

# **SKI HAVEN LAKE ESTATES PROPERTY OWNERS ASSOCIATIONS**



**By-Laws, Rules and Regulations  
Amended, July 2011**

# **SKI HAVEN LAKE ESTATES**

## **ARTICLE 1 – OFFICES**

1. The registered office of the Corporation shall be:  
Board of Directors  
Ski Haven Lake Estates  
P.O. Box 261  
Swiftwater, PA 18370-0261
2. The Corporation may also have offices at such other places within Ski Haven Estates as the Board of Directors may from time to time appoint or the activities of the Corporation may require.

## **ARTICLE II – SEAL**

1. The Corporate Seal shall have inscribed thereon the name of the Corporation, the year of its organization and the words “Corporate Seal, Pennsylvania”.

## **ARTICLE III – MEMBERS**

1. Meetings of the members shall be held at such places as may from time to time be selected. Roberts Rules of Order are in effect.
2. The annual meeting of the members shall be held on the FIRST SUNDAY IN MAY, in each year if NOT a legal holiday, and if a legal holiday, then on the following Sunday at 1:00 o’clock P.M. when they shall elect a Board of Directors and transact such other business as may properly be brought before the meeting. If the annual meeting shall not be called and held within three (3) months or ninety (90) days after the designated time, any member may call such meeting.
3. Special meetings of the members may be called at any time by the President, or the Board of Directors, or by any ten (10) members of the Corporation. At any time, upon written request of any person entitled to call a special meeting, it shall be the duty of the Secretary to call a special meeting of the members to be held at such time as the Secretary may fix, not less than ten (10) not more than forty-five (45) days after the receipt of the request. If the Secretary shall neglect or refuse to issue such call, the person or persons making the request may do so. Business transacted at all special meetings shall be confined to objects stated in the call and matters germane thereto.
4. Written notice of every meeting of the members, stating the time, place and object thereof, shall be given by or at the direction of the person authorized to call the meeting, to each member of the record entitled to vote at a meeting, at least fourteen (14) days prior to the day named for the meeting, unless a greater period of notice is required by statute in a particular case. When a meeting is adjourned, it shall not be necessary to give any notice of the adjourned meeting, or of the business to be transacted at an adjourned meeting, other than by announcement at the meeting at which such adjournment is taken.
5. A “Members” meeting duly called shall not be organized for the transaction of business unless a quorum is present. The presence in persons of 15 of the members entitled to vote shall constitute a quorum at all meetings of the members for the transaction of business except as may be otherwise provided by law or by the Articles of Incorporation. The members present at a duly organized meeting can continue to do business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum. If a meeting cannot be organized because a quorum has not attended, those present may, except as otherwise provided by statute, adjourn the meeting to such

time and place as they may determine, but in the case of any meeting called for the Election of Directors, those who attend the second of such adjourned meetings, although less than a quorum, shall nevertheless constitute a quorum for the purpose of electing Directors.

6. Except as otherwise provided in the Articles of the Corporation, any action which may be taken at a meeting of members may be taken without a meeting if a consent or consents in writing, setting forth the action so taken, shall be signed by all of the paid members who would be entitled to vote at a meeting for such purpose, and shall be filed with the Secretary of the Corporation.
7. A Member of the Corporation is hereby defined as an individual or a husband and wife who own one or more lots and has paid annual dues and assessments.
8. Every member of the Corporation who has paid his annual dues for the current year shall be entitled to ONE VOTE PER LOT. In all elections for Directors, each member having the right to vote shall have the right to multiply the number of votes to which he may be entitled by the total number of Directors to be elected, and he may cast the whole number of his votes for one candidate or distribute them upon two or more candidates, as he may prefer. The candidates receiving the highest number of directors to be elected shall be elected. No member shall sell his vote for money or anything of value. Upon request of a member, the books or records of membership shall be produced at any general or special meeting of the Corporation. If at any meeting the right of a person to vote is challenged, the presiding officer shall require such books or records to be produced as evidence of the right of the person challenged to vote, and all persons who appear by such books or records to be members may vote. The right of a member to vote and his right, title, or interest in or to the Corporation or its property shall cease on the termination of his membership.
9. No member may transfer his membership or any right arising there from. No proxies will be used for election of Directors to the Board.
10. A member may vote in person or by a directed proxy authorized by the Board of Directors. Upon written request, a directed proxy form can be secured from the Secretary. The directed proxy request must be postmarked ten (10) days in advance of the applicable membership meeting. The directed proxy form will contain only those resolutions set forth in the agenda for the membership meeting in question, as published by the Board of Directors. Upon appropriate execution by an Association member in good standing, this proxy may be used to vote for only those items outlined on the form. A directed proxy must be received no later than two days prior to the membership meeting date. Directed proxies can not be used for the election of Directors to the Board (See Article III, Section 9).

## **ARTICLE IV - DIRECTORS**

1. The business of this Corporation shall be managed by all its Board of Directors, nine (9) in number, who shall be natural persons of full age and who need not be residents of this Commonwealth, but who shall be members of this Corporation. They shall be elected at the annual meeting of the members of the Corporation, and each Director shall be elected for the term of (three years) and until his successor shall be elected and shall qualify. The term of the Board of Directors shall be staggered so that three positions shall be elected each year.
2. In addition to the powers and authorities by these By-Laws expressly conferred upon them, the Board of Directors may exercise all such powers of the Corporation and do all such lawful acts and things as are not by statute or by the Articles or by these By-Laws directed or required to be exercised or done by the members.

3. The meetings of the Board of Directors may be held at such times and as such place or places within this Commonwealth, or elsewhere, as a majority of the Directors from time to time appoint, or as may be designated in the notice calling the meeting.
4. Written or verbal notice of every meeting of the Board of Directors shall be given to each Director at least 14 days prior to the day named for the meeting.
5. A majority of the Directors in office shall be necessary to constitute a quorum for the transactions of business, and the acts of a majority of the Directors present at a meeting at which a quorum is present, shall be the acts of the Board of Directors. If all the Directors shall severally or collectively consent in writing to any action to be taken by the Corporation, such action shall be as valid corporate action as though it had been authorized at a meeting of the Board of Directors.
6. The Board of Directors may, by resolution adopted by a majority of the whole Board, delegate two or more of its number to constitute an Executive Committee which, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the business of the Corporation.
7. If the members so decide, the Corporation may allow compensation to the Directors for their services. A Director may also be a salaried officer of the Corporation. Should a compensated or salaried director resign prior to the end of a given fiscal year, the amount of the compensation will be prorated, based on the number of months served.
8. The entire Board of Directors or any individual Director may be removed from office, without assigning any cause, by a majority vote of the members of the Corporation entitled to vote at an election of Directors. In case the Board or any one or more Directors be removed, new Directors may be elected at the same meeting. Unless the entire Board is removed, no individual Director shall be removed in case sufficient votes are cast against the resolution for his removal, which, if cumulatively voted at an annual or regular election of the Directors, would be sufficient to elect one or more Directors to the Board.
9. If a Board member misses three meetings, the Board of Directors has the right to notify this member by mail informing same that he/she is no longer on the Ski Haven Board, provided there was no just cause or notification from said Board member.
10. An Architectural Review Board (ARB) will be established consisting of 3 directors whose duties it will be to review all building plans (new construction or alterations of existing properties), plot plans and site suitability reports, perk test results, fences, dog runs, and all reports necessitating a building permit and report to the Board its findings and recommendations. After Board approval it will be the responsibility of the (ARB) Board to conduct on site inspections to insure compliance with plans. ARB Board will be Compensated annually the same as Officers. Amended 5/04/08

## **ARTICLE V – OFFICERS**

1. The Executive Officers of the Corporation shall be chosen by the Directors and shall be a President, Vice President, Secretary, Treasurer, and such other offices and assistant officers as the needs of the Corporation may require. The President and Secretary shall be natural persons of full age; the Treasurer, however, may be a Corporation, but if a natural person, shall be of full age. They shall hold their offices for such terms and shall have such authority and shall perform such duties as shall from time to time be prescribed by the Directors. Any two or more offices may be held by the same person, except the offices of President and Secretary. It shall not be necessary for the officers to be Directors. The Board of Directors may secure the fidelity of any or all such officers by bond or otherwise.

2. Any officer elected or appointed by the Board of Directors may be removed by the Board whenever in their judgment the best interests of the Corporation will be served thereby.
3. The President shall be the Chief Executive Officer of the Corporation; he shall preside at all meetings of the members and directors; he shall have general and active management of the affairs of the Corporation; shall see that all orders and resolutions of the Board are carried into effect, subject, however, to the right of the Directors to delegate any specific powers, except such as may be statute exclusively, conferred on the President, to any other officer or officers of the Corporation. He shall execute bonds, mortgages, and other documents requiring a seal, under the seal of the Corporation. He shall be Ex-Officio a member of all committees and shall have the general powers and duties of supervision and management usually vested in the Office of President. The President shall hold office for a term of twelve (12) months, or until the first Board of Directors meeting following the General Meeting the first week of May..Amended 5/4/08
4. The Vice President will be chosen by the Ski Haven Board of Directors and will serve as an executive officer of the Corporation. The Vice President may be removed by a majority of the Board. If the President is absent or incapacitated, the Vice President will perform the decision making and related responsibilities of the office of President until such time as the President is available. If the President resigns, the Vice President will be responsible for conducting an election to fill the vacancy within seven (7) days of receipt of an official letter of resignation. As an executive officer of the Corporation, the Vice President will have co-signatory authority for checks or demands for money and notes of the Corporation, as outlined in the current Association By-Laws. The Vice President shall serve as the Board's official liaison to the Corporation attorneys on legal matters including lawsuits authorized by the Association membership and maintenance of property liens pending payment of delinquent dues and assessments (in accordance with Article XII, Item 7 of the Association By-Laws). The Vice President will perform other duties related to the operations of the Board and the Association as determined and approved by the Ski Haven Board of Directors and/or the Association Membership. These duties will not be in violation of or in conflict with current Association By-Laws, or local, state, or federal laws.
5. The Secretary will be chosen by the Ski Haven Board of Directors and will serve as an executive officer of the Corporation. The Secretary may be removed by a majority vote of the Board. The Secretary will handle Association record keeping functions including:
  - a. Publication of all minutes of the Association (including Board of Directors, General, and Special meetings).
  - b. Maintenance of Association official records.
  - c. Issue meeting notices for Board and Membership meetings, in accordance with By-Laws time requirements (14 days – Board Meetings; 18 days – Membership meetings).
  - d. Develop and maintain computerized membership mailing list.
  - e. Coordinate membership and board mailings (including meeting notices, newsletters, and announcements).As an executive officer of the Corporation, the Secretary will have co-signatory authority for checks or demands for money and notes of the Corporation, as outlines in the current Association By-Laws. The Secretary will perform other duties related to the operations of the Board and the Association as determined and approved by the Ski Haven Board of Directors and/or the Association Membership. These duties will not be in violation of or in conflict with current Association By-Laws, or local, state, or federal laws.
6. The Treasurer will be chosen by the Ski Haven Board of Directors and will serve as an executive officer of the Corporation. The Treasurer may be removed by a majority vote of the Board. The Treasurer will handle Association finance related functions including: Passed 05/06/2007
  - a. Collection and deposit of all Association fees (including dues, assessments, late charges, and other related costs).
  - b. Maintenance of Association banking (checking and saving) and accounting records.
  - c. Payment of Association bills in a timely manner, obtaining Board approval for unbudgeted expenses.

- d. Preparation of regular financial statements (budget reports) for each scheduled Board and Membership meeting.
  - e. Track expenses against budget by line item. Notify the Board of any potential cost overruns or other financial problems and facilitate required adjustments.
  - f. Initial preparation, input coordination, and final presentation of annual budget for membership dues and assessment expenditures. Responsibility for budget development will be shared with the President, Roadmaster, and other Board members.
  - g. Coordination and review of annual income tax reporting by Association accountant.
- As an executive officer of the Corporation, the Treasurer will have co-signatory authority for checks or demands for money and notes of the Corporation, as outlines in the current Association By-Laws. The Treasurer shall serve as the Board's fees collection agent, preparing three separate fees notices (1<sup>st</sup>, 2<sup>nd</sup>, and final) for mailing. Maintain an up-to-date listing of membership accounts, referring delinquent members to the Board for potential legal action. The Treasurer will perform other duties related to the operations of the Board and the Association as determined and approved by the Ski Haven Board of Directors and/or the Association Membership. These duties will not be in violation of or in conflict with current Association By-Laws, or local, state, or federal laws.
- H. An audit of financial records of the association should be done every 5 years by a CPA if needed Passed 05/06/2007
7. The Roadmaster will be chosen by the Ski Haven Board of Directors and will serve as an assistant officer of the Corporation. The Roadmaster may be removed by a majority vote of the Board. The Roadmaster will handle Association road development and maintenance functions including:
- a. Identification of long and short-term road improvement plans.
  - b. In consultation with Treasurer, develop annual assessment budget outlining specific road improvement and maintenance activities and funding requirements. Also, presentation of assessment budget at the annual Membership meeting.
  - c. Coordinate handling of any emergency action concerning Association roads, obtaining approvals from the Board/Membership.
  - d. Management of road improvement and maintenance bidding process including advertisement, bid review, road surveys, negotiations, and required Board/Membership review and contract approval.
  - e. Inspection of all stages of road work to ensure proper implementation of plans and road safety during construction.
  - f. Facilitate payment under road improvement contracts authorized by the Association.
- Along with the President and Treasurer, the Roadmaster will have co-signatory authority for road improvement and maintenance contracts. The Roadmaster shall serve as the Board's snow and emergency road services agent, coordinating snow plowing/cindering activities with authorized contractor. The Association's "snow emergency" answering system will be maintained by the Roadmaster. The Roadmaster will perform other duties related to the operations of the Board and the Association as determined and approved by the Ski Haven Board of Directors and/or the Association Membership. These duties will not be in violation of or in conflict with current Association By-Laws, or local, state, or federal laws.
8. When Officers resign or are replaced by a new Board of Directors, the previous Officers will turn all Ski Haven Property Owners Association records and property over to the new Officers or Board of Directors as requested within seven (7) days, or the new Board of Directors can take legal action to obtain them with a majority vote.

## **ARTICLE VI - VACANCIES**

- 1. If the office or any officer or agent, one or more, becomes vacant for any reason the Board of Directors may choose a successor or successors, who shall hold office for the unexpired term in respect of which such vacancy occurred.

2. Vacancies in the Board of Directors, including vacancies resulting from an increase in the number of Directors, shall be filled by a majority or the remaining members of the Board, though less than a quorum and each person so elected shall be a Director until his successor is elected by the members, who may make such election at the next annual meeting of the members, or at any special meeting duly called for that purpose and held prior thereto.

## **ARTICLE VIII – MEMBERSHIP CERTIFICATES**

1. Membership in the Corporation may be evidenced by Certificates of Membership, in which case they shall be in such form and style as the Board of Directors may determine.

## **ARTICLE IX – TRANSACTION OF BUSINESS**

1. The Corporation shall not borrow money, or purchase, sell, lease away, or otherwise dispose of any real estate, unless and until a resolution authorizing same shall have been approved by a majority of the members or the Corporation at a regular or special meeting, duly convened upon proper notice of this purpose. A resolution of the members authorizing the borrowing of money need not specify the particular sums, rates of interest, or times of maturity of the loans, but such items may be agreed upon and authorized by the Directors of the Corporation. All proceeds derived from any loan, sale, lease, ground rent, or mortgage shall be faithfully and specifically used for and/or applied to the lawful activities of the Corporation and in case such proceeds are derived from any real estates subject to a trust, the trust shall be impinged upon such proceeds.
2. Notwithstanding anything to the contrary contained herein, the Board of Directors shall not incur any expenditures in excess of the assets of the Corporation.
3. The Corporation shall have the right and power to receive and collect moneys to the extent necessary for the accomplishment of the purpose or purposes for which it is organized, and in doing so, may make an incidental profit. All moneys so received or collected shall be applied to the maintenance and operation of the furtherance of the lawful activities of the Corporation, and in no case shall such moneys be divided or distributed in any manner whatsoever among the members of the Corporation.
4. All checks or demands for money and notes of the Corporation shall be signed by any two of the following officers:
  - a. President
  - b. Vice President
  - c. Secretary
  - d. Treasurer
  - e. Roadmaster ( Amended & Passed 05/03/2009)

## **ARTICLE X – ANNUAL STATEMENT**

1. The President and Board of Directors shall present at each annual meeting a full and complete statement of the activities and affairs of the Corporation for the preceding year. The Board of Directors shall keep accurate accounts of all trust funds, separate and apart from the other funds of the Corporation, and shall unless the terms of the particular trust instrument provide otherwise, make an annual report, signed by the Treasurer, to the members of the Corporation concerning the trust funds held and the use made of such funds and of the income thereof.

## **ARTICLE XI – NOTICES**

1. Whenever written notice is required to be given to any person, it may be given to such person either by sending a copy thereof through the mail or by telegram, charges prepaid, to his address appearing on the books of the Corporation or supplied by him to the Corporation for the purpose

of notice. If the notice is sent by mail or by telegram, it shall be deemed to have been given to the person entitled thereto when deposited in the United States mail or with a telegraph office for transmission to such person. Such notice shall specify the place, day, and hour of the meeting and, in the case of a special meeting, the general nature of the business to be transacted.

2. Whenever any written notice is required by statute or by the Articles of By-Laws of this Corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice. Except in the case of a special meeting, neither the business to be transacted nor the purpose of the meeting need to be specified in the waiver of notice of such meeting. Attendance of a person at any meeting shall constitute a waiver of notice of such meeting, except where he attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or conveyed.

## **ARTICLE XII – ANNUAL DUES AND ASSESSMENTS**

1. Each member shall pay the annual sum of \$250.00 per lot or \$ 300.00 lot with a dwelling, which shall be used solely for the lawful purposes of the Corporation, it being understood that at a special or general meeting of the members, by vote of a majority, said amount may be increased or decreased.
2. For failure to pay the annual sum, each member agrees that this amount shall be a charge against the lot owned by the member which shall be collectible by appropriate legal action.
3. All dues are payable on or before the Date of the annual meeting of the members of the Corporation. No unpaid member shall have a vote in any meeting until his dues are paid.
4.
  - a. A 50.00 Late Fee per lot per year will be added for all dues not paid by the Date of the Annual Meeting. A \$25.00 Late Fee per owner will be added on any Assessments not paid by the Date of the Annual Meeting.
  - b. Any dues or assessments which are not paid when due shall be delinquent and shall incur a late Fee in an amount stated in paragraph 4a or as the Membership may determine from time to time. In the event dues or assessments remain unpaid after the Date of the Annual Meeting the Association may, as the Board shall determine, begin suit to collect these amounts. Each owner, by acceptance of a Deed, or as a party to any other type of conveyance vest in the Association or its agents the right and power to bring all actions against the owner personally for the collection of dues and assessments as a debt. All dues and assessments, together with interest at a rate (6%) set by law, late Fees, Court costs, and reasonable attorneys' fees shall be a charge on the land of each owner against which each Assessment is made, and shall be collectible by the Association in any legal action. All payments shall be applied first to Court Costs, Attorney's Fees, then to Late Fees, then to interest, then to any unpaid Annual Dues or Assessments in the order of their coming Due.
5. Assessments in force are owed on each individual lot effective May, 1990 to include Ski Haven Property Owner's lots located on Route 314 East.
6. Bank Fees will be Charged to Lot Owners whose Checks are Returned.
7. If lots are adjoining, lots may be combined as if they were a single lot. Dues and assessments will be billed as a single lot. Proof of combination of lots must be made to the association treasurer 90 days prior to the annual meeting. Passed 05/02/2004  
Article XII Amended and Passed 05/03/2009

## **ARTICLE XIII – AMENDMENT**

1. These By-Laws may be altered, amended, or repealed by a majority vote of the members of the Corporation who are present and entitled to vote at any regular or special meeting duly convened after notice to the members for that purpose.

# SKI HAVEN LAKE ESTATES RULES AND REGULATIONS

## INTRODUCTION

In this Schedule of Rules and Regulations of Ski Haven Lake Estates, these Covenants words shall have the following meaning:

“Board” means the elected Board of Directors of Ski Haven Lake Estates.

“Association” means the property owners of Ski Haven Lake Estates.

“Property Owner” means the owner of the property and member of the Association.

“Premises” means the lot of the member of the Association.

1. All Purchasers, their respective heirs, successors and assigns, shall be members of Ski Haven Lake Property Owners Association and shall comply with all requirements of the Articles of Incorporation, Bylaws, (Rules and Regulations), Covenants and related obligations of the Association, including payment of all dues and assessments. The purpose of the Association is to insure and protect the (present future) character and welfare of Ski Haven Lake Estates.
2. These (conditions and restrictions) Covenants apply to all lands within Ski Haven Lake Estates as presently subdivided or as later developed by its successor and assigns. These Covenants constitute part of the general plan of development.
3. The (purchaser) Property Owner, for themselves, their heirs, and assigns, by the acceptance of this indenture, agrees with the Association, its successors or assigns, that said (restrictions and conditions) Covenants shall be (covenants) running with the land and that in any deed of conveyance of said premises or any part thereof to any person or persons, said (restrictions and conditions) Covenants shall be incorporated by reference to this indenture and the record hereof or as fully as the same are contained herein.
4. These (restrictions) Covenants may be changed by a 2/3 majority vote of approval of owners present, in person or by proxy, at a properly called annual or special meeting of the Association for which written notice of the proposed change(s) has been given at least 20 days prior to the date of such meeting. Provided, however, that such a meeting is attended by a quorum of members as established in the Association Bylaws.
5. Enforcement of these (restrictions) Covenants shall be by the (Association) Board, its successors, or assigns. Should any section or provision of these restrictions be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these (restrictions) Covenants as a whole, or any part thereof.
6. All local, commonwealth, and federal laws and regulations apply to the sale of property within the development. A Resale Certificate must first be obtained from the Ski Haven Board before a closing. Cost of the Resale Certificate is \$250.00 from seller.

## NEW BUILDING

1. No building shall be erected, altered, placed, or permitted to remain on the premises hereby conveyed other than one private detached single-family dwelling house to be used for residential purposes only, and not to exceed two stories or 35' in height, and a private garage for not more than four cars.

2. Minimum size of a house shall be 1,100 square feet for a one-story structure and 1,400 square feet for a 1-1/2 or 2 story structure. This applies to living space only – excluding basements, screened porches, and garages.
3. Height of a building shall not exceed 2-story plan.
4. The amount of exposed foundation shall not exceed 36” on all sides, as measured from the ground level, unless otherwise approved by the (ARB) Board.
5. The (ARB) Board must receive for review two complete sets of building plans, which must include a Plot Plan showing all lot lines, set back dimensions, proposed location of well and septic system and proposed location of house (and/or addition) including garage, a Site Suitability Report, and all interior and exterior dimensions. The (ARB) Board must also receive a licensed survey and tree removal plan. In addition, current copies of valid insurance for all contractors must be provided. Upon final approval an “Association Approval Building Permit” shall be issued and must be posted alongside township permits.
6. Pools will be permitted within the development. Both above and inground outdoor pools must be fenced the height prescribed by Pennsylvania Law. Building plans must be approved by the (ARB) Board prior to construction and must designate clearly the pool location and adjacency to the dwelling. All setbacks must be adhered to as set forth in the Rules and Regulations. Furthermore, all property owners must provide documentation of appropriate insurance coverage.
7. A designated representative of the (ARB) Board must perform a physical on-site inspection(s) during construction to assure such conforms to approved plans, especially concerning drainage culverts and entrance drive meeting development road at right angle.
8. The (ARB) Board shall retain one set of approved final plans, blueprints, and associated statements.
9. No building shall be located on any lot nearer than 40 feet to the front lot line, or nearer than 20 feet to any side street line or interior lot line, per township regulations. The (Association) Board may grant such exceptions as it may deem fit where adverse or unusual topographic conditions impose an undue hardship. Passed 05/02/2004
10. Culvert pipes must be placed in all driveways as required by the Association’s approved engineer. Pipes must be a minimum of 12 inches in width. Passed 05/02/2004
11. Wherever possible, driveways should be placed no closer than 15 feet and should be staggered so that one does not (directly) line up with another (directly) across the road. All driveways must be noted on the building plan submitted to the (ARB) Board and are subject to (ARB) Board approval.
12. No excavation shall be made on the premises except for the purpose of building thereon and only at the time when building operations are to commence. No earth or sand shall be removed from the premises except as part of such excavation without the written consent of the (Association Review Board) Board. No trees shall be cut prior to tree removal plan approval and issuance of an “Association Building Approval Permit”.
13. The dwelling is to have exterior complete and rough graded within six months of start or the (Association) Board has the right to complete same and charge actual expenditure for doing so. Outdoor storing of appliances or building materials is forbidden except during said six month building period.
14. No burning or burying of debris on any construction site within the development without written approval of the (ARB) Board.

15. Any addition of LP gas tanks or other similar items must be approved in advance and must be hidden from view of the road or neighboring properties and be made to blend in with the natural environment.
16. Property Owners Constructing New Buildings Will be responsible for ALL Damages to Ski Haven Roads and Property.
17. All (builders) contractors are required to adhere to set back requirements when accepting delivery of construction materials or placing debris for removal. No violation of the setbacks as outlined in New Building, Item #9 will be tolerated, except by written permission from the Board.
18. Homeowners are responsible for the actions of all private contractors/builders in their employ.
19. No house shall be occupied prior to completion except upon prior written consent from the (Association) Board.
20. New building permits for each contractor is \$500.00, permits expire one year after date of issuance Passed 05/02/2004.
21. All contractors violating any conditions of these Rules and Regulations will be fined \$500.00 for each offense and work on the premises will be halted until the violation is rectified. Passed 05/02/2004
22. All contractors must apply to The Ski Haven ARB Board for a “builders package” before permits will be issued.
23. No construction vehicles or personal vehicles of construction personnel will be allowed in the association before 8:00am and must leave by 8:00pm. Passed 05/02/2004
24. A port-a-potty must be on site prior to any work being done on premises. A dumpster must be on site prior to construction. Passed 05/02/2004.
25. All construction companies, employees of construction companies, and sub-contractors are to abide by all By-Laws and Rules and Regulations of Ski Haven Lake Estates. Passed 05/02/2004

### **ALTERATIONS & MAINTENANCE OF EXISTING PROPERTIES**

1. The purchaser, his heirs, or his assigns and successors, shall not on the within described property, build any enclosure, fence, or building or make any alteration or addition or improvement to any building without first having submitted plans and specifications including plot plans to the (Architectural Review Board) Board, and also having first obtained in writing from the (Architectural Review Board) Board of its approval.
2. The (ARB) Board must receive for review two complete sets of building plans, which must include a plot plan showing all lot lines, set back dimensions, and proposed location of alterations and/or addition(s).
3.
  - A. Any equipment brought into the community on behalf of the Property Owner, which will be off-loaded on the roadway, will require a \$500.00 non-interest bearing “Road Security Deposit” fee refundable upon completion of construction. This fee will be reserved in cases where damage to roads or common areas requires cleanup or repair but may be waived by the ARB Board.
  - B. Building permits for existing property improvements will be \$25.00.
4. There shall be no burning or burying of construction debris on any (construction site) property within the development (for additions to existing homes) without written approval of the (ARB) Board.

5. Pools will be permitted within the development. Both above and inground outdoor pools must be fenced the height prescribed by Pennsylvania Law. Building plans must be approved by the (ARB) Board prior to construction and must designate clearly the pool location and adjacency to the dwelling. All setbacks must be adhered to as set forth in the New Building, Item #10. Furthermore, all Property Owners must provide documentation of appropriate insurance coverage.
6. All (builders) contractors are required to adhere to set back requirements when accepting delivery of construction materials or placing debris for removal. No violation of the setbacks as outlined in the New Building, Item # 9 will be tolerated except by written permission from the Board.

## **GENERAL**

1. Easements for installations, maintenance of utilities, drainage facilities, service poles, and anchor guides are reserved on the front 10 feet (of each lot) and side and rear 5 feet (of each lot).
2. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that a dog, cat, or other household pet may be kept provided that they are not kept, bred, or maintained for any commercial purpose and provided they are kept in an enclosure or are kept on a leash at all times.
3. No commercial signs or any other advertisements shall be placed or displayed on said premises.
4. Speed limit on all roads within the development is 20 miles per hour. Speed will be strictly enforced.
5. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste. All construction refuse must be removed from the premises. All other waste materials shall be kept in sanitary containers and placed out for pickup no more than one day prior to scheduled pickup day. All containers are to be brought in within one day of pickup. Property Owner is responsible for timely cleanup of all scattered waste as a result of animal damage, overturned waste containers, etc.
6. No unlicensed automobiles or other vehicles, unless housed in a garage, may be kept on said premises, or on any roads or streets contiguous thereto, including areas under power lines and undeveloped lots and must be removed by member or by the Board at the expense of the member.
  - A. Automobiles and other power-propelled vehicles may be operated only by licensed drivers.
  - B. No motor vehicle or any substantial part of one shall be kept on the lot unless then currently licensed for operation on public highways.
  - C. No owner will be allowed to use the premises as a repair facility for automobiles, recreational vehicles, and similarly like gasoline engine vehicles except vehicles registered to that residence. Owners who purchase vehicles for the explicit purpose of repairing same on the premises and then selling that vehicle will be considered running a business on the premises and is strictly forbidden. For each violation or general nuisance to neighbors with excessive noise, fines will apply and possible court action.
  - D. Winter parking is in effect from 15 October through 15 April. No cars or vehicles may be parked on the roads during that time in order to have the roads effectively plowed.

However, cars may be parked in designated parking areas. All vehicles breaking this regulation will be towed away at the owner's expense.

- E. Recreational Vehicles:
  - 1. Traffic laws are same as for automobiles.
  - 2. Insurance must be carried by owner.
  - 3. Enforcement – Vehicles restricted to community roadways and upon property where owner has given permission to ride.
  
- 7. A. Petroleum propelled vehicles of any kind are prohibited from the waters of the lake. Boats, canoes, and other crafts propelled by sail, oars, or paddles are permitted on the lake only.
- B. Anyone making a nuisance of himself or herself, shall at the discretion of the Board, be denied the privileges at the recreational facilities for a limited period of time.
- C. The Property Owner in good standing is hereby granted the privilege of boating and fishing in Ski Haven Lake. None of the foregoing activities are to be engaged in for any commercial purpose whatsoever.
  
- 8. Dog runs will be permitted as long as they blend in with the surrounding environment and approved on plans submitted to the (ARB Committee) Board prior to construction.
  
- 9. The carrying of loaded firearms or discharge of any firearms within Ski Haven Lake Estates is strictly prohibited.
  - A. No hunting or trapping is permitted within Ski Haven Lake Estates.
  - B. (Township Rules) Federal, State, and Local Laws governing weapons must be followed.
  
- 10. A. No property shall be leased by a Property Owner to a tenant for less than one month. The lessor shall see that the lessee is provided with a copy of the Covenants and shall provide the Board with the name and address of the lessee. No short-term rentals of a house or property – such as by the weekend, week, or less than one-month period – shall be permitted.
- B. Homeowners must inform their tenants, guests, and invitees of the proper means to dispose of garbage and trash.
- C. Members are responsible for the actions of their tenants, guests, and invitees.
  
- 11. Noise control – Excessive noise as from recreational vehicles, chain saws, lawn mowers, stereo, etc. cannot be operational before 8:00 A.M. or after 10:00 P.M.
  
- 12. Littering and Clean Up of Public and Private Areas – take offender to Magistrate. There is a \$300.00 fine for anyone caught littering.
  
- 13. A. No mobile home, trailer, basement, tent, shack, garage, barn, outbuilding, or other structure of a temporary character shall at any time be used as a residence either (temporary) temporarily or permanently.
- B. No temporary building, tent, canvas, or plastic enclosures may be erected for the purpose of housing vehicles of any kind recreational or auto will be allowed.

14. No basketball nets or similar sports equipment will be allowed 10 feet from sides of roadways. Roadways must be clear for vehicular traffic.
15. No individual water supply system shall be permitted on any lot or building site unless each system is located, constructed, and equipped in accordance with the requirements, standards, and recommendations of the state and/or local public health authorities.
16. No individual sewage disposal system shall be permitted on any lot or building site unless such system is designated, located, and constructed in accordance with the requirements, standards, and recommendations of the state and/or local public health authorities.
17. No building or structure, including water system and sewage disposal system shall be erected upon the premises hereby conveyed without first obtaining the approval, in writing, from the Board, as to location, elevation, plan, and design. The Board shall approve or disapprove the said location, elevation, plan, and design within 45 days after the same have been submitted.
18. No excavation shall be made on the premises except for the purpose of building thereon and only at the same time when building operations are to commence. No earth or sand shall be removed from the premises except as part of such excavation without the written consent of the Board.
19. It is covenanted that the Board shall have the right, after giving five days written notice to the Owner to enter upon the premises upon which any structures or nuisances have been erected or maintained contrary to any of these covenants and remove said objectionable structure or nuisance without liability for damage for such action, setting the reasonable cost thereof against said Owner.
20. A fine system is in place for all violations of these Rules and Regulations and are as follows:
  - A. Speeding - \$100.00
  - B. Littering - \$300.00
  - C. All other violations - \$100.00. Owners will be billed from the Board and if not paid will be taken to court.
  - D. These fines are not related to New Construction. See New Construction for appropriate fines.
21. Failure to promptly enforce any of the foregoing restrictions, conditions, or covenants shall not be deemed a waiver of the right to do so thereafter as to any continuing, subsequent, or other violations.
22. Real estate agents will not be permitted to show property at Ski Haven Lake Estates without first notifying a Board member and obtaining permission. A letter will be sent to all area real estate agents concerning this process.
23. All lots at Ski Haven are owned. Trespassing on property without the explicit permission of the owner is forbidden whether it is posted or not.