

# **PAUPACKAN LAKE ASSOCIATION**

## **RULES AND REGULATIONS**

### **ARTICLE I – MEMBERSHIP**

1. Every property owner is required to join the Paupackan Lake Association.
2. All privileges such as fishing, swimming, etc., which require the use of the lake or the land surrounding it, except the individual's lot, are contingent upon membership in good standing in the Paupackan Lake Association.
3. Annual dues are currently flexible and must be paid by March 31<sup>st</sup> of each year. A penalty of 1.5% per month will be added to the unpaid balance each month after the due date, until payment is made in full.
4. The property owner is responsible for his/her tenants or guests actions. The property owner is also responsible for his/her tenants or guests having the proper identification for access to the Community's roads and amenities.

### **ARTICLE II – BOATS**

1. No fuel-powered boats are permitted on Paupackan Lake, except for maintenance of the lake.
2. Association identification stickers are issued to each member. Stickers must be permanently applied to your boat in plain view, showing the property owner's number and the current years date, indicating that the dues have been paid. Boats without stickers are not permitted on the lake. No visitor's boat is permitted on the lake.
3. No boat shall be secured to Association maintained docks, except to temporarily load or unload. Those boats left tied to docks or in the beach area, will be removed at the owner's expense.
4. After May 30<sup>th</sup> of each year, any boat situated in the Association maintained boat basins or used on the lake that is not identified by a current Association sticker will be removed at the owner's expense.
5. The lake is patrolled by the Pennsylvania Fish Commission and Association volunteers. State of Pennsylvania fishing licenses are required. Life preservers are also mandated. Any child twelve (12) years of age or under and any non-swimmer must wear a life jacket.

### ARTICLE III – FISHING

1. Each member is permitted two (2) fishing guests. One person must display the Association Button, preferably on a hat, but if no hat is worn, it must be prominently displayed on the shirt or coat.
2. State regulations mandate the size and creel limit for all species. The Association reserves the right to impose stricter size and creel limits.
3. The host is always responsible for guest/s. The host should be certain the guest/s are made aware of the Association rules.
4. Fishing is not permitted in the beach/swimming area. Fishing is permitted beyond the spillway toward East Shore Drive.
5. State of Pennsylvania fishing licenses are required by State law.
6. Guest/s are not permitted to fish without the property owner present from 12 Midnight to 4 A.M.
7. The use of boats, ATV's and Snowmobiles on the lake, is at the member's own risk.

### ARTICLE IV – BEACH AREA

1. Any member using the beach for swimming or sunbathing must have a Button with them for identification. One Button for family and guest/s is sufficient.
2. In order to maintain the beach for members only, member identification must be presented, should it be requested by a Security Officer.
3. Any child twelve (12) years of age or under and any non-swimmer must wear a life jacket.
4. **NO PETS** of any kind are permitted on the beach.
5. **NO PICNICKING** on the beach.
6. **DO NOT FEED THE GEESE ON THE BEACH OR SURROUNDING AREAS.**

## ARTICLE V – VEHICLES

1. The speed limit on Association owned and maintained lands and roads, is 15 miles per hour for all vehicles.
2. No recreational vehicles (i.e. Snowmobiles, ATV's, Golf Carts, Motor Bikes) will be operated for pleasure before 10 A.M. or after 9 P.M. Mufflers must be in good working order and all recreational vehicles must have working lights for driving after dark or the vehicle will not be permitted on the roads.
3. The operation of recreational vehicles on Association maintained land is a privilege that may be revoked by the Board of Directors at any time.
4. Automobiles operated on Association maintained land and roads, must be legally registered and operate under Pennsylvania Motor Code. All drivers must hold current valid drivers licenses.
5. All recreational vehicles, (i.e. motor bikes, golf carts, etc.) must conform to Pennsylvania State vehicle regulation.
6. ATV's and Snowmobiles must conform to the Pennsylvania State Motor Vehicle Code amended effective October 25, 2001. All ATV's must be registered and have a registration plate attached to the ATV. The ATV must also display a valid expiration sticker. ATV's must have Liability Insurance coverage issued by an insurance carrier authorized to do business in the Commonwealth.
7. A Snowmobile must be registered and have a registration decal attached to the Snowmobile. The vehicle must also display a valid expiration sticker. Snowmobiles must have Liability Insurance coverage issued by an insurance carrier authorized to do business in the Commonwealth.
8. All children under the age of sixteen (16) must complete a safety and training program. Upon completion, they will be issued a Safety Certificate. A copy of the registration, registration expiration sticker, liability insurance and, where applicable, the Safety Certificate, must be presented to the Association office for record purposes.
9. ATV's and Snowmobiles must display a rigid flag on a pole in order that the Association's ID will be visible.
10. Upon request by Security, operator of automobiles and recreational vehicles shall produce driver's license, registration and insurance.
11. No motor vehicles are to be parked at the beach parking lot or boat basins without a current Paupackan Lake sticker located on the rear of the rearview mirror. Guest vehicles are to display the current guest card in clear view through the windshield.
12. No vehicles will be permitted to park on Association maintained roadways with the exception of the Association's Contractor, while he is performing his duties.

13. Loitering, dusk till dawn, will not be permitted in the main and office parking areas.

#### ARTICLE VI – ADDENDA

1. PATROLS: May be volunteer or paid, to spot check those who use the beach, lake, parking, roads or any other facilities maintained by the Association. The purpose of this checking program is to insure that the Association By-Laws and Rules and Regulations are obeyed, thereby protecting the rights of every individual in the Association. While fishing, if you are asked to display the contents of your creel, do so in a friendly manner. Refusal to submit to check constitutes a violation of the Rules. Those who patrol will show identification upon request. Anyone who refuses to stop and/or present proper identification to a Triple A or internal security or threatens a Security officer, is in violation of the Rules & Regulations and subject to a fine.
2. LITTERING AND GARBAGE: Collection arrangements must be made and paid for by the property owner, renter or resident, but it is the owner's responsibility to so advise any renters or other residents at the premises. All garbage and trash must be protected from animals. There shall be no littering, dumping or burning of garbage or trash anywhere within the Community.
3. DOMESTIC ANIMALS: No domestic animals are permitted in the lake, on the beach or on the docks. No domestic animals are permitted to roam at will. The owner must be incomplete control at all times. Domestic animals must be prevented from soiling Common areas.
4. CONSTRUCTION: Construction or repairs by a Contractor or property owner shall not start before 8 A.M. and must stop by 6 P.M. No work is permitted on Sundays or Holidays, except emergencies. Prior to new construction, the Road Committee must be notified in order to determine the need for a sluice pipe. The water hook-up fee for new construction will be the price the Association Contractor charges for material and labor for a curb stop and curb box, which must be installed according to Association specifications by the Association Contractor.
5. TERMINATION OF WATER SERVICE: On the 31<sup>st</sup> day after the due date, a "Final Notice" will be sent to the property owner, who will be given until the 60<sup>th</sup> day to pay dues in full. If payment is not received, the Association will install a shut off valve (where necessary) and water service will be shut off. Service will only be reinstated when delinquent fees, penalties, cost of the curb stop valve and box (where necessary), installation, Attorney's fees and Court costs have been paid. Paupackan Lake Association will not be responsible for freezing of lines or damage to a home, should it be necessary to suspend service.
6. ABUSE OF WATER USAGE: There will be a \$100.00 fine and/or suspension of service levied against a water recipient who uses an excessive amount of water as determined by the Association. If suspension of service is necessary, the Association will install a curb stop and box (where necessary) and the owner will be billed the actual cost for the installation of same and in addition will be fined \$100.00. Service will be reinstated after receipt of total payment. The Association will not be responsible for any damage due to lines in the home freezing.
7. WINTERIZING SERVICE PROVIDED: At the request of an owner, the Association will, for a fee of \$25.00 turn off the water at the curb stop (where available) and for a \$25.00 fee, turn it back on when service is to be resumed. The Association will not be responsible for any damage due to lines in the home freezing.

8. LEAKS OCCURRING IN UNOCCUPIED HOMES: If a leak is detected by the Association and no outside shut off is available, a serious effort will be made to contact the owner by telephone. Failing that, the Association will install (where necessary) a curb stop and box to shut off the water and prevent further leakage and deterioration or cessation of service to others. Owners will be billed the actual cost for the installation. The Association will not be liable for the freezing of lines or damage to the home should it be necessary to suspend service.
9. BURNING: Burning will be confined in a fireproof container and should be conducted at a time and in a place not to infringe on a neighbor's rights to the enjoyment of the outdoors. NO HOUSEHOLD GARBAGE IS TO BE BURNED AT ANYTIME. Should the Community be advised of an ongoing "BURN BAN" anyone in violation will be fined \$100.00 and the Fire Company will be called.
10. FIREARMS: No firearms of any kind, including air or gas propelled, will be discharged on any property within the confines of the Community. There will be no written warning prior to the levy of a \$50.00 fine and notification to the State Police.
11. HUNTING AND TRAPPING: No hunting or trapping is permitted on any property within the confines of Paupackan Lake Estates.
12. FIREWORKS: The use of fireworks within Paupackan Lake Estates is strictly prohibited.
13. SOAP POWERS, ETC.: All cleaning agents that enter the individual sewage systems must be non-phosphate in nature (biodegradable). Check the information on the packaging before purchase.
14. SEPTIC SYSTEMS: Sewage or wastewater must be discharged through an individual Jet Aerobic System, under permit for installation from the Lake/Paupack Sewer Inspector.
15. DITCHES/CULVERTS: The installation, maintenance and repair of all ditches and culverts will remain the responsibility of the Association. The Association will determine the necessity of culverts and ditches. The homeowner's responsibility will remain to be the cost of the culvert pipe and the stone material. All labor will be assumed by the Association.
16. WATER TURN OFF: In the event a homeowner's domestic water has to be turned off because the homeowner is not in good standing with the community, the water will be turned on during regular working hours, Monday thru Friday 8:00 A.M. to 4:00 P.M. after all delinquent payments have been received.
17. CURB STOPS:  

**New Construction:** The home owner is responsible for the installation and cost of a curb stop near the road.

**Old Construction:** If the curb stop was installed in the wrong place, e.g. next to the house, then the Association will bear the responsibility for the installation and cost at the proper location.

No curb stop at all. The homeowner is responsible for the cost of the curb stop; however, the Association will be responsible for the cost of locating the water lines for its installation.

One water line fitted with two (2) curb stops located at the houses will be the responsibility of the Association.

## **ARTICLE VII – RENTING HOMES**

### **RENTAL OF HOMES**

- 1). All property owners who desire to lease their property must file with the Paupackan Lake Association office, a registration form at least five days prior to occupancy of the unit. The registration form shall identify the occupants of the property; together with other information reasonably necessary for the Association to carry out its purpose. The property owner shall pay a registration fee in the amount of Two Hundred Fifty Dollars (\$250.00) per property to the Association annually.
- 2). All tenants must register with the Association Office. The Association shall provide copies of the Rules & Regulations, Covenants, Restrictions and By-Laws to the tenant and the tenant agrees to sign the registration form evidencing that he or she has received the above documents.
- 3). Failure of the owner to file a registration form shall result in a fine of One Hundred Dollars (\$100.00) for first offense, Two Hundred Dollars (\$200.00) for second offense and Three Hundred Dollars (\$300.00) for each subsequent offense.
- 4). All non-property owners shall comply with all of the covenants, conditions and restrictions pertaining to the Association, its rules and regulations and all other duly documented legislation by the Association during the term of their tenancy. Violations by tenants shall be communicated directly to the property owner either by telephone, by mail or in person.
- 5). The property owner shall be responsible for any and all damages associated with loss to the common facilities by virtue of a tenant's action. In addition, the property owner shall be responsible for all fees associated with the collection of a fine or citation issued to the owner. Further, the property owner shall be responsible for any and all legal expenses incurred by the Association in enforcing its rules and regulations as a result of tenant's actions.
- 6). All real property rented must be used for single-family residential purposes only. Commercial purposes are not permitted.
- 7). In the event that a property owner is in violation of any of the above requirements for rental of property, the Board of Directors of the Paupackan Lake Association may prohibit the owner from continued leasing of his property or properties until such time as all violations pertaining to the owner have been resolved.

8). It is the responsibility of the property owner to advise Paupackan Lake Association of any change in tenancy and to file the applicable registration form evidencing such change and pay all necessary registration fees as outlined above. If an owner does not register a change in tenancy within five (5) days, the Association shall have the right to fine the owner in accordance with the fine schedule outlined above.

### **ARTICLE VIII – LOT/HOME IDENTIFICATION**

Each Lot/Home owner should install identification in the form of a Lot number for an unimproved lot and the Wayne County 911 street address number for improved lots in order to assist Emergency vehicles when responding to calls.

### **ARTICLE IX – PENALTIES FOR VIOLATIONS**

The following penalties apply to all violations of the Rules & Regulations:

<b><u>FIRST OFFENSE:</u></b>	\$100.00 fine plus Court costs and Attorney's fee, per rule violation.
<b><u>SECOND OFFENSE:</u></b>	\$200.00 fine plus Court costs and Attorney's fee, per rule violation.
<b><u>THIRD OFFENSE:</u></b>	\$300.00 fine plus Court costs and Attorney's fee, per rule violation.

Amended: 1993  
2001  
2005  
2006