

Lakewood Shores Property Owners Association, Inc.

Rules and Regulations

Adopted May 1980

Revised: Nov. 1985, Aug. 1996, May 2005, January 2010

INTRODUCTION

Lakewood Shores Property Owners Association, Inc. is a non-profit corporation that was established to provide for the welfare and safety of members and their guests. This booklet provides detailed explanation of the day-to-day operating rules of the Association as well as insight into the serious matter of architectural control, and is published in accordance with our Articles of Organization and By-Laws as well as local, state, and federal laws. Furthermore, there are covenants and deed restrictions that protect the interests of the members and serve to ensure the on-going operation of the Association. Lakewood Shores has requirements that meet or exceed those provided by typical municipal building and zoning departments. Members should read this book thoroughly. All questions should be directed to the POA Office, which is maintained for the purpose of providing assistance, information, solutions and other resources to our members.

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AUTHORITY

The By-Laws of the Lakewood Shores Property Owners Association, Inc., Section 2.6, states: **“The Board of Directors shall have the duty and the power to make such rules and regulations for their own government and for the government of the Corporation as it may deem necessary and to alter and to amend the same; to maintain the excellent character of LAKEWOOD SHORES by establishing and publishing appropriate rules and regulations for the welfare and the safety of members and their guests...”**

ENFORCEMENT AND PENALTIES

Section 2.6 of the By-Laws of the Lakewood Shores Property Owners Association, Inc. states: **“The Board of Directors shall have the duty and the power...to prescribe and enforce penalties for violations of the rules, regulations, and By-Laws of the Corporation; to assess and fix charges to be levied against the members subject to limitations and conditions contained in these By-Laws and Articles of Organization...”**

And in Section 4.3 states: **“...If any member shall violate or fail to comply with the rules and regulations adopted from time to time by the Board of Directors regarding Corporation memberships or the use of Corporation owned facilities, or if any member shall be guilty of disorderly conduct or behavior offensive to good taste, then in any such event, the Board of Directors may at any meeting temporarily suspend or permanently terminate the privileges of such member.”**

MEMBERSHIP AND IDENTIFICATION

Lakewood Shores Property Owners whose POA Membership (Maintenance) Fees are paid up to date are considered members in good standing. Owners of more than one lot must have Membership (Maintenance) Fees paid up for all lots to maintain this status. Members in good standing are permitted the full use of all amenities: Beach Club (Restaurant and Bar facilities), Racquet Club, Boat Docks, Tennis Courts, Pavilion Picnic Area, Recreation and Water Craft Equipment, Playgrounds and Beaches, Security Patrols, House Checks and Vehicle Storage.

Members:

There are two means of identifying a POA member in good standing. When Membership (Maintenance Fees) are paid up to date, the POA office issues:

- 1.) A pocket-sized membership card. Each property owner in good standing should have their membership card with them whenever they are using any of the POA amenities. The membership card must be presented when requested by an employee of the Association, who does so in accordance with their duties.
- 2.) A current-year POA window decal. Decals should be placed in the lower right-hand corner

of the windshield of each of the property owners vehicles. This identification is essential to determining whether or not the vehicle's occupants are eligible to use the POA amenities.

Guests:

Property owners in good standing may request guest passes from the POA office to identify their guests. These passes identify and allow unaccompanied guests of property owners the use of POA amenities. **Guest passes are only for family and friends actually visiting members here in our community.** Limitations on the number of guests and/or the length of time passes may be used will be imposed as conditions justify. In no case may a guest bring another guest.

SECURITY

The primary function of the Lakewood Shores Security Force is surveillance of our common properties. Routine patrols are scheduled to help deter intruders and possible vandalism as well as to maintain the privacy of the community. Property owners are asked not to contact individual security personnel for assistance with personal problems or for personal services. Because of the limited size of our security force, all personal services such as house checks, etc. must be arranged through the POA Office.

a. The Associations security force carries a file of members in good standing (as defined earlier). Anyone using the common properties/amenities of the POA—the causeway, beaches, tennis courts, Racquet Club, Beach Club, Pavilion, parks, etc., must have a current paid-up membership card or current guest pass. All others will be asked to leave the premises.

b. Security personnel are also asked to question builders, contractors and homeowners undertaking any construction activity for proof of permits, to ensure that the activity has the approval of the Architectural Control Committee as well as that of the Oscoda Township Zoning and Iosco County Building Departments.

c. POA security personnel are not deputized and therefore do not have “powers of arrest” in dealing with criminal actions. However, they do have direct contact with state and local law enforcement agencies. All property owners are urged to contact the appropriate public safety agency without delay whenever such services are required.

PROTECTIVE COVENANTS & DEED RESTRICTIONS

Protective Covenants and Deed Restrictions are registered with the County Register of Deeds for all lots within each subdivision. They are generally more restrictive than applicable township zoning requirements, which also apply. They run with the land, that is they are legally binding and enforceable regardless of source of ownership or the number or times ownership has changed. **They are legally binding on all property owners and provide the foundation for our current Articles of Organization and By-Laws.** One of the chief responsibilities of the Board of Directors is to enforce the deed restrictions consistently, fairly and uniformly. This is accomplished through the Architectural Control Committee which is responsible for **ensuring that all structures are “harmonious” (with the unique character of Lakewood Shores) and**

“...which will not interfere with the reasonable use or enjoyment of the other owners or purchasers within the subdivision.” Copies of the applicable deed restrictions may be obtained from the POA Office or from the Register of Deeds, County Building, Tawas City. No building or development of lots should be undertaken without first studying the applicable deed restrictions and consulting the Architectural Control Committee for approval.

PARKS & PLAZA

In accordance with Article II—“Purpose” of the Articles of Organization, the greenways shall be maintained in a natural, forest-like state, in perpetuity. The Association shall not allow trees to be removed from common areas by any member, person or corporation without the prior written consent of the Associations Board of Directors, and that the Association will not authorize the removal of any trees unless the Association or its authorized agent, deems the removal to be necessary to maintain the safety of members and their guests.

STRUCTURES

Lakewood Shores deed restrictions include the requirements for the property owner to meet certain Architectural Standards for new and existing homes, additions and/or any other structures prior to starting construction. No lot owner should commence planning a new structure or changing an existing structure before consulting the applicable deed restrictions. A structure, as defined in the zoning ordinance, is “anything constructed or erected with a fixed location in the ground.” This includes, but is not limited to: residences, fences, fuel tanks, garages, garden/storage sheds, decks, satellite dishes and antennas. **Property owners are cautioned against signing contracts or making commitments before receiving plan approval by the Architectural Control Committee.** Specific requirements and procedures for submitting building plans are contained in an information brochure available at the POA Office. All contacts with the Architectural Control Committee will be made through the office, which will start a project file and monitor its progress. A file of approved projects is maintained at the POA Office. All rulings of the Committee may be appealed to the Board of Directors.

SIGNS

Property owners should be aware that the recorded building and use restrictions for Lakewood Shores and Lakewood Shores Golf and Country Club subdivisions, state that “not more than one “For Sale” or For Rent” sign...shall be displayed upon any lot or building site.” In addition, any sign displayed should not exceed 10” by 20” in size.

Commercial signs, advertising landscape, construction, and/or other commercial activities are only authorized during the construction period **with prior approval from the Association.**

Signs of a temporary nature, including, but not limited to garage sales, graduation parties, and the like are authorized for the day of the event, only.

Any unauthorized signs shall be removed by Association personnel. The Association will not be

responsible for storage of the unauthorized sign, nor any damage to the sign.

PETS

Pets are not allowed on beaches or in the Beach Club. There is also a pet/dog park located Sherwood Park at the corner of Sherwood drive and Cedar Lake Drive. The Michigan Dog Law is in effect in Iosco County. Therefore, **all dogs** in the Lakewood Shores Development **must be on a leash or fenced so as not to threaten pedestrians and neighbors. Dog owners are also asked to clean-up after their pets when walking them on public or commonly owned properties.**

RUBBISH

All refuse resulting from or associated with the use of facilities must be deposited in the cans or dumpsters provided. Littering will not be tolerated. No lot shall be used or maintained as a dumping ground for rubbish. Members are strongly encouraged to store private trash/refuse containers near their home, leaving them at the roadside for periods that do not exceed 24-hours.

DRIVING WITHIN THE DEVELOPMENT

State and local laws and traffic regulations apply throughout the development. Please obey posted speed limit/stop signs at all times. Violators should be reported to local law enforcement at the non-emergency dispatch number: 362-1430.

VEHICLE PARKING

Parking areas are provided at all common use properties (Beach Club, Pavilion, beaches etc.) Parking in undesignated areas (lawns, playing fields, driveways etc.) is strongly discouraged.

Prolonged parking of camping vehicles, boats, boat trailers, utility vehicles, etc., is discouraged. Such vehicles, when parked or stored at the member's residence, should be stored in such a manner so as not to detract from the appearance of the home site (e.g. at rear of house or otherwise out of sight of public view). Storage space is also available in the maintenance area on a first come first served basis, for this purpose.

Outside storage or accumulation of unused or inoperable motor vehicles of any kind is strongly discouraged and may violate Oscoda Township Ordinances. Concerns related to accumulation of unused or inoperable motor vehicles should be reported to Oscoda Township at 739-9019.

OFF ROAD VEHICLES

Drivers must keep their off-road vehicles on designated trails. Use of public roads is permitted at a speed of 20 miles per hour. Violators should be reported to local law enforcement at the non-emergency dispatch number: 362-1430

NOISE

Creation of high noise levels must be avoided by all residents and guests. Racing of motor vehicles of any kind is prohibited. Violators should be reported to local law enforcement at the non-emergency dispatch number: 362-1430. Members and their guests are also strongly encouraged to respect quiet hours and the privacy of others. Home and car stereos should be played at volumes that are not audible from the street.

HUNTING

There is no public hunting allowed within the Lakewood Shores development. State law prevents the discharge of firearms within 450 feet of a residence. Hunting within the development outside those bounds is legal, if the hunter is a member in good standing or can produce written permission from the property owner.

AMENITIES AND SERVICE RATES

Beach Club

The Beach Club serves as a community center for meetings, card parties, arts & crafts classes, POA meetings, weekly luncheons, dinner and numerous other social functions. Beach Club hours vary accordingly with scheduled events and member participation. Members can find the schedule of events in the monthly POA Calendar, at the Beach Club entrance reader board and Kingswood Park reader board.

Members are requested to make reservations at the Beach Club Restaurant and Bar, when required, to aid the staff in its preparation and planning. Reservations may be made by signing the posted reservation sheet (see reservation book in the Beach Club foyer), or by calling the POA office. Walk-ins are always welcome whenever reservations are not required.

Casual attire is permitted at the Beach Club at all times. Shirts and shoes are required. Bathing suits alone may not be worn inside the Beach Club and no golf or spiked shoes may be worn inside. Changing of clothes in the Beach Club bathrooms for swimming or other recreational activities is not permitted.

Children 12 and under, using the Beach Club, must be accompanied by an adult.

Members must possess a current POA Membership Card in order to purchase alcoholic beverages and food. Members may purchase alcoholic beverages for their guests, providing they are of legal age. However, **guests** may only purchase food or **non-alcoholic** beverages. In the interest of maintaining our club liquor license, sponsors names must appear on their guests' checks. Property owners not in good standing and their families will not be accepted as guest in any of the POA facilities.

All alcoholic beverages, served at the Beach Club, must be dispensed by the POA in accordance with Michigan Liquor Commission regulations.

The telephone in the Beach Club is an extension of a business phone and is restricted to emergency use only.

NOTE: Barring conflicts with Association events and subject to seasonal availability, members in good standing may rent POA Facilities on a first-come, first server basis. **All privately sponsored events are required to have the sponsoring member present.** In the event of use by charitable organizations, exceptions to charges may be made at the discretion of the Executive Director. Public intoxication is discouraged at common areas such as parks, beaches, playgrounds, greenbelts and etc. A 10:00 pm curfew will be in effect at the Pavilion and beach areas.

Members in good standing are encouraged to schedule private functions at the Beach Club for such occasions as meetings, anniversaries, weddings, showers etc. The Beach Club can accommodate up to 80 people. **The sponsoring member must be in attendance** and will be held responsible for the facilities used and any damage related to the actions of persons in attendance. Private events must be contracted with number of employees required, fees etc. Every effort should be made to schedule the event when the Beach Club is not being utilized for general Association activities.

Catered Events: A \$125.00 use fee is charged with a *\$125.00 refundable deposit. These events require a minimum of 30 paying guests. In the event this minimum is not met, the party may still be scheduled, but the minimum charge will be based on 30 guests. *Deposit will be refunded to member upon inspection of the facility by a POA Associate following the event and no violations to the contract have occurred.

Non-Catered Events: A \$225.00 use fee is charged with a *\$125.00 refundable deposit. A POA employee must be present and their time will be billed to the sponsoring group at the rate of \$10.00 per hour, with a \$30.00 minimum charge.

When alcoholic beverages are served at private events at the Beach Club, they must be dispensed by the POA in accordance with Michigan Liquor Commission regulations.

Racquet Club

The Racquet Club is also available for private functions through a contract agreement with the POA. **The sponsoring member must be in attendance during the event.** A use fee of \$125.00 with a *\$125.00 refundable deposit is charged. Both catered and non-catered events may be contracted for. Contact the POA office for details.

Game Room

Billiards, Table Tennis and Air Hockey are available in the game room, (located on the east side of the Racquet Club facility) for use by members in good standing and their guests at no charge.

At least one 16 year old (or older) must be present at all times. Players are asked to limit their use of the tables when others are waiting. When demand is low, extended play is welcomed. Pool sticks, Table Tennis Paddles & Balls and Air Hockey Pucks shall not be removed from the premises. Members are asked to call the POA office in advance of use.

Pavilion Picnic Area

The Pavilion Picnic Area is available for use by members in good standing on a reservation basis and a \$75.00 use fee and *\$75.00 refundable deposit is charged and is contracted through the POA office. **The sponsoring member must be in attendance during the event.** Recreation equipment (baseball, shuffleboard, basketball etc.) is available at no extra charge and will be made available to the party reserving the facility on the day of the activity. Contact the POA office for details.

Tennis Courts

There is no charge for members in good standing and their guests to use the POA Tennis Courts. All tennis players must have a current membership card or a guest pass, and register at the Beach Club. A one-hour maximum is allowed to each group when other members or guests are waiting to play. When demand is low, extended play is welcomed. Rules of the USTA are applicable here.

Watercraft and Boat Docks

Any member in good standing and their guests have the right to access the water areas on lakes adjacent to the common properties of the Association in a safe and lawful manner at no charge. NO person may operate any watercraft in the foregoing areas except in compliance with the provisions of “The Handbook of Michigan Boating Laws and Responsibilities”: and applicable state and local laws.

Boats near the swimming area on the south side of the clubhouse recreational area are not allowed. Speed limit under the bridge is three (3) miles per hour. The beach area on the north side of the causeway in front of the clubhouse is reserved for boaters and is not a swimming beach. (NOTE: This water is dangerously deep immediately offshore.) When operating boats in this area, please avoid high speed operation near the boat dock as the wave action can cause damage to the dock and moored boats.

Paddleboats and kayaks are available for use by members in good standing, and their guests, at the Beach Club at no charge. At least one 16 year old (or older) must be on board at all times. In addition, occupants must wear U.S. Coast Guard approved life jackets at all times. Use of watercraft is limited to one hour. When demand is low, this limit may be extended at the discretion of the POA Office. All watercraft must be returned to the beach area prior to the closing time of the Beach Club. A damage/recovery fee will be charged to the members account if the property is not returned in serviceable condition or requires recovery by POA staff. Users are required to sign an acknowledgement of these requirements as well as the rules and regulations applicable to watercraft prior to using the items.

Boat docks are available on a first-come, first-serve basis to members in good standing. Docks or Pontoon Slips have a use fee of \$10.00 per foot for the season and a contract is required. The season, for the purpose of pro-rating fees, is based upon the five-month period from May 15th to October 15th. Other rates that apply, when available: Daily Rate—\$4.00; Weekly Rate—\$20.00. Members using docks or mooring space on a year-to-year basis may continue to do so indefinitely, provided they pay the full season charge prior to the 15th of May. Spaces not paid in full by that date become available to others on a first-come, first-served basis. In such instances, the new user will be given priority on a year-to-year basis and the former user will be placed on a waiting list. Sailing craft have preference for the dockage on the north side of the causeway because of bridge limitations.

Fishing

There is no charge for fishing from POA common properties for members in good standing and their guests. Fishing in designated swimming areas is prohibited during swimming season. Ice fishing shanties must conform to State DNR rules.

Bicycles

Bicycles are available for use by POA members in good standing, and their guests at no charge. A damage/recovery fee will be charged to the members account if the property is not returned in serviceable condition or requires recovery by POA staff. Users are required to sign an acknowledgment of these requirements as well as the rules and regulations prior to using the items. Contact the Beach Club for use availability.

Beaches and Playgrounds

There is no charge for using any of the POA common beaches and playgrounds, but the use is restricted to members in good standing and their guests. An **adult must accompany** all minors, as there are no lifeguards at any time on POA beaches. Rules of the American Red Cross are applicable. Extreme caution should be exercised by those using the beaches for swimming. **All individuals swim at their own risk.**

Briarwood Beach – Located at the corner of Lakewood Drive and Briarwood Way

Beach Club Beach – Located at the west end of Aaron Drive adjacent to the Beach Club.

Lake Huron Beach – Located at the east end of Aaron Drive on US – 23

Playground Equipment – Located at Briarwood Beach, Pavilion Picnic area and Beach Club area.

Golf

Lakewood Shores Resort Golf Course—POA members in good standing may be entitled to a

discount when playing the Serradella Course. Please inquire at the Golf & Country Club for details. Have your current POA membership card available.

House Checks

When requested, POA security officers will perform drive-by house checks for members in good standing. There is no charge for this service. Walk-around house checks, when contracted through the POA office, will be charged \$5.00 per walk-around check.

Storage

The POA currently maintains a storage area for the convenience of its members in good standing. Items such as recreational vehicles, camper trailers and the like are permitted to be stored in this area. The storage area has a use fee of \$4.00 per foot per year. Any member wanting to store property at this facility must execute a contract with the Association and display a serial number identification sticker on their vehicle/trailer. Contracts are subject to annual review and will be maintained at the Associations administrative office. Please contact the POA office (during regular office hours) **prior to removing or returning** a vehicle to this area.

ASSOCIATION PROPERTY

The cost of replacement of any POA property removed or destroyed will be charged to the member responsible, and shall result in the suspension of his or her use of all facilities until full restitution has been made.

GENERAL CONDUCT

The written rules and regulations as well as the policies of the POA are explicit in nature. No other authority is implied, nor should any be assumed. Each member should exercise reasonable care in his actions in order that his neighbor's property, health, and welfare are respected. If we are to maintain a development, which everyone can enjoy, each member should observe these regulations and require that family members and guests do likewise.

Violations of these regulations subject the member responsible to suspension of their membership privileges or other legal remedies as deemed appropriate by the Associations Board of Directors.

Lakewood Shores Rules & Regulations Enforcement Policy

For any violation, there shall be a “Progression of Penalties” followed by the Executive Director. That progression shall proceed as follows:

Factual Determination of Violation

Verbal Warning – Telephone or Personal Visit

Written Warning – Advising Member of Problem

Written Notice – Includes Date to Comply & Possible Penalties

Notice of Monetary Fine – Includes Amount & Appeal Process - Requires Board Action

Legal Action – Requires Board Action

Appeal Procedures

All members have the right to appeal. Appeals shall be made to the Board President or the Executive Director, in writing, and before legal action is undertaken. The Board shall review the facts of the case, including consultation with the member. The Board shall render a final decision on the appeal within thirty-days of receipt of the written appeal.