

# Rules & Regulations – Lake Petersburg Association

\*Revised and Adopted By the Director Members of  
Lake Petersburg Association, June 20, 2011 and July 11, 2011

## Section 1. Definitions.

The following words when used in this chapter shall have the meanings respectively ascribed to them in this section:

- A. "Association" means Lake Petersburg Association.
- B. "Board" means Board of Directors of the Association.
- C. "Reservoir" means the artificial lake and water impounded therein.
- D. "Drainage Area" means that entire area of land and water that drains the reservoir.
- E. "Watercourse" means any stream, natural or artificial channel, spring or depression of any kind, in which water flows continuously or intermittently over any part of the drainage area, directly or indirectly, into any part of the reservoir.
- F. "High Water Line" means the contour known as 584, referred to United States Government elevations, as obtained from the bench mark established in the city.
- G. "Shoreline" means the extended point where the plane of the surface of the waters of the reservoir touches the land.
- H. "Marginal Land" means the land owned or controlled by the Association adjacent to the shoreline and not flooded by the waters of the reservoir.
- I. "Persons" means the feminine as well as the masculine when applicable, and the plural as well as the singular when applicable. It also includes firm, corporation, association, club, organization or other entity.
- J. "Lessee" refers to any lessee from the Association of any marginal land for residence purposes.
- K. "Distance" Any statement of distance means the shortest horizontal distance from the point designated, between the points designated or measured at right angles to the line designated.
- L. "Craft" includes any raft not permanently attached to the shore.
- M. "Members" means a regular member or associate member of the Association who is in good standing.
- N. "Storage" means seventy-two (72) hours.

- O. "Dangerous Building(s)" means any building, shed, fence, dock, boat lift, or other manmade structure or debris which:
1. Is dangerous to the public health because of its condition and which may cause or aid in the spread of disease or injury to the health of the occupants of it or of neighboring structures;
  2. Because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire, and constitutes or creates a fire hazard;
  3. By reason of faulty construction, age, lack of proper repair or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure ; and
  4. Because of its condition or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.
- P. "Damaged Building(s)" means any building, shed, fence, dock, boat lift, or other manmade structure or debris which has been damaged by fire, decay or other cause to the extent of fifty percent (50%) of its value.

## **Section 2. Buildings and Structures. (includes satellite dishes and wind generators)**

No building or other structure, whether for habitation or otherwise, including any dock, wharf, boathouse or anchored or stationary raft shall be placed, constructed or altered unless a permit in writing therefore, based upon a written application setting forth the location, specifications and intended use thereof is granted by the Association.

Dwellings must be located no closer than thirty percent (30%) of the distance from the shore line to the rear of the lot. All roof lines shall be no closer than six (6) feet from the property line, except the rear of the dwelling, which may be within eight (8) feet of the property line. Rear of the lot is defined as the property line nearest the road (Pins).

The building code in detail may be obtained at the Lake Petersburg Association office.

## **Section 3. Sewage Disposal Systems.**

The Lake Petersburg Association is solely responsible for the operation, maintenance, and repair of the Lake Petersburg Sewer System.

Lake Petersburg Association Board of Directors will select and enter into an agreement with a specified contractor to provide maintenance and equipment per the specifications set forth for the pressure sewer system. Lessees must contact the contractor for any and all work on the sewer system which includes the septic tank, alarm, collection tank, pump, and sewer lines.

All septic tanks must be installed, replaced, or repaired by licensed contractors as licensed by the Illinois Department of Public Health, and installed according to the Private Sewerage Disposal Licensing Act and Code of 1984 as amended. All septic tanks will be maintained per the Illinois Environmental Protection Agency sewer operating permit. A copy of the rules and regulations for the sewer system may be obtained at the Lake Petersburg Association Office.

#### **Section 4. Connections to Utility Services – Lot Owner to Call JULIE Before Digging.**

No person shall make any connections with, uncover, alter or disturb any water pipe or main, conduit, electric wire or line, sewer or other utility constructed or maintained, or open any manhole, intercepting chamber or any appurtenance thereof without first obtaining a written permit from the Association based upon a written application setting forth the location and nature of the work to be done, together with a description thereof or copy of plans or specifications therefore of the contemplated connection or alteration, and depositing with the Association such sum of money as the Association shall estimate will fully cover all damage of any kind which may be caused by the connection or alteration, or filing an appropriate bond, guaranteeing restoration in form and amount and with surety, as approved by the Board, or if requested by the Association to do so.

After such alteration or connection has been completed, the sewer, the water pipe or main, conduit, electric wire or line, manhole or intercepting chamber shall be immediately restored to as good a state or condition as prior to the doing of such work, to the satisfaction of the Association, or by the Association, as the Board may elect. If the completion of the restoration be without expense to the Association and to its satisfaction, the sum deposited shall be refunded, but if any of the work be done by it, the Board shall certify the actual expenses incurred and shall refund to the holder of the permit the difference, if any, between the amount deposited and the amount certified. In the event the amount so certified shall be in excess of the deposit the holder of the permit shall immediately pay such excess to the Association.

#### **Section 5. Pollution of Waters and Watercourses Generally.**

No person shall place, throw, discharge or cause to be discharged, any sewerage, garbage, leaves, grass clippings, decayed or fermented fruit or vegetables, offal, dead body, manure, polluted, filthy, decaying, fermenting, putrescible or oily matter or liquid or industrial waste, cartons, bottles, cans or other refuse into or so as to reach any natural or artificial watercourse or open or covered sewer, ditch, tile or drain flowing directly or indirectly, continuously or intermittently, into and so as to pollute or tend to pollute the reservoir. No person shall construct in any part of the drainage area, any open or covered sewer, ditch, tile or drain, or make any change therein or connection therewith so as to cause any pollution. No person shall in any part of the drainage area construct or cause to be constructed, or use any toilet, sink, cesspool, privy, garage, slaughterhouse or other structure, establishment or place, which is so situated that polluted or oily liquid there from may continuously or intermittently so flow as to ultimately reach and pollute or tend to pollute the waters of such reservoir, unless there is constructed, maintained and operated such sewage treatment and disposal units and facilities for the treatment or disposal thereof, approved by the Board, whereby such polluted or oily liquid is treated, or caused to be treated, so as not to pollute or tend to pollute or threaten pollution of the waters of such reservoir. Violation of this section will be subject to fine or prosecution.

#### **Section 6. Disposal of Waste, Garbage, etc.; Use of Manure or Fertilizer.**

No house slop, sink waste, garbage, bottles, cans, cartons, decayed or fermented fruit or vegetables or other fruit or vegetable refuse, offal, swill, carcass, filthy, decaying, fermenting or putrescible matter of any kind or insanitary waste product or polluted or oily liquid or solid shall be thrown into the reservoir or placed, piled or discharged in any manner, but shall be kept in water tight closed containers, and at regular intervals be buried under the ground and completely covered in level non-eroding soil at least one hundred and fifty (150) feet from the reservoir or be destroyed by fire or removed in time or manner as required by the Association, provided, however, that manure and commercial fertilizers may be used for horticultural purposes, but no manure or commercial fertilizer

shall be placed, spread or used on or in the grounds in such quantities or in such manner as to cause or threaten any pollution of the reservoir or bring about any public or private nuisances, whatsoever.

**Section 7. Internments Prohibited.**

No internment of a human body shall be made within the drainage area.

**Section 8. Regulations of Livestock and Poultry.**

No livestock or poultry shall be quartered or raised in the drainage area.

**Section 9. Washing Cloths, etc.**

No clothing, bedding, carpet, vehicle, receptacle, utensil or article that tends to pollute shall be washed in the reservoir.

**Section 10. Swimming, Bathing and Wading.**

- A. Swimming, bathing and wading is prohibited except by Members of the Association, their families and guests.
- B. Swimming out of boats in any portion of the reservoir is prohibited.
- C. Scuba diving shall be permitted within designated areas under rules and regulations established by the Lake Policing Committee and approved by the Board of Directors. Applications for scuba diving and the rules and regulations may be picked up at the Lake Office.
- D. Water skiing and surfboard riding
  - 1. No motor boat shall have in tow or shall otherwise be assisting a person on water skis, aqua plane or similar contrivance from the period of 8:00PM or sunset, whichever comes first . Fast boating may be at 10:00 A.M. (Adopted 7/11/2011)
  - 2. All water skiers and/or surfboard riders must wear U.S. Coast Guard approved life jackets or life belts.
  - 3. All skiers shall hold one ski aloft after falling into the water and awaiting pickup, whereby to caution all other users of the reservoir of their presence.
  - 4. An observer, in addition to the driver, is required in each boat participating in water skiing, tubing, etc. in compliance with the Illinois Department of Natural Resources boating regulations.
  - 5. Water skiers and surfboard riders shall, at all times, conduct their activities in a prudent and cautious manner so as not to endanger the life and safety of themselves or other users of the reservoir.
  - 6. Jet skis are prohibited.

**Section 11. Boating.**

- A. Boating is subject to the following restrictions:
  - 1. No motor boat or other craft shall be operated in a careless or heedless manner so as to be grossly indifferent to the person or property of other persons, nor in such manner as to endanger the life or limb, or damage the property of any person, nor at a rate of speed

greater than will permit it, in the exercise of reasonable care by the operator thereof, to be stopped within the assured clear distance ahead.

2. No motor boat shall be operated within a water area which has been clearly marked by buoys or some other distinguishing device as a bathing, fishing, swimming or otherwise restricted area by the Association, at a speed greater than any speed limits posted in an area by the Association. (Exception – Section 10. D.1)
3. The speed of boats shall be reduced to idle speed – NO WAKE at 8:00 P.M. or the official sundown, whichever occurs first. NO WAKE will be allowed between the hours of 8:00 P.M. or the official sundown to 10 A.M. the following day. Fast boating may begin at 10:00 A.M. (Adopted 7/11/2011)
4. No boat or craft shall carry more than the maximum number of passengers for which it was designed. Any boat or craft carrying a number of passengers than for which it was designed, shall be deemed a violation.
5. Boat Motor Size: A property owner may have two (2) motor-powered boats, one (1) of which may be twenty-five (25) horsepower or under and one (1) which may be greater than 25 horsepower (Adopted 12/8/2008)

#### B. Exhaust Gasses

No person shall operate, or cause to be operated any boat or craft equipped with a motor or engine unless such motor or engine is equipped with an efficient muffler, in good working order and constant operation so as to prevent excessive noise and annoying smoke.

#### C. Prohibited Hours

No gasoline reciprocating engine shall be operated between the hours of 12:01AM and 5:00AM. Operation of electric trolling motors during these hours is permissible.

#### D. Life Preservers

All boats and crafts shall carry a US Coast Guard approved life preserver, ring buoy, buoyant vest or buoyant cushions in good and serviceable condition for each person in such boat or craft. All persons fifteen (15) years of age or under and all non-swimmers shall wear life preservers.

#### E. Intoxication

No person shall operate any motor boat or vessel, or manipulate any water skis, aqua plane or similar device while intoxicated or under the influence of narcotic drugs.

#### F. Boat Lighting Equipment

1. Sailboats operated after sunset or before sunrise shall be equipped with at least one white light and shall be of such brilliancy so as to be seen by an approaching boat or craft for a distance of at least 800 feet. In addition, such sailboat shall be equipped with a bright white lantern or flashlight ready at hand which shall, upon the approach of another watercraft be exhibited and flashed continually upon it's sails in sufficient time to avert collision.
2. Rowboats and canoes operated after sunset or before sunrise shall carry a white light mounted on a suitable standard not less than twelve (12) inches in height, said light to be of such brilliancy that it may easily be seen by an approaching boat or craft for a distance of 800 feet, said light to be visible from all quarters at all times.
3. No boat or craft of any kind or character shall be anchored between sunset and sunrise unless it displays an adequate light clearly visible from any quarter by an approaching boat.
4. No boat or craft that may be operated or propelled by means of any motor or engine which may be temporarily or permanently attached thereto shall be operated after sunset and before sunrise unless it plainly displays a bright white light at the aft (rear) part of the boat or craft visible from all quarters and twin light or a combined lantern in the fore (forward) part of the same, showing a green light to be starboard (right) and a red light to be the port

(left) side of the boat or craft, each such colored light to be so shielded as to be not visible from across the beam of the boat.

#### G. Signal Devices and Fire Extinguishers

1. No boat or craft operated or propelled by a gas or electric motor shall be used, kept or maintained on the reservoir unless it is equipped for each motor with at least one US Coast Guard approved fire extinguisher so placed as to be readily accessible and in such condition as to be ready for immediate and effective use. All such boats or craft shall be equipped with an adequate mouth, hand or power operated whistle, horn or other appliance capable of producing a blast of two (2) seconds or more duration and audible for at least ¼ mile; or in lieu thereof, is equipped with adequate distress flares. Use of sirens is prohibited except on authorized police or fireboats or craft.
2. All boats or craft, regardless of size, shall be equipped with at least one paddle or oar, one pump or bailer, and an anchor with sufficient line to assure the safety of the occupants of the boat and other persons.
3. Storage batteries shall be provided with suitable supports and secured against shifting. Batteries shall be equipped with non-conductive shielding means to prevent accidental shorting.

#### H. Steering and Sailing Rules

The following steering and sailing rules shall govern the use and operation of boats on the reservoir:

1. When two sailing boats are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows, namely:
  - a. A boat which is on the port side (left) tack shall keep out of the way of the boat on the starboard (right) tack.
  - b. When both are on the same tack, with the wind on the same side, the boat which is to windward shall keep out of the way of the boat which is leeward.
2. When two motor or engine-driven boats are meeting head-on, or nearly end on, so as to involve risk of collision each shall alter her course to starboard (right) so that each shall pass on the port (left) side of the other.
3. When two motor or engine-driven boats are crossing so as to involve risk of collision, the boat which has the other on her own starboard (right) side shall keep out of the way of the other.
4. When a motor or an engine-driven boat and a sailing boat are proceeding in such directions as to involve a risk of collision, the motor or engine-driven boat shall keep out of the way of the sailing boat.
5. The meeting or crossing of two boats propelled by oars or muscular power shall be governed in like manner as two motor boats under Rule b and c.
6. When a sailing boat or motor or engine-driven boat meets, crosses the course of or overtakes a boat propelled by oars or muscular power, the sailing or motor or engine-driven boat shall keep out of the way of the other.
7. Where, by any of the rules herein prescribed, one of two boats shall keep out of the way, the other shall keep her course and speed.
8. Every motor or engine-driven boat which is directed by these rules to keep out of the way of another boat, shall on approaching her, if necessary, slacken her speed or stop or reverse.
9. Notwithstanding anything contained in these rules every boat or craft overtaking any other shall keep out of the way of the overtaken boat or craft.
10. Boats or craft pulling water skiers or surfboard riders shall not be granted any special right-of-way but must conform with the steering and sailing rules herein provided. In obeying and

construing these rules due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

11. Nothing in these rules shall exonerate any boat or craft or the owner or operator thereof, from the consequences of any neglect to keep a proper lookout, or a neglect of any precaution which may be required by the exercise of due care and caution or by the special circumstances of the case.
12. No boat or craft shall collide with, run against, strike, injure, deface, or damage any buoy, stake, sign, piling or other structure installed by the Association or with the Association's consent, or be anchored or moored so as to obstruct the view of any buoy or navigation sign or signal.

## **Section 12. Boat Licenses. (Permits and Other Restrictions)**

- A. All boats operated on Lake Petersburg shall be required to have a watercraft registration in the name of the lot owner only. Boats operated on Lake Petersburg must be registered to a Lake Petersburg Member.
- B. No boat or craft of any kind may be propelled, kept or used in the reservoir, or stored or kept on the marginal land, until the owner thereof shall have registered such boat or craft and secured a written license and registration number from the Association, based upon a written application setting forth the length and draft of such boat or craft, its means of locomotion and if propelled by motor or engine, the piston displacement or other power rating thereof, the maximum number of passengers such boat or craft may safely carry, its contemplated use, whether it is contemplated to be used for racing purposes, and such other further information as the Association may from time to time require. Such license, when granted, shall be in writing and maybe further evidenced by an official registration number plate or marker to be furnished by the licensee. In order to provide a fund to be used to assist in defraying the expense of inspection and supervision of boats or crafts on the reservoir, to enforce the provisions of this chapter, and for the improvement of navigation and the safety and pleasure of boating, such application or renewal must be accompanied by the payment of the annual license fees at the office of the Association as follows:
  1. The amount set by Board for each boat or craft.
  2. No license shall be issued except to a Member of the Association.
  3. Not more than two (2) licenses shall be issued to any Member for any gasoline powered boat. License shall be displayed adjacent to state registration numbers, removing licenses from previous years. Licenses shall be displayed May 15<sup>th</sup> and will expire on May 15<sup>th</sup> of the following year. A building site may have two (2) motorized boats whether it be the lessee and/or renter – one (1) 25 horsepower or under and one (1) over 25 horsepower. There may be any number of boats without a motor (Adopted 12/8/08)
  4. Proration of Fee. For the fractional part of any calendar year the license fee shall be the same as herein before specified.
  5. Boat length regulation:
    - a. Motor driven boats – 20 feet and under
    - b. Hull type deck boats – 22 feet maximum and under
    - c. Pontoons – 28 feet maximum and under
    - d. Sailboats – 20 feet maximum and under
    - e. Canoes, paddleboats and rowboats – no footage restriction
  6. Personal watercraft (all jet propelled watercraft, downsized runabouts with oversized H.P. engines, etc.) are prohibited.

7. Special Permits. The Association may issue a special written permit for the use of any boat or craft for a special event or for a period not exceeding ten days for a fee specified by the Board.
8. Upon the sale of any boat or craft, the license issued therefore shall cease to apply, but such license and the license number may be transferred to any other qualified boat or craft then owned by the vendor upon his written application and payment to the Association of a transfer fee of one dollar. The boat or craft so sold shall be removed from the reservoir or registered by the purchaser in case of original registration.
9. Renting and Passengers. The renting of boats for hire or carrying passengers for hire on the reservoir is prohibited.
10. Houseboats. No houseboats shall be permitted on the reservoir.
11. Toilet Facilities. No boat or craft used or operated on the reservoir shall be equipped with toilet facilities.
12. Pollution of Waters. Persons using or operating any boat or craft on the waters of the reservoir shall do so in such manner as not to create any insanitary condition in or about such waters and shall not pollute such waters by the discharge, in any material amount, of oil or other polluting liquid or solid tending to make such waters unwholesome or injurious to the aquatic life thereof.
13. Nuisances. No boat or craft shall be used, or operated, nor any horn or sound device sounded so as to create a nuisance or disturb the peace or quiet of any neighborhood.
14. Reservation of Rights of the Association. The Association shall at times have power and authority to prohibit, restrict or otherwise limit or regulate the keeping, maintenance or operation of any or all boats and crafts on the waters of the reservoir should it become necessary to do so in the interest of public health or safety, or the protection or improvement of the reservoir or other cause.
15. Impounding Vessels Adrift, etc. by the Association. Any boat or craft found abandoned or adrift in the reservoir or any unlicensed boat or craft thereon shall be taken up by the Association and the Association shall have a lien thereon for all license fees therefore and the expense of taking, towing, keeping, advertising and selling of the same and for all damage caused by such craft, and may enforce such lien by advertisement and sale of such craft in like manner as chattel mortgages may be foreclosed under the laws of this state. Nothing herein shall be construed as exonerating the owner or operator of any boat or craft from personal liability to the Association or any other person, for any damage or injury caused by such boat or craft.

### **Section 13. Fishing.**

- A. Fishing by other than members, their families and guests is prohibited.
- B. State license required: obedience to state law. No person required to be licensed by the laws of the state, now or hereafter shall take, catch or attempt to take or catch any species of fish, frogs or turtles without a state fishing license, in full force and effect, issued to such person and in his possession. All persons shall strictly adhere to the Fishing Code of the state and the amendments, thereto.
- C. Hook and line to be used; use of trot line, seine, etc., prohibited. No person shall take, catch or attempt to take or catch, any fish in the reservoir by any method whatsoever except that of hook attached to a single line. The use of any trot line is hereby prohibited. The use of any seine of any character, of any dip, hook, fyke, gill, pound or basket net or of any trap for the taking or catching of aquatic life is hereby prohibited. The use of snares, spears, gigs, firearms or artificial light for the taking or catching of aquatic life is hereby prohibited.



- D. Restriction as to marginal land leased by the Association. No person shall take, catch or attempt to take or catch any fish from the shore of any marginal land leased by the Association to any Lessee except with the consent of such Lessee.
- E. Suspension of privilege. The privilege of fishing in the reservoir or any part thereof may be suspended by the Board at any time, whenever such suspension shall be deemed proper to conserve aquatic life or to prevent any tendency to pollute the waters of the reservoir, or to promote the improvement or convenient maintenance. The posting of any authorized sign in any part shall suspend the privilege of fishing at such location.
- F. Exemption of State. Nothing herein enumerated in subsections (a) to (e) inclusive, of this section shall be applied to or construed to prevent or penalize anything done or caused to be done by the Department of Natural Resources of the State in protecting or caring for the reservoir or the aquatic life therein.
- G. Pollution of Water, etc. All persons using the waters of the reservoir for fishing purposes shall so use the same as not to create any insanitary condition in or about the water or so as to pollute or make any part of the water unwholesome or unfit for use. The throwing of fish parts in the reservoir is prohibited.
- H. All crappie taken from the lake must be a minimum of nine (9) inches in length.

#### **Section 14. Picnicking.**

Picnicking is prohibited except by Lessees of marginal land, their families and guests, upon such portions of the marginal land as may have been leased to such Lessees by the Board. If the use by the respective Lessees thereof, their families and guests should in any way tend to create an insanitary condition in any place in the reservoir or tend to create a public or private nuisance, such Lessees, their families and guests may be prohibited from further picnicking on their respective tracts of marginal land by a written notice to such Lessee from the Association.

Any person picnicking or making other use of the area shall keep the premises neat and clean, pick up and remove in a sanitary manner all paper, garbage, rubbish and debris and, before leaving the premises, put out any fire made by him.

#### **Section 15. Protection of Birds and Animals.**

No person shall trap, catch, kill or wound or attempt to trap, catch, wound or kill any bird or animal, take any bird egg or molest or rob any nest of any bird, or animal or cruelly treat any bird or animal, in the drainage area except as provided in Section 17.

#### **Section 16. Dogs and Cats.**

- A. No dog or cat shall be left running at large. Any dog or cat found running at large may be reported to the Menard County Animal Control.
- B. No more than two (2) dogs shall occupy any dog run or other fenced area. OR No more than three (3) dogs shall occupy any outdoor area enclosed by an invisible fence or other underground electrical fence.
- C. The occupancy limits contained in paragraphs (b) and (c) may be temporary exceeded in the event that a dog owned by a Member delivers a litter of puppies. Members may exceed the occupancy limits provided in paragraphs (b) and (c) until a litter of puppies reached one (1) year of age. (Adopted 6/13/11)

### **Section 17. Use of Firearms and Traps.**

No person shall fire or discharge any firearm of any description except police officers in the performance of their duties. The Board may authorize any person to use firearms, traps or other means to destroy any predatory or otherwise undesirable animal, bird or aquatic life.

### **Section 18. Skating.**

No person shall skate upon any of the ice of the reservoir except Members, their families, and guests and them only. Any skating shall be conducted in a manner that is responsible and proper, having regard for the number of persons upon such designated portions.

### **Section 19. Fires.**

No fires shall be lighted by anyone except Lessee and family on their own leased property. Waste materials such as paper, cardboard, leaves, dried grass clippings, tree limbs, etc. may be burned by members on their own leasehold. Burning of garbage, rubber, synthetics, oil, or oil products is prohibited. The use of burn barrels is prohibited.

### **Section 20. Fireworks.**

No fireworks shall be lighted or set off except by special permission of the proper state or county authorities.

### **Section 21. Injury to Property.**

No person shall willfully, maliciously or negligently cut, break, climb on, carry away, conceal, transfer, tamper with, mark upon or in any way injure, damage or deface any tree, shrub, plant, turf, grass, statue, bust, lamppost, hydrant, regulating device, transformer, meter, wire, wiring, pole, curbstone, coping, flagstone, fence, wall, bridge, balustrade, railing, bench, building or other structure of any kind or property or take down, alter, mar, move, injure or destroy any sign, trail marker, placard, notice, post, pile or buoy posted or placed by the Association or authorized to be posted or placed by the Association; or drive any motor car, vehicle, boat or craft in such a manner as to cause the same to collide with, run against, strike or cause to strike, injure or deface or damage any such property, but Lessees of the marginal land surrounding the reservoir may make changes and improvements as permitted in their lease from the Association. No person shall open any fire hydrant, except a duly authorized fireman or agent of the Association.

### **Section 22. Business Establishments.**

Unless duly authorized in writing by the Board, no person who is leasing any property from the Lake Petersburg Association shall operate any commercial establishment of any kind or type.

### **Section 23. Signs and Advertising.**

- A. The erection of maintenance of any sign, bill, poster, the posting or placing of any advertising poster, placard or card or the distributing of any advertising matter by handbills, or otherwise is prohibited, except signs posted by or authorized by the Board and one real estate sign displayed on the individual's property.
- B. Approved signs will be no more than 900 square inches.
- C. Penalty for the violation of Signs and Advertising rule is a fine of \$100 per day for each day the violation of this rule occurs. (Adopted 12/8/08)

#### **Section 24. Encroachments.**

No building or structure or anything erected or constructed on the face thereof or in any way connected therewith shall extend into, upon or over any boulevard, road or parkway, unless a written permit for the same shall have been granted by the Board, upon a written application setting forth the location and specifications of the encroachment.

No building material, fuel, or other product may be deposited on any way. Such products may be temporarily deposited in such location, provided a written permit is secured from the Board, upon a written application setting forth the location and approximate time such obstruction will exist, and the amount of the way the same will obstruct.

Any obstruction contrary to any of the provisions of these regulations, may be filled up, or removed by the Association at the expense and risk of the persons constructing, erecting, placing or maintaining the same.

Every person using or obstructing any portion of any way for any purpose shall cause warning lights to be placed and properly maintained in conspicuous places from sunset until sunrise during the time such obstruction shall remain and shall also construct such other and proper safeguards as may be necessary to properly protect the public from injury or, if necessary, maintain a watchman at such obstruction.

#### **Section 25. Tents and Trailers.**

- A. The parking of any type of vehicle which would provide living accommodations shall be prohibited in the lake area be it personal property, common area, or right-of-way.
- B. Call the Lake Petersburg Association office when it is necessary to temporarily park (for a maximum of three (3) days) any type of vehicle which would provide living accommodations to load, to clean, or to unload.
- C. No parking shall be permitted in the vicinity of the entrance to Lake property below the dam.  
(Adopted 12/8/08)

#### **Section 26. Lot Maintenance.**

Lease holders who do not mow and/or maintain their lots to the Lake Board's satisfaction shall be notified in writing that if they do not mow and/or maintain their lots, the Association will do so and bill them for the work. No lease transfer shall be approved until such fees are paid in full.

#### **Section 27. Snowmobiles, Motorcycles, ATV's, or Iceboats.**

No snowmobiles, motorcycles, ATV's, or iceboats shall be allowed on any of the Lake area, including the surface of the Lake.

#### **Section 28. Complaints.**

Complaints will not be recognized by the Lake Board unless they are submitted in writing and signed by the person issuing the complaint.

**Section 29. Annual Rental – Sewer Maintenance Fee.**

- A. Annual rental due date to be February 1<sup>st</sup> of each year, with payment due not later than July 31<sup>st</sup>.
- B. Sewer Maintenance Fee is due not later than July 31<sup>st</sup>.

**Section 30. Membership Application and Fee.**

An application and membership fee shall be submitted to the Board for approval.

**Section 31. Lease Transfer Requirements.**

The Board of Directors has its regular meeting on the second (2<sup>nd</sup>) Monday of each month. All lease assignment transfer documents for this meeting must be in the Lake Petersburg Association office in their entirety no later than 1:00 P.M. on the day of the meeting so that the documents may be reviewed before being presented to the Board of Directors for approval. These documents must have all of the original signatures and the necessary fees when turned into the Lake office or they will not be approved.

The Board of Directors also offer a special lease assignment transfer meeting on the fourth (4<sup>th</sup>) Wednesday of each month at a cost of \$200.00 per lease assignment transfer. Two (2) members of the executive committee and the office manager are to be in attendance. It does take planning and time away from work for some of the personnel to attend the meeting. Anyone who wants to schedule a special lease assignment transfer meeting must notify the Lake office not later than 5:00 P.M. on the third (3<sup>rd</sup>) Wednesday of the month. At the time of notification we ask you to inform the Lake office of the name/names of the current lot owner(s) and the purchaser's name/name(s). The lease assignment transfer documents for the meeting must be in the Lake office in their entirety no later than 1:00 P.M. on the fourth (4<sup>th</sup>) Wednesday of the month so that the documents may be reviewed before being presented to the special lease assignment transfer committee for approval. These document must have all of the original signatures and necessary fees when turned into the Lake office or the transfer will not be approved. The time of the meeting is at the discretion of the committee members (Adopted 1/11/10)

**Section 32. Membership Dues.**

- A. All Lease Holders shall be considered as regular members and shall be assessed annual dues in an amount established by the Board. Associate Members are persons who sub rent lots of regular members for a period of one month to one year.
- B. Persons who sub rent lots of regular members shall become associate members, and shall be assessed annual dues in an amount established by the Board.
- C. All lease holders must notify the Lake Office in advance or at the time of all property rentals.
- D. Annual dues of both members (lease holders) and Associate members (renters) shall be paid no later than May 15th. No boat stickers are to be issued until Annual Membership Dues are paid.
- E. Annual Association membership dues must be paid before members can obtain boat licenses. Current boat licenses must be on any watercraft in the water.

**Section 33. Late Payments and Legal Fees.**

- A. Any member who shall be thirty (30) days late in payment of any fee shall incur a 2% penalty per month until full payment is received. In the event legal fees are incurred by the Board in

pursuit of any delinquent payment, those fees shall be the responsibility of the member so delinquent.

- B. Any legal fees incurred by the Board enforcement of lease provisions shall be the responsibility of the lessee.

#### **Section 34. Aerators.**

Aerators are prohibited on the Lake for safety reasons (possible endangerment to fishermen, skaters, etc.)

#### **Section 35. High Water.**

Black flags will be placed on buoys in entire lake including "No Wake/Idle Speed" areas.

#### **Section 36. Storage of Boat Trailers.**

Boat trailers stored at the Maintenance Building area must have owner's lot number stenciled on the tongue of the trailer. Boats, trailers, vehicles, and other equipment are not to be stored in common areas.

#### **Section 37. Rules and Regulations.**

The Board shall have power to establish all rules and regulations as may be deemed advisable or necessary, and may amend and repeal any such rules and regulations at any time.

#### **Section 38. Violation Guidelines.**

The Lake Petersburg Association Board of Directors has set up guidelines which shall be used to evaluate violations in Building Codes, Boats and Docks and Rules and Regulations. When there is a determination a violation has occurred, a fine will be assessed. The assessed fine must be paid within thirty (30) days. If the fine is not paid within thirty (30) days, the fine will be added to the violator's yearly lease payment with an additional 10% interest added each month until the fine is paid in full.

If a member's guest violates any rules which would result in a fine being assessed, the member/lease holder is responsible for paying the fine as stated above.

If a member is fined for violating the Rules and Regulations and takes the Lake Petersburg Board to court and loses the case, the individual member will be liable for all court costs and attorney fees accrued pursuant to the case.

#### **Section 39. Inspection of Property.**

When a lake property(s) is sold, a lease inspection must be completed by the Lake Superintendent. Any violation must be corrected before the Lake Petersburg Association Board of Directors will approve and sign off on the transfer of a lease agreement.

#### **Section 40. Correction of Defects To Or Removal of Dangerous Buildings**

Whenever the Lake Superintendent, or any other officer or employee of the Association, shall be of the opinion that any building or structure is a Dangerous Building, a written statement to this effect shall be filed with the Board of Directors. The Board shall then determine whether the building or structure is a Dangerous Building as defined in Section 1. Upon finding that the building or structure is a Dangerous Building, the Board shall thereupon cause written notice to be served upon the owner thereof, and upon the occupant thereof, if any, by personal service or register mail. Such notice shall state that the building has been declared to be in a dangerous condition, and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it, and that the condition must be remedied at once.

Dangerous Buildings shall have all dangerous condition(s) removed or remedied by the owner within fifteen (15) days. Owners shall comply with the provisions of these Rules and Regulation and the requirements of the Lake Petersburg Building Code as revised January, 2007 when making any repairs or alterations to such Dangerous Buildings.

If the person receiving such notice has not complied therewith within fifteen (15) days from the time when such notice is served upon such person by person service or by registered mail, the Association may proceed to have the condition remedied or the building demolished and the Association shall bill the owner for the work. No lease transfer shall be approved until the bill for such work is paid in full.

#### **Section 41. Removal of Damaged Buildings**

Any building or structure damaged by fire, decay or other cause to the extent of fifty percent (50%) of its value shall be torn down and removed or repaired. Owners shall comply with the provisions of these Rules and Regulation and the requirements of the Lake Petersburg code as revised January 2007 when tearing down and removing or making any repairs or alterations to such Damaged Building.

Whenever the Lake Superintendent, or any other officer or employee of the Association, shall discover that a building has been severely damaged by fire, decay, or other cause, the Board of Directors shall be notified in writing. The Board shall determine whether or not such building or structure has been damaged to the extent of fifty percent (50%) of its value. Prior to the Board's determination of the extent of damage, a written notice shall be served upon the owner of the premises by personal service or by registered mail to his last known address. Such notice may be in substantially the following form:

"To: (Homeowner)

You are hereby notified that (Lake Superintendent or other Association officer or employee), has determined that the building owned by you at (address of damaged building) has been damaged by fire, decay or otherwise to the extent of fifty percent (50%) of its value; and that the Board of Directors of Lake Petersburg Association will be holding a meeting to verify this finding. The Board of Directors meeting for purposes of verifying this finding will be held at the Lake Office on North Shore Drive on the \_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_ o'clock, at which time the Board of Directors will determine whether this finding is correct.

If this finding is verified by the Board of Directors, you must tear down and remove or repair the said building in manner in compliance with the provisions of the Lake Petersburg Association Rules and Regulations and the requirements of the Lake Petersburg Building Code as revised January, 2007, as well as, all relevant State and Federal laws."

At or before the Board meeting required to determine whether the building or structure is a Damaged Building, the owner of the Damaged Building shall notify the Association if said owner intends to repair the Damaged Building. If the owner fails to notify the Association of their intent to repair the Damaged Building by that time, the Association will assume that the owner intends to tear down and remove the Damaged Building.

If the Board determines that the building in question has been damaged to the extent of fifty percent (50%) of its value, it shall be the duty of the owner to tear down and remove or begin repairs to the building within twenty (20) days after the finding of the Board. Owners shall comply with the provisions of these Rules and Regulations and the requirements of the Lake Petersburg Building Code as revised January, 2007 when tearing down and removing or repairing such Damaged Buildings. If after said twenty (20) days the building in question has not been torn down and removed or repairs have not begun, the Association may tear down and remove the building and bill the owner for the work. If the Board determines that the owner's removal of the Dangerous Building is violating the provisions of these Rules and Regulations or the requirement of the Lake Petersburg Building Code as revised January, 2007, the Association may tear down and remove the Damaged Building and bill the owner for the work. No lease transfer shall be approved until the bill for such work is paid in full.

Updated 6/20/2011

Updated: 7/11/2011