

RULES & REGULATIONS
Of
LAKE IN THE CLOUDS PROPERTY OWNERS ASSOCIATION

The purpose of the association's Rules & Regulations is to further the common good of the community and serve to protect the health, safety and welfare of its entire membership.

Violation of these Rules and Regulations may subject the violator to fines ranging from \$25.00 to \$500.00 per violation. These Rules and Regulations pertain to lot owners, renters and any guests who use the Lake in the Clouds (LITC) facilities.

PROPERTY

1. It shall be the responsibility of each owner and/or individual to maintain their property and prevent the development of any unclean, unsightly or unkept conditions with respect to building or landscaping of owner's property.
2. No noxious or offensive activity is allowed on any of the properties within the community, nor shall anything be done thereon tending to cause discomfort, annoyance, or nuisance to the other members. Nuisances shall include, but not be limited to, any activity that has the affect of disturbing, harassing, intimidating or posing a threat to the health, safety or welfare of other members.
3. Speeding is prohibited within the LITC development. The posted maximum speed limit of 20 miles per hour must be observed by ALL vehicles.
4. There is absolutely **NO HUNTING** allowed in LITC.
5. Discharging any firearm is prohibited within LITC.
6. No commercial vehicles are to be kept in LITC without the Board of Director's (BOD) approval.
7. Garbage and trash must be properly disposed of. The property owner will be billed for any expense incurred if the Association has to have garbage/trash removed.
8. Only snowmobiles, ATVs and golf carts owned by association members may be operated on LITC roads and common property. Vehicles are required to be registered and insured in accordance with Pennsylvania State law and copies placed on file in the community office. In addition, vehicles must have lot numbers visible and comply with all state, local and community regulations.
9. All dogs must be kept on the property owner's sites. All dogs being walked on LITC roads and Common property must be on a leash. Excessive barking of dogs is prohibited at all times and may be reported to the dog warden.
10. No logging of any kind is permitted in LITC. Only those trees whose removal is required for the construction of a new home, that are dead or that are a danger may be cut. Trees that are cut down to enable new construction, but whose removal may potentially cause erosion or silt filtering into the lake must be replanted, or a suitable ground cover be planted, to prevent the problem.

11. Use of outdoor furnaces is not permitted in LITC. These furnaces have the potential of producing excessive amounts of smoke and causing discomfort to surrounding neighbors.
12. "For Sale" signs:
 - A. The sign may not be attached to a tree, but must be freestanding or attached to a building.
 - B. Only one sign per property.
 - C. The sign must be located not less than 15 feet from the edge of the road (measured on the same side as the property.)
 - D. The sign must be professionally prepared and weatherproofed. No spray painted or crudely constructed sign is permitted.
13. When selling property, owners must order a Resale Certificate from the LITC office to pass on to the new owners of said property. The resale certificate is not released until payment of \$250.00 is received. The resale certificate is mandatory pursuant to the provisions of Section 5407 of the Pennsylvania Uniform Planned Communities Act.
14. As of February 12, 2010 all detached, nonresidential outbuildings, garages, sheds or other such structures must be constructed according to the current LITC building requirements as found in the covenants. In addition, no detached structure may exceed one story in height or be larger than 30' X 30' (2-1/2 car garage size.) Exceptions to this regulation are subject to BOD approval through the current appeal procedure. Any secondary structure as defined herein must be located on the same lot as the primary original dwelling or on an adjacent lot that has been combined with the primary dwelling lot.
15. As of August 12, 2011, burn pits are banned in all areas of LITC. Only natural materials such as paper, leaves, tree branches, etc. are allowed to be burned in small contained areas such as 55 gallon drums. Construction material, household, garbage (such as food, plastics, etc.) are never allowed to be burned. All outside burning is prohibited if there is a township mandated burn ban in effect.

RENTAL POLICY as of 03/01/12

1. Members who wish to rent their property for any length of time (three months or longer) must be members in good standing per Association definition in Schedule A. If a property is rented in violation of this, the owner will be subject to the LITC complaint process found in Schedule A.
2. Both the owner and the tenant will fill out an application form to be kept on file in the office.
3. A copy of the Association's Rules and Regulations will be signed by both the owner and the tenant and each item initialed signifying understanding and agreement. The agreements will be kept on file in the office.

4. For the owner's and community's protection, it is strongly recommended that the owner obtain a criminal background check on each last name expected to occupy the rental property. This should then be submitted to the office with other required paperwork.
5. For each rental, a refundable security deposit of \$500.00 is required from the owner and held in escrow by the Association to cover any costs incurred by the Association for damages to common property or property cleanup in place of owner. In addition, a \$100 non - refundable administrative fee will be charged for each rental to cover the paperwork and time involved.
6. All paperwork must be complete and filed in the office prior to rental start date.
 - A. Rental form filled out by owner; rental form filled out by tenant; criminal background check if available; rules and regulations signed and initialed by both the owner and the tenant; deposits from owner.
7. Tenants have the right to use the facilities pursuant to the Association By - laws and Rules and Regulations if owner is a member in good standing.
8. The property owner is ultimately responsible for the conduct of the tenant and guests.
 - A. All tenants, members of the tenants' families, and guests must comply with the association by-laws, rules and regulations. Failure to do this will subject the owner to the Association complaint procedure and possible fines from \$25.00 to \$500.00.
 - B. Per Association procedure, the property owner shall be responsible for all attorney's fees and costs incurred by the Association if the complaint procedure results in a court appearance.
 - C. No property may be subleased without the subtenant going through the rental procedures and paperwork as outlined above prior to taking over the lease.

BEACH & BOATS

1. No boats propelled by gasoline engines are allowed on the lake.
2. No boats are allowed in the beach area. Boats may be beached by the concrete abutment temporarily, during daylight hours only.
3. All boats must have their respective lot numbers visible on both sides at all times.
4. All boats must comply with Federal and State boating regulations, including, but not limited to the use of proper life preservers for each person aboard.
5. Neither dogs nor other pets, nor the riding of bicycles, go-carts, motorcycles, and ATVs are permitted in the beach, picnic, or other recreation areas.
6. Swimming is not allowed when a lifeguard is not on duty.
7. Running, pushing, shoving, dunking and all other types of bullying are prohibited on the beach or in the water.

8. Throwing harmful objects on the beach or in the water, including on or from the raft or a boat is prohibited.
9. The lifeguard is responsible for the safety of all swimmers: therefore, all orders and directions of the lifeguard must be obeyed. The lifeguard may ban any person violating any LITC rule or disregarding his/her direction, from using the beach and swimming area. Such action will be reported to the BOD who may suspend the person's beach and swimming privileges.
10. No child under ten years of age will be allowed in the water unless accompanied by a responsible adult, except that said child has passed an approved swimming test administered by the lifeguard.

FISHING

1. The minimum size for harvesting largemouth bass is 15 inches.
2. The harvesting of largemouth bass is prohibited when the lakes are frozen.
3. Non-members must be accompanied by a member while fishing.
4. Members and guests must otherwise obey all relevant Federal and State fishing regulations, including licensure if over 16 years old.
5. Fishing is not permitted in the beach or raft areas.

ENFORCEMENT*

1. Upon discovery of a violation of any of the LITC Association Covenants, Bylaws, Rules and Regulations, the BOD shall notify the violating member, via certified mail, of the following information:
 - A. The facts relating to the violation(s).
 - B. The relevant section(s) of the associations documents establishing the violation(s).
 - C. A proposed deadline to remedy the violation(s).
 - D. An explanation of the possible penalty(s).
 - E. The member's right to a hearing before the BOD to present any defenses concerning the Notice of Violation.
 - F. During any period that a member is in violation of the association documents, such member shall be designated as a member not in good standing and shall not be eligible to use any of the Association Amenities.
2. Upon receipt of a Notice of Violation, the violator has the ability to appeal the violation to the BOD. Such appeal must be submitted in writing and be received no later than five (5) days from the date of receipt of the Notice of Violation.
3. Upon receipt of the request for hearing, the BOD shall schedule a hearing to be held within thirty (30) days of the request. The hearing shall be held at a reasonably agreeable time and location, and the alleged violator shall have the opportunity to have counsel present for the hearing.

4. The ruling of the BOD shall be final. The BOD must issue a written ruling within five (5) days of the hearing. Such ruling shall explain the nature of the violation and the penalty imposed. The penalties permitted for any violation are left to the discretion of the BOD as the situation may dictate: however, no fine shall be less than \$25.00 nor exceed \$500.00 per occurrence.
5. Repeat violations, upon notice, shall constitute a continuing violation and shall be subsequently subject to additional fines neither to be less than \$25.00 nor to exceed \$500.00 per occurrence.
6. The penalty shall be imposed after the hearing or, if the violator does not request a hearing, the day after the compliance period (as referred to in the Notice of Violation) ends.
7. Any fines imposed per this rule shall constitute an automatically perfected statutory lien on the member's property. Any enforcement costs, i.e.: attorney's fees, filing fees, etc. incurred during the course of an enforcement proceeding or in an assessment collection matter, shall be added to the automatic lien granted per Section 5315 of The Pennsylvania Uniform Planned Community Act. 68 PA.C.S., #5315.

*** Outlined from P.O.A. Schedule A.**

Revised Feb. 2012