

LAKE SENECA PROPERTY OWNERS ASSOCIATION, INC.

---RULES---

(Effective November 2018 superseding all previous publications)

**Changed/Added Rules (66.18) - (66.18 A.A.A.) – (66.21) – (69.1) – (69.2) – (70.5) – (89.7 F.) – (89.7 G.)
(89.7 H.) – (2012.1) – (2012.2) - (2012.3) –(2013.3)**

Lake Seneca Property Owners Association, Inc. is a strictly private “Membership Association”. It was formed in the interest of, and for the protection, promotion, and improvement of the Lake Seneca community. The goal is to make this the finest Association of its kind in the area. Compliance with, and observance of the following rules will help to maintain the high standards of the Association and enable each member to take pride in being an active member.

65.1 (Amended 1977) (Rescinded 1995) Authorization of contracts

66.1 MEMBERSHIP CARDS AND DECALS (Amended 1993, 1995, **2003 rescinded**) Membership Cards & Decals rescinded in 2003. **See Rule #66.2 for Guest Cards.**

66.2 GUEST PRIVILEGES. (Amended 1986 and 1993) Association members are entitled to use, and invite guests to use the facilities of the Association. Unless they have a guest card, guests must be accompanied by the Association member. Guest cards may be obtained by members by contacting the Association office. Guest cards must be filled out with the name of the member, lot number, and the expiration date of the guest’s privileges. Members are responsible for the action and activities of their guests. To guard against the possibility of some members allowing unreasonable continuous use of their privileges by the same person, it may be necessary to limit the number of guest cards that are used by each member per month. This does not apply to overnight or houseguests, and applies only to the use of the beach and other Association facilities.

66.3 THE BEACH (Amended 1979 and 1993) Picnicking and bottles are not allowed on the sandy part of the beach. Children under ten (10) years of age must be accompanied by an adult. Adults with children must be responsible for their children’s conduct and safety. Swimming is restricted to the area bounded by the floats. The use of water toys and similar equipment is left to the judgment of parents.

66.4 CHILDRENS’ AREA The children’s area is designed for children under ten (10) years of age. A wading area that is safe for the little ones is provided in shallow water. Various equipment, swings, slide, etc. are also available. Parents are responsible for their children’s behavior and safety.

66.5 (Rescinded 1003) See 89.2 Boat Docks.

66.6 WATERCRAFT: (Amended 1990, 1993, 1995, 2003, 2005, 2016) Only Lake Seneca POA Members/Renters in good standing may use the boat launch. This is limited to boats, to be used only by said LSPOA members/renters, members of their households and family members that have been issued a one day pass. The only point where power boats may enter the lake from the common property is at the boat launch. Only manually powered craft may be placed in the water at the common access lots provided for the members. No private docks, boat lifts, nor moored craft may block the lake access from common or private lots.

- Rigid hull powerboats and sailboats will be limited to (24) feet or less.

- Pontoon Boats may be as long as (26) feet.
- Violation of any Lake Seneca boating rule, state watercraft law, local ordinance, and/or any dangerous or reckless operation of a watercraft may be grounds for the revocation of boating privileges.
- The LSPOA is not responsible for clothing, valuables, or any personal injury sustained in watercraft, on the beach or in/out of the lake.

1501:47-7-11 On the waters of Lake Seneca. Williams county.

(A) Definitions:

(1) "Shore zone" means the water area of a uniform width of fifty (50) feet lying parallel with and contiguous to the shoreline.

(2) "Open zone" means any water except the shore zone, designated swim areas. and the marina or boat launch area.

(3) "Designated swim area" means any water area designated and marked as a swim zone by the Lake Seneca Property Owners Association. The designated swim area shall exclusively include the water along and contiguous to the shore area designated by the Lake Seneca Property Owners Association as the community beach area.

(B) General Provisions

(1) No person shall place, anchor, or otherwise affix any type of buoy, sign, mooring apparatus, swim platform, or other floating structure in the open zone or in an area that obstructs access to a navigable channel or boat launch. This does not preclude the use of buoys to mark hazards in the water.

(2) All power craft shall proceed in a counter-clockwise direction with the shore to the starboard side, except to retrieve a fallen skier or while beaching or going in to shore.

(3) No person shall operate a power craft at a speed that creates a wake in the following areas:

(a) the shore zone, or

(b) within fifty (50) feet of the designated swim area.

(4) No person shall operate a power craft at a speed that creates a wake between the hours of eight p.m. and ten a.m. local time.

(5) No person shall operate a power craft at a speed greater than idle speed, or at a speed that creates a wake at any time when the lake warning flags are displayed as a notice of hazardous conditions or flood stage.

(C) No person shall operate or permit the operation of any vessel in violation of this rule.

Effective:					5/26/2016
Five	Year	Review	(FYR)	Dates:	05/26/2021
Promulgated			Under:		119.03
Statutory			Authority:		1547.52
Rule Amplifies:	1547.5,1547.61				

66.7 DWELLING RENTALS (Amended 1993) Property owners are permitted to rent their dwellings. If member is in good standing, the tenant may have full membership privileges. Members are responsible for the actions and

activities of persons to whom they rent their dwellings. Notification to the Association office is required when property owner rents his property to another.

66.8 ASSOCIATION PICNIC AREAS Picnic areas, barbecue pits, and picnic tables are available at various locations throughout the development. Association members and guests are requested to place waste in trash containers. Fires must be completely extinguished before leaving the area. Association equipment and property must not be removed from the picnic or access area.

66.9 GAMES Shuffleboard, basketball, and tennis courts are available at designated locations. There is no charge to Association members and their guests for the use of these facilities.

66.10 WATERFRONT LOTS Members who own waterfront lots may install a private beach. These members may also construct a private dock, boat house, and/or swim raft. Before constructing these facilities, the member must furnish the Board of Trustees a detailed description of the improvement and seek approval of the proposal. All beaches must conform to normal safe health regulations of the State of Ohio (refer to Deed Restriction #6).

66.11 REAR LOTS Members owning other than waterfront lots have full privileges of the lake, beach, etc. These members must not seek access to the lake across another member's property; access areas are provided for this purpose. (See rule 89.2 concerning the assignment of dock space).

66.12 WATER SKIING (Amended 1995) Skiing will be accomplished in a counter-clockwise pattern. Skiing is permitted only during the hours from 10:00 a.m. to 8:00 p.m. No water skiing in posted areas.

66.13 FISHING Members may fish at any community dock, from their own property, or from boats. A current Ohio fishing license is required for all persons who must have a license to fish elsewhere in the State of Ohio.

66.14 WASTE AND GARBAGE DISPOSAL (Amended 1979 and 2005) Residents must not use Association garbage containers for disposal of waste and garbage. Anyone using these containers for household trash will be notified in writing to cease this action. If this practice continues, individuals responsible will be charged the going rate for trash pick-up plus \$25.00. Disposal of waste on vacant lots is prohibited.

66.15 "FOR SALE" AND OTHER SIGNS (Amended 1978 and 1993) "For Sale" signs may be placed on lots for sale. Contractor's signs, not to exceed the size of a normal Realtor's sign, may be posted while work is in progress. No other commercial signs are permitted.

66.16 CONDITIONS, RESTRICTIONS, AND AGREEMENTS CONTAINED IN THE WARRANTY DEED Property owners should read the Deed Restrictions very carefully. Each property owner is subject to all the conditions, restrictions, and agreements stated therein or as recorded in the Williams County, Ohio Courthouse.

66.17 RULES COMMITTEE (Amended 1995) The Rules Committee is appointed by the Board of Trustees of the Association. The rules may be changed or amended from time to time by the Board of Trustees.

66.18 RULES GOVERNING THE USE OF ARROWHEAD LODGE AT LAKE SENECA FOR PROPERTY OWNERS AND THEIR GUESTS. (Amended 1980, 1985, 1991, 1993, 1995, 1996, 2000, 2005, 2006 & 2007, 2012, 2013, 2018)

A. Reservation of Lodge limited to members in good standing. There shall be a **One Hundred Sixty Dollars (\$160.00) fee to start in 2018 fiscal year.** Due at time of reservation which will be non-refundable unless otherwise approved by the Board. **(Amended 2018) A Two Hundred Dollar (\$200.00) Security Deposit if not using the TV or a Four Hundred Dollar (\$400.00) Security Deposit if using the TV** will be required at the time keys are surrendered to the renter. **(Amended 2012)** The Security Deposit will be refunded if lodge is returned in an acceptable condition when keys are returned.

A.A. Members in good standing are allowed use of tables/chairs when the lodge is not being used. A **deposit of \$10.00 per chair and \$50.00 per table** is required. **(2007) Effective 1/1/08, we will charge \$20.00 for less than 30 items, & \$25.00 for 30 items or more in renting tables and chairs.**

A.A.A. Any member in good standing found to be renting the Lodge for a Member **not in good standing** will be denied their security deposit. In addition, that member in good standing will be denied the rental of the lodge for a period of one year. **Rescinded (08/08/13)**

B. All property owners reserving the lodge must allow other property owners to seek shelter in the facility in case of inclement weather or other emergency. Also, property owners and guests must be allowed to use the restroom facilities.

C. No alcoholic beverages shall be given, served, or sold to anyone under the age of twenty-one (21) – private parties included. It is a violation of the Ohio Liquor Law if minors receive such beverages.

D. Drugs, other than prescription, shall not be distributed, served, sold, or used at Arrowhead Lodge.

E. Commercial affairs not approved by LSPOA are not permitted at Arrowhead Lodge. The Lodge is maintained for the use of property owners and their guests. Commercial affairs are defined as “Events designed to produce monetary income for the renter.”

Restrictions:

- (1) No admission fees.
- (2) No advertising of events in public places.
- (3) No newspaper ads announcing an event.
- (4) No public invitations.

F. The Board of Trustees reserves the right to refuse the use of the lodge to any member in good standing if any of the above rules are violated.

G. When decorating the lodge, nothing harmful to the décor of the interior may be used. This includes tacks, staples and nails. Additionally, all tape must be removed when decorations are taken down.

66.19 TRAFFIC ON DAM (Amended 1981, 1993, 1995 and 2005) **No traffic allowed on Dam** except for inspections or repairs.

66.20 (Rescinded 1990) Horses

66.21 (Rescinded 2012. See rule 2012.2) PETS (Amended 1978, 1993, 1995, 2012)

69.1 NEWSLETTER (Amended 1984, 1993, 2012) There will be four (4) Thunderbird editions per year, all 4 to be electronic and 2 of the 4 to be printed. One issue to precede annual meeting of the members by at least 30 days before the annual meeting (3rd Sunday of September). **See By-Law change 4A for annual meeting** This publication is sent to all members.

69.2 MOWING LOTS (Amended 1974, 1980, 1993, 1995, 2005, 2012) Each Spring property owners are reminded that in accordance with item five (5) of the Deed Restrictions, property owners agree to keep lot(s) in a tidy manner, and failure to do so, results in maintenance of said lot(s) by LSPOA and charges of **Sixty Five Dollars (\$65.00)** with a **Ten Dollar (\$10.00)** surcharge per mowing per lot is assessed. (See rule 79.1 concerning mowing inspection dates).

- (1) (Rescinded 1995) Quarterly letter of events
- (2) Inform property owners that by June 15th and September 1st lots are to be mowed.
- (3) Inform property owners that it is their responsibility to monitor the performance of grass mowing contractors with whom they have contracts.
- (4) LSPOA will maintain the roadside and most of its property and those lots upon which the Association representative receives complaints. If LSPOA mows lots a charge of **\$50.00** plus a **\$10.00 surcharge** per lot will be assessed.

69.3 (Rescinded 1990) Motel

69.4 SAFETY DEPOSIT BOX (Amended 1977, 1993, 1998) We now have a lead lined file which we are using as a safe. The President, Treasurer, Assistant Treasurer & Office Manager have a key to this file.

69.5 (Rescinded 1993) Guard office phone

69.6 (Rescinded 1993) For Sale Signs

69.7 ATTENDANCE AT BOARD MEETINGS (Amended 2010, 2012) Any property owner may attend Board of Trustees meetings. Should he/she wish to speak to the Board, the property owner may raise their hand and will be acknowledged by the President. When the agenda dictates, the President will call upon the property owner to present his/her concerns, a five (5) minute time limit will be enforced. A member speaking without authorization shall be ruled out of order by the President. If a second out of order is issued to any member, he/she will be asked to leave the meeting.

70.1 COLOR OF THE LAKE: (1998) No Official Color - Color was Rustic Brown

70.2 (Rescinded 1995) Seneca Utilities

70.3 ANNUAL MEETING AGENDA The agenda for each annual meeting will be printed without advertisements.

70.4 INTEREST ON DELINQUENT ACCOUNTS (Rescinded 1993, Reinstated 2005, Amended 2006) A **Ten Percent (10%)** interest rate will be charged on any delinquent accounts past 60 days. **2006** An 18 per cent interest rate will be charged on any delinquent account past 60 days.

70.5 – ASSOCIATION LAWYER – LSPOA will retain a corporation lawyer from Williams County. **(Rescinded 5/10/12.** If none is available in Williams County, the attorney will be recruited from an adjacent County.

71.1 (Rescinded 1993) Committee funds.

72.1 BUILDING PERMIT FORM Printed forms must be used to obtain a building permit.

72.2 EROSION PROBLEMS (Amended 1993) Members are required to prevent and correct erosion problems originating from their property and thus depositing materials on roads, other property, and/or in the lake. Failure to correct these problems may result in LSPOA making repairs and billing the property owner.

75.1 ELIGIBILITY FOR TRUSTEE (Amended 1995) Any nominee for Trustee whose dues are not paid in full shall have his/her name withdrawn from the ballot. Any Trustee who fails to keep his/her membership in good standing shall be removed from the Board.

75.2 MEMBERSHIP DUES (Amended 1984, 1986, 1993, 1995 and 1996) The annual dues is established at the Annual Membership Meeting. The current annual dues are **\$275.00** per member and a General Maintenance fee per each lot owned of **\$30.00** per year.

75.3 PREPAID DUES (Amended 2010) In the event that a property owner has prepaid dues and fees and should sell or otherwise dispose of all of his/her Lake Seneca property, LSPOA agrees to refund that portion of the dues applicable to the years following the current dues paying period.

76.1 ASSOCIATION CHECKS (Amended 1985, 1993, 2005, 2006) The President, Treasurer & Assistance Treasurer are authorized to sign checks for the Association. Two signatures is required for checks over 1,000.00. Federal, State or Local taxes would require one signature if two trustees are not available to sign due to the fact if these are not sent on time, we will be charged a penalty. Present bank has a signed authorization for this.

76.2 LEGAL FEES For any judgment lien required to be placed by LSPOA on foreclosures and judgment liens, legal fees, recording fees, and releasing fees shall be added to the moneys due LSPOA.

76.3 (Rescinded 1995) Transferring of funds by the Treasurer.

76.4 LIABILITY INSURANCE (Amended 1995) Anyone contracted by LSPOA must show proof of liability insurance.

77.1 DAM CONTROLS The gates of the weir box will be secured so as to be inoperable except in an emergency or for maintenance.

77.2 RESTAURANT AND STORE (Lot #177) (Rescinded 4-10-03) (Reinstated and Amended 11-9-06) Does not pay annual Membership Dues as long as restrooms remain open to members and are maintained in a sanitary condition from Memorial Day through and including Labor day.

77.3 ACCOUNTING METHOD The cash basis accounting method is used for tax purposes.

77.4 (Rescinded 1995) Vehicle safety

77.5 LIFE GUARD AND SECUTIRY GUARD DUTIES (Amended 2005) No life guard is provided by LSPOA. All beach facilities used by members is at their own risk.

77.6 (Rescinded)

77.7 LAKE EMPLOYEES Any property owner employed by LSPOA or issued a contract by LSPOA must have a paid up account or authorized the deduction of the balance due from wages or contracted amount.

78.1(Rescinded 1995) BRIDGE LOAD LIMIT

78.2 PAYING OF BILLS The Treasurer shall pay all normal recurring bills, i.e., utilities, wages, taxes, general maintenance, etc. Unusual bills require Board of Trustee approval for payment.

78.3 AVAILABILITY OF RULES (Amended 1993) A complete set of rules is made available to new members of LSPOA. Additional copies available at the cost of copying.

78.4 NUMBERING SYSTEM (for rules) The annual- numeric numbering system is used for all rules.

78.5 Load Limit: (Amended 1985, 1995, 2005, 2016) The load limit on all roads is 15,000 pounds per axle. Load limit on Seneca Drive Bridge from 12 ton (24,000 #) to 5 ton (10,000 #). Reasoning: To protect the property & liability of the Membership.

79.1 (Rescinded 1993) LOT MOWING INSPECTION DATES

79.2 (Rescinded 1986) MOWING CUT-OFF DATE

79.3 SNOW REMOVAL Parking is not permitted on streets if two (2) or more inches of snow has accumulated; upon removal of the snow parking may be permitted.

79.4 (Rescinded 1995) MEMORIAL PARK

86.1 (Rescinded 1990) RECREATIONAL VEHICLE PARK

88.1 EXCAVATION PERMIT (Amended 1991) Prior to the commencement of any construction requiring excavation a property owner must have an "Excavation Permit" approved by the designated Representative to the Board of Trustees. Excavation requiring a permit includes: excavating for basements, foundations, and/or slabs for buildings, excavating for septic systems, excavating to change the level of waterfront property including any change at or below the water line, excavating of ditches to install culverts, excavation for the laying of drainage tiles, excavation that changes the contour of any lot resulting in the possibility of a change in the direction of water flow over the lot.

- A. Following excavation, landscaping must be completed within one year, insuring that eroded materials do not reach the lake or move to another member's property.
- B. Following the initial excavation, waterfront protection must be installed to prevent wave erosion and/or bank undercutting. Protection must be of sufficient height and thickness to prevent damage to the shoreline. Protection must be installed within one calendar year following the initiation of excavation. (See also 91.1)

89.1 ALL-TERRAIN AND RECREATIONAL VEHICLES (Amended 1993, 1995, and 2005) No ATV's or other Recreational vehicles are allowed within the Lake Seneca Subdivision boundaries unless titled or registered to a property owner in good standing or member of the property owner's immediate family, a bill-of-sale may be used to show proof of ownership.

For safety an orange flag with a minimum six (6) foot post shall be displayed of all ATV's and Mopeds. The operator of any ATV or recreational vehicle that operates such vehicle on Lake Seneca Property or within the Lake Seneca Subdivision boundaries without proof of ownership and display of a flag shall be deemed a trespasser and subject to trespass laws.

Inexperienced operators are encouraged to take and pass an ATV safety course offered by the ATV club or interested members at Lake Seneca. Unsafe operation will result in loss of privileges at Lake Seneca.

89.7 DOCK SPACE, ASSIGNMENT OF (Amended 1993, 2005, 2012) The President of the Association is authorized to assign dock space to all off lake members in areas where this convenience is limited.

- A. LSPOA may build and maintain docks from Lake Seneca Property.
- B. Such docks may be rented by a member in good standing for a fee established annually by the Board of Trustees
- C. Dock spaces will be assigned, previous years renter in good standing having first choice, followed by any member in good standing having second choice, members in good standing wanting to rent multiple dock spaces will have third choice. This does not entitle members to additional docks next year.
- D. Boats and equipment are left at the owner's risk.
- E. Rental fee to be **Seventy Five dollars (\$75.00)** a season beginning with 2012-2013 season.
- F. All watercraft to be removed from association docks no later than October 1st in future years except for docks by boat ramp or the boat will be removed at owner's expense.
- G. All association docks and private docks on association property must be put in and removed with LSPOA approval.
- H. Rental fee for association dock to be **\$75**. Members renting space only on LSPOA access lots to be charged **\$35**.

91.1 REQUIREMENTS FOR THE FILLING AND TILING OF ROADSIDE DITCHES

- A. File a request with association officer responsible for maintenance supervision.
- B. Requirements:
 - (1) Use perforated tile, at lease eight (8) inches in diameter, larger diameter tile is required in areas where the ditch carries high volume of water.
 - (2) Keep the fill slightly lower than the road, at least four vertical inches, thus allowing the water to run off the road's surface.
 - (3) Seed the area, no trees, shrubs, or other plantings are permitted within thirty five (35) feet of the center of the road.
- C. The property owner assumes all maintenance responsibilities of the filled area, and the property owner assumes the cost of maintaining the tile in an operable condition.

93.1 NEAT CONDITIONS OF LOTS Per Deed Restriction 5 – No junk i.e. abandoned vehicles, appliances, or trash, etc. may be left in the open on any lot.

93.2 THE DAM Diving from the dam and/or swimming through the flume is strictly forbidden.

05.1 FENCES (Added January 2005) Board approved **Building Permits** are required before installing fences.

09.1 BUILDINGS AND GROUNDS (Added from By-Laws May,2009)

Section 2. All culverts and other changes to the ditches along said owner's property must be approved by the Building Committee (compliance with Deed Restriction # 7).

Section 3. Any boat dock will be approved by the Building Committee prior to construction or will be removed at owner's expense (compliance with Deed Restriction # 6).

Section 4. The building elevation shall be established prior to construction to allow for proper drainage to the lake, away from said building, and not onto roadways.

Section 5. All electrical wiring shall be in conformance to the national wiring and line codes those restrictions placed thereon by the State of Ohio and Williams County, Ohio;

(Amended by membership May, 2000) There will be a \$50.00 non-refundable building permit fee plus a \$450.00 deposit needed at the time of permit application. The \$450.00 deposit will be refunded if all the rules and regulations as well as the deed restrictions are followed. No damage may occur to any Lake Seneca property or equipment during construction time. If any damage does occur, the cost of repairs will be taken from the deposit, or if an additional amount of damage occurs, the applicant will be assessed.

Section 6. (Amended by membership May, 1995) All plumbing drains, drain vents, etc., shall conform to national, state and local codes, and the main house to the septic tank run shall be at least a four (4) inch pipe with a minimum forty (40) psi rating.

2012.1 NATURE PRESERVE (Added April 2012, Amended 2016) The Nature Preserve is designated a quiet area. Motorized Vehicles are not permitted to operate in the area except Golf Carts, LSPOA service vehicles, which means Maintenance and Security vehicles.

2012.2 PETS (Added September 2012) All pets must be confined to the member's property or under control by owner. No pets are allowed on the LSPOA beach. Members with a complaint should contact county authorities.

2012.3 – (Added 2012) Amended (2016) All new or changed by-laws must be updated and recorded within 60 days of passage at the Williams County Courthouse.

2013.1 – Rescind Rule (2016) Board Member Voting – Any board meeting of four members or more; you need at least four affirmative votes to pass any motion.
Reasoning: Quorum requirements have already been established by By-Law 5(I) and by Roberts Rules.

2013.2 Parking at the Beach – No vehicles are authorized to park on the sandy portion of the beach. No vehicles, other than vehicles with a state issued handicap permit may park in the grassy area adjacent to the beach, and may park in designated areas only.

2013.3 . Abandoned Boats – To charge costs incurred to remove boats abandoned in the lake and to charge \$1.00 per day for storage.

2015.12 Levee of Dues & Assessments. (Added 2016) (Amended September 2016 Membership Meeting.) List of all the Dues and Assessments members currently pay:

- Membership Dues - \$320 & Lot Fee \$30 Annually for each lot owned
- Waterway Cleaning Assessment - \$45 Annually
- Road Assessment - \$200 Annually
- Dam Assessment - \$350 Annually
- Bridge Maintenance Assessment - \$120 for New Members Only
- Lodge Repair Assessment - \$100 for current Members and New Members.

2016.1 – (Added 2016) (Amended December 2016) Removal of native trees from the common property is limited to only those trees that are dead, damaged, or those that pose a threat from windfall. Any removal must be approved tree by tree by an LSPOA Trustee.

END OF RULES

Brad Felske, Vice President

Franklin L. Curtis, Secretary

Date: _____

Date: _____