR RENTAL AGREEMENTS FOR EACH LEASED OR RENTED LOT TO THE TRUSTEES. "THIRD PARTY" AS USED IN THIS SECTION MEANS ANY PERSON OTHER THAN THE LOT OWNER OR OWNERS. A LOT OWNER MAY REQUEST A TEMPORARY WAIVER OF THE RENTAL RESTRICTIONS IN THIS PARAGRAPH BASED UPON EXTRAORDINARY FINANCIAL HARDSHIP. ANY LOT OWNER REQUESTING SUCH A WAIVER SHALL PROVIDE EVIDENCE OF SUCH HARDSHIP AS REQUESTED BY THE TRUSTEES. ANY SUCH WAIVER SHALL BE GRANTED AT, AND THE TERMS THEREOF DETERMINED BY, THE SOLE DISCRETION OF THE TRUSTEES.
- 37) ALL LOTS IN SAID SUBDIVISION SHALL BE USED FOR RESIDENCE PURPOSES ONLY, AND NO BUSINESS OF ANY NATURE SHALL BE PERMITTED, MAINTAINED, OR CONDUCTED THEREON. THIS PROVISION SHALL INCLUDE THE PURCHASE OF A LOT FOR DEVELOPMENT AND/OR CONSTRUCTION OF A RESIDENCE FOR RE-SALE AND NOT FOR USE AS A PERSONAL RESIDENCE FOR THE PURCHASER. ANY LOT SO PURCHASED SHALL BE OWNER-OCCUPIED UPON COMPLETION OF DEVELOPMENT/CONSTRUCTION IN COMPLIANCE WITH THESE RESTRICTIONS. ONLY ONE (1) RESIDENCE SHALL BE PLACED OR KEPT ON ANY LOT, AND SUCH RESIDENCE SHALL NOT BE DESIGNED, CONVERTED OR USED FOR MORE THAN ONE (1) FAMILY. NO CLUBS, FRATERNITIES OR ORGANIZATION OF ANY NATURE MAY OWN, USE OR OPERATE FROM ANY BUILDING IN SAID SUBDIVISION.
- 38) NO CONSTRUCTION SHALL START BEFORE DAWN, AND ALL CONSTRUCTION MUST END BEFORE DUSK.
- 39) ALL RULES TO BE ENFORCED BY THE BAA AND OR AN ATTORNEY REPRESENTING BRIARWOOD.
- 40) ONE SINGLE CHICKEN COOP DESIGNED TO ACCOMMODATE UP TO 6 CHICKENS IS ALLOWED PER RESIDENCE. MUST BE KEPT BEHIND THE FRONT OF THE HOUSE. NO ROOSTERS OR MULTIPLE COOPS ALLOWED. (followed per Missouri SB985)

