

**BYLAWS**

**LONG LAKE PENINSULA ASSOCIATION, INC**

**AS AMENDED**

**August, 2017**

**Article I Entity**

The Long Lake Peninsula Association, Inc., incorporated August 28, 1967 under Public Act 137 (1929) of the State of Michigan, as amended, is hereinafter referred to as the "Corporation".

**Article II Location**

**Section 1. Addresses:** The registered office of the Corporation shall be filed with the State of Michigan and the mailing address is P.O. Box 2043, Traverse City, Michigan 49685.

**Section 2. Description:** The Association encompasses all of the following described lands in the Township of Long Lake, County of Grand Traverse and State of Michigan, to wit:

Government Lots 1,2,3 and 4 of Section 27, Township 27 North, Range 12 West, and all that portion of Government Lot 4 of Section 27 North, Range 12 West described as follows: Commencing at the Southwest corner of said Government Lot 4; thence South 88 deg's 22' West, 1245.25 feet along South line of said Government Lot 4, thence North 44 deg's 46' West, 99 feet from the Point of Beginning, being on the line common to Government Lots 4 and 6 of said Section 26; thence North 44 deg's 11' East, 156.69 feet; thence South 70 deg's 51' East, 53.8 feet; thence South 24 deg's 09' West, 7 feet; thence South 65 deg's 15' East, 9.5 feet; thence North 24 deg's 09' East, 7 feet; thence South 70 deg's 51 East, 106 feet; thence North 71 deg's 07' East, 78 feet; thence North 7 deg's 04' East, 127.88 feet to C/L of Outer Drive; thence South 73 deg's 15' West, approximately 25 feet to the Westerly right-of-way of the old East Long Lake Road (being "Point A"); thence North 1 deg 20' East, approximately 198.5 feet along said Westerly right-of-way line; thence North 40 deg's 34' West to the West Line of said Government Lot 4; thence South along said West line of Government Lot 4 to Point of Beginning and also that portion of said Government Lot 4 commonly known as Outer Drive (66 feet wide) lying between the afore described portion of said Government Lot 4 and the C/L of South Long Lake Road, as relocated, the bearing and distance of the C/L of said Outer Drive from "Point A" afore referenced,

being North 73 deg's 15' East, approximately 25 feet; thence South 76 deg's 55' East, approximately 221.9 feet to the C/L of said South Long Lake Road.

Government Lot 5 of Section 26, Township 27 North, Range 12 West and Government Lot 6 of Section 26, Township 27 North, Range 12 West, except that portion of said Government Lot 6 lying Northeasterly of the following described line: Commencing at a point on North line of Government Lot 4 of said Section 26, 53.2 feet East of meander stake near East shore of Long Lake; thence South 26 deg's 20' West, 723.5 feet; thence South 1 deg 20' West, 164.6 feet to the point of beginning of said line; thence North 40 deg's 34' West; 389.3 feet to Lake Shore and point of ending said line.

### **Article III Purposes**

**Section 1. The purposes for which the Corporation is formed are as follows:** To exercise jurisdiction, including police powers, over the Peninsula; to establish bylaws, provide penalties for the violation thereof, and to do any and all things prescribed in, allowable under, and incidental to the powers and duties set forth in Act 137 of the Public Acts of Michigan (1929), as amended.

**Section 2. Preservation of Natural Resources:** The Corporation shall conserve the natural resources, protect the natural state, preserve the peace and quiet, and enhance the residential and recreational nature of the Peninsula.

**Section 3. Health and Welfare:** The Corporation shall provide for the health, welfare, and safety of its members.

**Section 4. Administration of Common Properties:** The Corporation shall provide for the proper administration of the platted roads, beaches, launching and access sites, parks, recreation areas, association sign boards, and other property and facilities not privately owned (hereinafter "Common Property") and may, subject to the terms of these Bylaws and the laws of the State of Michigan, levy and collect dues and assessments. Members of the association participate in association activities and use common areas at their own risk.

### **Article IV Membership**

**Section 1.** Every person who owns a legal or equitable interest in any real estate within the Peninsula is a member of the Corporation. No member shall be entitled to more than one vote because of an interest in more than one parcel of real estate. Unless agreed otherwise by the separate owners of a legal and equitable interest in a parcel, the vote on any issue shall reside with the legal owner of the parcel.

**Section 2.** When property is owned by two or more people, each shall be a member.

**Section 3.** When property is held in trust, the trust shall be considered to be one owner and one member of the Corporation.

**Section 4.** In the event more than two owners have a legal or equitable interest in any real estate within the Peninsula only two shall be entitled to vote. The owners shall advise the LLPA Secretary in writing or via email which of the two members are entitled to vote.

**Section 5.** Each member who wishes to receive notices regarding meetings, ballots, and other matters affecting the Corporation at a mailing address other than the address used for property tax purposes shall file

such address with the Secretary in writing. It is the responsibility of each member to keep their mailing address current with the secretary as well as a current email address, if applicable. This information is also available on the web site <http://www.longlakepeninsula.org>.

**Section 6.** The LLPA shall not discriminate on the basis of race, color, creed, religion, national origin, ethnicity military status, sex, gender, gender expression, sexual orientation, age, marital status or disability.

## Article V Board of Trustees

### **Section 1. Organization:**

- A. The business of the Corporation shall be conducted by a board of nine (9) Trustees elected from the membership by the members as hereinafter provided (hereinafter collectively referred to as the Board).
- B. Trustees shall be elected at the Annual Meeting by secret ballot. No member may be elected a Trustee unless current in payment of dues and assessments.

A Committee on Nominations of three (3) members shall be appointed annually by the President. The Committee's nominations shall be included in the notice of the Annual Meeting together with any additional nominations endorsed by at least three (3) members and submitted in writing to the Secretary 30 days before the Annual Meeting and any nominations made at the Discussion Meeting by any member from the floor. Three (3) Trustees shall be elected each year to terms of three (3) years. If necessary, additional trustees shall be elected to fill vacant but, unexpired terms.

### **Section 2. Duties and Powers of the Board:**

- A. The Board shall meet within 30 days after the Annual Meeting and elect the officers of the Corporation from their own number to serve for one year or until their successors are duly qualified. Incumbent trustees shall serve until the beginning of the first Board meeting following the Annual Meeting.
- B. It shall be the duty of the Board to care for the property and interests of the Corporation and to determine the policies for the conduct of its affairs. The Board may raise and expend funds to achieve the purposes and promote the welfare of the Corporation, and may employ any and all lawful means they may deem proper and expedient to secure the objectives of the Corporation.
- C. The Board shall provide for the maintenance and repair of the Common Property and shall pay taxes upon such properties to the extent required by law.
- D. The Board shall provide for the administration of all duly adopted rules, regulations, and Bylaws.
- E. The Board shall determine the extent, if any, except as directed by the membership at any duly called meeting of the membership, to which roads shall be improved, widened, repaired, or plowed. The Board need not treat all roads uniformly. There shall be no widening or grading of roads, or clearing of road right-of-ways, without the approval of the Board based upon the purposes stated in Article III, Section 2.
- F. The Board shall prepare and submit a budget for approval of the membership at the Annual Meeting.

G. The Board may authorize any non-budgeted expenditures which they deem necessary or desirable, but any such total expenditures in excess of \$5000.00 in a fiscal year must be approved by the membership. To ensure health, welfare and safety, the Board shall allocate from the road fund \$10,000 in a contingency fund to address emergency events that restrict access to the Peninsula.

**Section 3.** The Board shall meet at least three (3) times a year on the call of the President, the Secretary, or any three Trustees. Ten (10) days notice shall be given prior to any regular meeting.

**Section 4. Emergency Meetings:** If any officer considers that an emergency exists, a meeting of the Board may be called as soon as it is possible for the Secretary to arrange a meeting that will provide a quorum. The meeting may be held by telephone or internet. Reasonable effort must be made to notify all Trustees.

**Section 5. Absences:** The Board position of a Trustee who has two or more unexcused absences, as determined by a majority of the Board, from Board meetings per year shall be considered vacant.

**Section 6. Vacancies:** The Trustees are authorized, by a majority vote of the Board, to fill a vacancy on the Board until the next election, and to fill any vacancy in an office for the balance of the unexpired term.

#### **Article VI Officers**

**Section 1.** The officers shall consist of President, Vice President, Secretary, and Treasurer.

**Section 2. President:** The President shall preside at all meetings of the Corporation and of the Board, be an ex-officio member of all committees, carry out the purposes and policies of the Corporation and the rules and regulations adopted by the Board, and administer the day-to-day affairs of the Corporation.

**Section 3. Vice President:** The Vice President shall perform all duties of the President in his/her absence.

**Section 4. Secretary:** The Secretary shall record proceedings of the meetings of the Corporation and Board, and shall keep a register of the members, file (record) Bylaws when appropriate, (re)register the Corporation with the State.

**Section 5. Treasurer:** The Treasurer shall be accountable for all money and securities of the Corporation, sign all checks, and work with the board approved accounting firm to keep the books ready for audit at all times. Each disbursement must be supported by an invoice. The signature of the Treasurer is sufficient on all budgeted expenditures of \$500 or less. One other officer shall co-sign other expenditures properly authorized. The Treasurer shall report to the membership at the Annual Meeting and to the board at all regularly scheduled board meetings. All monies shall be deposited by the accounting firm in a bank(s) approved by the Board. The treasurer shall be a member of the Investment Committee and will execute the board approved recommendations on corporation investments. The Treasurer may be bonded at the discretion of the Board, the cost of such bond to be paid from the funds of the Corporation.

#### **Article VII Membership Meetings**

**Section 1.** Robert's Rules of Order shall be the parliamentary authority for the conduct of meetings.

#### **Section 2. Discussion Meeting**

A. A Discussion Meeting shall be held in the month of June at a time and place to be determined

- by the Board.
- B. The purpose of this Meeting is to acquaint members with the status of existing problems and considerations, to receive opinions and suggestions, to facilitate communication between members and the Board, to discuss matters to be acted upon at the Annual Meeting, and to receive nominations for positions on the Board to be presented to the Committee on Nominations.
- C. The Secretary shall notify all members by mail, email or website announcement of the date, time, and place of the Meeting not less than twenty (20) days in advance.
- D. At this Meeting, discussion is not limited to those items on the agenda and advisory voting is in order.

**Section 3. Annual Meeting**

- A. The Annual Meeting of the Corporation shall be a formal meeting held each year during the month of August, at a time and place to be determined by the Board.
- B. The purpose of this Meeting is to receive and approve reports from the Officers and all active Committees, to elect Trustees, and to consider other items on the agenda.
- C. Written notice of the Meeting giving the time and place, and including the agenda and ballots listing those nominated for Trustees shall be mailed to each active member. The Secretary shall send these notices by first class mail at least twenty (20) days prior to the Meeting.
- D. Business and discussion shall be limited to the items on the agenda unless a majority of the members present add topics for consideration.

**Section 4. Special Meetings**

- A. A Special Meeting of the Corporation may be called by the President, any three (3) Trustees, or on the written request of twenty (20) members.
- B. The Secretary shall notify the membership by mail not less than twenty (20) days prior to the Meeting giving the time, place, purpose and agenda.
- C. Discussion and action shall be limited to the agenda and the purpose of the Meeting.

**Article VIII Voting**

**Section 1. Annual or Special Meeting:** Each member is entitled to one (1) vote, except as provided in Article IV. On matters other than the election of Trustees (Article V. Section 1B) and dues and assessments (Article IX, Section 2), votes may be cast in person or by written or electronic ballot, or by proxy if filed with the Secretary prior to the time designated for taking the vote.

**Section 2. Voting by Mail:**

- A. Changes in the dues and assessments and the election of Trustees shall be initiated by a mailed ballot. Voting may then be made via internet or mailed ballot to a 3rd party agent appointed by the Board by the designated deadline.
- B. At the will of the President, or a majority of the Board, or twenty (20) members, a special vote of the members or the Trustees may be initiated by a mailed ballot on any matter. Voting may then be made via internet or mailed ballot to the 3rd party agent by the designated deadline.
- C. The Secretary shall mail, at least twenty (20) days prior to the return date contained therein (ten (10) days for Trustees), a written ballot to each member or Trustee clearly stating the proposition to be voted upon. Voting may then be made via internet or mailed ballot to the

3rd party agent by the designated deadline. All matters shall be decided by a majority of votes cast by members of the Corporation. Mailed ballots with voting via mail or internet through a 3rd party agent shall be given preference on issues of importance or unusual cost because of the difficulty in obtaining a representative turn-out of the members at annual meetings.

**Section 3. Quorum and Voting:**

- A. Six (6) members of the Board shall constitute a quorum of the Board.
- B. Twenty (20) members shall constitute a quorum at any meeting of the Membership.
- C. All matters shall be decided by a majority of votes cast by the members or Board, as the case may be.

**Article IX Finances**

**Section 1.** The President may appoint an auditing committee of two members to audit the books of the Treasurer and report thereon at the Annual Meeting.

**Section 2.** Dues and assessments may be levied by the Board in an amount authorized by a majority of votes cast by members of the Corporation on a mailed ballot. Voting may then be made via internet or mailed ballot to the 3rd party agent by the designated deadline. In the case of assessments, the purpose, conditions, and terms of payment shall be incorporated in the resolution. Bills for dues and assessments shall be mailed at least 30 days prior to the due date.

**Section 3.** Annual dues shall be due and payable on September 30 and are as follows:

- A. Developed lots: \$250.00
- B. Vacant lots: \$75.00 each with a maximum of \$200.00 for all vacant lots with identical ownership.
- C. A minimum of fifty percent of the income from dues shall be allocated to road maintenance and improvement.

**Section 4.** The fiscal year shall be August 1 through July 31.

**Section 5.** If annual dues and any assessments are not paid on time, the following penalties will be assessed on the outstanding balances inclusive of prior penalties as of October 1 and April 1:

- Account balance under \$50.00: \$10.00 penalty
- Account balance from \$50.00 to \$199.00: \$20.00 penalty
- Account balance from \$200.00 to \$499.00: \$25.00 penalty
- Account balance \$500.00 or over: \$6% of unpaid balance
- The initial late fee assessed on October 1 will double for members who were late with payments in the prior year.

All unpaid balances, plus costs of collection (including reasonable attorney's fees), shall become a lien upon the land of the member. The lien may be foreclosed by suit by the Corporation in the same manner as a real estate mortgage foreclosure. The Corporation may bid on the property at the foreclosure sale and acquire, hold, lease, mortgage, or convey the same. A suit to recover a money judgment for unpaid dues and penalties may be maintained without foreclosure or waiving the lien securing same.

**Section 6** No member shall receive compensation for service to the Corporation except as approved by the board or provided in Section 7 of this Article.

**Section 7.** When mutually advantageous, the Board may arrange with a member to work out dues and assessments and, in the case of hardship, to excuse financial obligations to the Corporation on a year to year basis. Annual dues for the Secretary and Treasurer may be waived in partial recompense for services rendered to the Corporation.

**Section 8.** The Board may, at its discretion, accept donations for special projects such as park improvements and may, at its discretion, carry forward to the next fiscal year unexpended fund balances in order to accumulate funds for major projects.

## Article X Committees

**Section 1.** Members of the following standing committees shall be appointed by the President for a term of one (1) year.

- A. Committee on Roads and Signs: This committee shall be responsible for signs and for the maintenance, improvement, repair, snow removal, and regulation of roadways as provided for in the budget and assessments, and authorized by the Board.
- B. Committee on Recreation Area, Waterfront Access, and Launching Site: This committee shall be responsible for the administration, maintenance, and supervision of all areas of common property.
- C. Building and Site Plan Review Committee: This committee of no less than three members, one of whom must be a Trustee, shall review applications for building, remodeling or site development permits and applications requesting variance from Corporation building and zoning regulations. If members reach unanimous agreement, the Committee shall issue permits and grant variances. Failure of Committee members to agree unanimously will result in the matter being referred to the Board. Decisions of the Committee may be appealed to the Board. In its review of applications for building permits or variance from the Land Use Rules and Regulations contained in Article XIII of these Bylaws, the Committee will maintain communications and cooperation with the Long Lake Township Planning Commission and Zoning Board of Appeals. To this end, a current copy of the Long Lake Township Zoning Ordinance is available from the Committee to assist applicants in complying with all applicable zoning authorities. The Committee will recommend building permit fees to the Board using the State of Michigan Building Permit guidelines as a reference. A permit is required for weekly trash hauling by a company other than the Board approved waste hauler. Fees will be established as penalties for violations of Land Use and Parking Rules. All fees will be reviewed and adjusted annually by the Board to take effect January 1 of each calendar year. Fees collected will be directed to the road funds. All actions and decisions of the Committee shall be reported to the Board. The Committee shall develop guidelines that will include notification procedures.
- D. Committee on Nominations: See Article V, Section 1B.
- E. Finance and Budget Committee: This committee shall consist of the President, Treasurer and the chairs of each standing committee. This committee shall prepare the annual budget for the Corporation and oversee the financial business of the Corporation.
- F. Investment Committee: This Advisory Committee of no less than three members, one of whom must be the Treasurer, shall review available investment options, and make investment recommendations in accordance with the Investment Guidelines as established by the Board of Trustees. The committee will meet a minimum of once per fiscal year. Additional meetings may be scheduled, as needed, to address changing financial conditions.

**Section 2. Special Committees:** Special Committees may be appointed by the President for specific purposes and shall be dissolved upon completion of their assignments.

**Section 3.** The Board may authorize a committee to incur budgeted expenses. All other expenses must be approved by the Board except a contingency fund, not to exceed the budgeted amount, for the miscellaneous expenditures of a nature related to the responsibility of the committee - may be made available to the committee in question.

#### **Article XI Restrictions**

**Section 1.** All property within the jurisdiction of the Corporation shall come under the restrictions of, and shall comply with, land use rules and regulations of the Corporation, State laws, County and Township ordinances, plat restrictions, and the like, including without limitation:

- A. State boating and fishing regulations.
- B. State and county health and sanitation laws.
- C. The County dog ordinance.
- D. Use of firearms.
- E. Township and county zoning and land use ordinances, as amended from time to time, and with certain exceptions as stated in Article XIII of these Bylaws, except when and if the statutory authority of the Corporation supplants that of the Township or County.

#### **Article XII Amendments**

**Section 1.** These Bylaws may be amended in accordance with the provisions of Act 137, P.A. 1929, as amended: The Board shall have the authority to enact bylaws subject to repeal or modification by a vote of the members at any Annual or Special Meeting, with the exception of dues and assessments that shall be approved by a majority of votes cast by members of the Corporation.

#### **Article XIII Land Use Rules and Regulations**

**Section 1. Purpose:** To establish the specific rules and regulations necessary to exercise the police powers over the lands owned by or within the jurisdiction of the Long Lake Peninsula Association as described in Section 1 of Article III.

#### **Section 2. Definitions:**

- A. Accessory Buildings: A supplemental building on the same lot, or a part of a main building, occupied by or devoted to an accessory use. An accessory use is a use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or building.
- B. Developed Lot: Any lot which contains one or more dwellings.
- C. Dwelling, Single Family: A building occupied by but one (1) family having not less than 1,500 square feet of living area excluding garage, and so designed and arranged that it provides living, cooking, kitchen accommodations, and sanitary facilities for one family only.
- D. Mobile Dwelling: Any structure used for living, sleeping, business, recreational or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirtings, and which has been or reasonably may be equipped with wheels, dollies, or other devices for transporting the structure from place to place, whether by motive power or other means. The term mobile dwelling shall include mobile homes and tents of every manner and type, whether or not with motive power. The term shall also include all such structures without regard for the fact that they may have been set upon foundations intended to be permanent and with plumbing, waste disposal, and utility connections.
- E. Modular home: A dwelling structure which has been prefabricated outside of the Corporation's boundaries in one or more parts, which is proposed to be transported to a lot



within the Corporation's jurisdiction on wheels, dollies or attached trailer and placed on a permanent foundation.

- F. **Building:** Any structure, either temporary or permanent, having a roof, and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This definition shall include tents, awnings, vehicles situated on private property and used for purposes of a building, whether or not mounted on wheels.
- G. **Ordinary High Water Level:** The level on the shoreland where the natural shoreland vegetation changes from predominately aquatic to predominately terrestrial.
- H. **Yard Measurements:** Yard measurements shall be the minimum horizontal distance between a lot line, or the high-water level, and the nearest line of the main building.
- I. **Trailer:** Any structure used to transport or store recreational, business, or other equipment of any kind which has wheels or other means of transport.

**Section 3. General Regulations:** The following general regulations shall apply equally to all lots and areas within the jurisdiction of the Corporation.

- A. **Permit Required:** No person shall erect any building or accessory building, or make any major structural change or addition thereto, within the boundaries of this Corporation, unless a permit has first been obtained from the Corporation and, if required, from Long Lake Township and/or Grand Traverse County. All permits shall be displayed on the property during the construction or alteration of such building.
- B. **Permitted Uses:** No buildings shall be constructed on any properties within the boundaries of this Corporation other than single family dwellings and accessory buildings that meet the requirements of these Bylaws and the Township Zoning laws. Mobile Dwellings are not permitted, except as provided in Article XIII, Section 3, G.
- C. It is not permissible to accumulate or store junk, surplus building materials, business or contractors equipment, trucks, non-operational vehicles of any type, and the like that are not essential to a strictly residential use.
- D. A detached accessory building shall not exceed eighteen (18) feet above ground level. A dwelling shall not exceed thirty-five (35) feet above ground level.
- E. Water oriented accessory structures such as docks, landings, steps, terraces, retaining walls, and pump houses shall be permitted in any yard area. See section F.h.for details.
- F. **Use of Beach Road, the waterfront access and launch site shall be subject to the following restrictions:**
  - a. The waterfront access and launch site shall be used exclusively by members of the Corporation who are in good standing, their immediate families, and household guests. Members who loan their key(s) to nonmembers, not otherwise entitled to use the ramp, shall forfeit their key(s)
  - b. There will be no parking of vehicles or trailers of any kind on Outer Drive, the paved portion of Beach Road and its extension, Cedar Drive, and the intersection formed by these roads (See Article XV Section 5). A fee may be assessed on a member who infringes on any roadway with a vehicle, trailer or any other obstruction, including pushing of snow or debris onto the roadway.
  - c. There will be no overnight parking of vehicles or trailers of any kind at the boat ramp parking area or at the park...except by prior permission from the board or Parks Committee.
  - d. Access to the boat ramp and the two driveways must be maintained; consequently, parking in the waterfront access and launch site shall be restricted to the designated spaces, not to exceed four (4) vehicles or trailers of any kind.
  - e. No glassware, picnic tables, open fires, or portable toilets will be allowed at the Corporation's waterfront access and launch site area.

- f. Water skiing or tubing shall not begin or end in the waters to which this area is riparian.
- g. General rules of courtesy, as determined by the Board, shall be posted.
- h. Trailers, Commercial Vehicles, Boats, Hoists, Rafts, Docks and Motor Homes
  - Storage of trailers is allowed. Trailers must be registered and plated to the member and in good repair, in current (at least annual) service and parked in such a way as to reduce their aesthetic impact on the property.
  - Commercial trailers and vehicles are allowed only during short term or permitted construction or tree removal. Storage and parking of commercial equipment, trailers and vehicles may be subject to review by the board as a violation of land use for residential purposes only.
  - Boats and boat hoists, rafts and docks may be stored on properties as long as they are in good repair, in current service and parked in such a way to reduce their aesthetic impact on the property. If these items sit dormant for more than three years, the board may find the member in violation of the trash ordinance.
  - Motor home storage for the property resident is allowed but restricted to one motor home per property. The motor home must be registered and plated to the member, in good repair, in current (at least annual) service and parked in such a way to reduce its aesthetic impact on the property.
  - Motor homes and tents are not allowed on rental properties.
  - Members may have guests stay in motor homes or tents on their property for no more than a total of fourteen days per calendar year as long as one of the members is present on the property and no disturbance of noise or light disrupts the adjacent neighbors or other members.
  - No one may reside long term in a motor home on a property without a variance being granted by the board. This would be considered a rare event due to loss of residence from fire or other catastrophe and completely up to board discretion.
  - Members may be assessed a fee for storage of non-conforming vehicles, trailers or equipment on their property as defined by the building and site committee.
- G. Modular homes: No modular homes are permitted to be installed within the jurisdiction of the Corporation.
- H. Building Set-back: All principal and accessory buildings or structures except docks, landing steps, terraces, retaining walls, and pump houses, shall be set back not less than fifty (50) feet from the ordinary high water level and not less than fifty (50) feet from any street right-of-way. The rear yard for non-water front lots shall be not less than forty (40) feet from any principal or accessory building to the rear lot line.
- I. Yard Area: To prevent overcrowding of buildings and structures, to reduce fire hazards, and to achieve natural preservation and the other purposes of the Corporation set out in Article III, at least fifty (50) percent of the total land area of each lot shall be maintained undeveloped and uncleared after provision has been made for a house, garage, driveway, and a septic tank and field. No dwelling shall be erected on a lot or parcel of land having an average width of less than one hundred (100) feet on the lake or, if an interior lot, one hundred (100) feet on the road.
- J. Side Yards: There shall be provided a side yard of not less than fifteen (15) feet from every principal building to the lot line.
- K. Sanitation Systems: Sanitation, sewage disposal, septic tanks, or systems shall be of ample capacity for the purpose intended and shall be designed, located, and constructed in strict conformity with all State, County, and Township sanitary regulation and requirements.

- L. False Advertising: No person shall advertise for sale any lot or other property within the boundaries of the Corporation representing that such a lot or property has “lake access”, unless such advertising shall also specify the total number of feet of lake frontage available for use by the purchaser thereof, and the total number of lots or parcels of property that have access to such lake frontage.
- M. Signs: No signs other than the following shall be permitted:
  - a. One for sale or for rent sign not more than six (6) square feet in area on the property of the owner.
  - b. Name plate and no trespassing signs on the property of the owner.
  - c. Street and traffic signs authorized by the Corporation, and signs at the lake access (Beach Road), stipulating restrictions for that area.
  - d. Temporary signs for a special event will be allowed but must be removed within 24 hours of the conclusion of the event.
- N. Removal of Shore Cover: In order to protect the scenic beauty, control erosion, and reduce effluent and nutrient flow from the shoreline, tree cutting in a strip paralleling the shoreline extending thirty-five (35) feet inland from the ordinary high water level of the shoreline shall be limited as follows:
  - a. Not more than twenty (20%) percent of the length of the lot frontage along the shoreline shall be clear cut to the depth of the strip.
  - b. Stumps may be cut flush with the ground, but not removed.
  - c. Natural shrubbery shall be preserved as far as practicable and where removed, shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and preserving natural beauty.
- O. Wetlands: For reasons of safety, health, ecology, and environmental preservation, there shall be no dredging or filling of wetlands as that term is defined by Michigan Statute without approval of the Board.
- P. Division of Land in a Recorded Plat: The partition or dividing of any lot, outlet, or other parcel of land within the jurisdiction of the Corporation shall comply with all applicable requirements of the law, and shall be approved by the Board.
- Q. Non-conforming Uses: The non-conforming use of land which existed, when these Rules and Regulations became effective, may be continued provided that:
  - a. No such non-conforming use shall in any way be enlarged, increased, extended, or moved either on the same lot or to another lot.
  - b. If such non-conforming use or any portion thereof is discontinued or changed, any further use shall be in conformity with these Rules and Regulations.
  - c. If such non-conforming use ceases to exist for any reason for a period of more than thirty (30) days, any subsequent use shall conform to these Rules and Regulations.
  - d. Any non-conforming building or mobile dwelling, which has been destroyed or damaged by fire, explosion, Act of God, or public enemy, may be restored to the same non-conforming use as existed before damage, subject to approval of the Board. No new mobile dwelling may be placed on any property.
- R. Practical Difficulties and Unnecessary Hardships: The Board, acting as a Board of Appeals, and on recommendation of the Building and Site Plan Review Committee, may permit variation or modification of any requirement of these Rules and Regulations provided, that the purpose and spirit of the Rules and Regulations shall be observed, public safety secured, and substantial justice done.
- S. Littering: No littering of road rights-of-way, the waterfront access and launch site, park or other property within the boundaries of the Corporation is allowed. Persons found to be littering will be assessed a fee of \$25.00 for each offense.

## **Article XIV Enforcement, Violation, and Penalties**

**Section 1. Enforcement:** The Building and Site Plan Review Committee, or a Marshall, as appointed by the Board, shall be the administrative and enforcing body of the Land Use Rules and Regulations having such authority as the Board may designate.

**Section 2. Violations and Penalties** Any person who shall violate these bylaws or the land-use rules and regulations shall be deemed guilty of a municipal civil infraction and upon conviction thereof, shall be punished by a fine not exceeding \$1000. Such fine shall be at the discretion of the court and the fine shall be deposited in the same fund as the other municipal civil infraction fines in the association. The offending member will be liable for court costs and fees incurred by the corporation.

## **Article XV Traffic Control**

**Section 1.** A speed control zone in which the rate of speed shall not exceed fifteen (15) miles per hour is established over and on that portion of Outer Drive, commencing at the intersection of Outer Drive and S. Long Lake Road, thence westerly along Outer Drive one thousand three hundred eighty (1,380) feet.

**Section 2.** A speed limit of twenty (20) miles per hour is established over and on that portion of Outer Drive not covered by Section 1 hereof, and on the remaining roads on the Common Property.

**Section 3.** Speed Limit Signs: Speed limit signs shall be posted indicating the speed control zones.

**Section 4.** Penalties: The penalties for violation of this Article shall conform to local, county, and state law enforcement regulation.

**Section 5.** Parking on Roadway: No parking of vehicles or trailers shall be allowed on any roadway, with the exception of Beach Road. See Article XIII, Section 3, F, C. A fee may be assessed on a member who infringes on any roadway with a vehicle, trailer or any other obstruction, including pushing of snow or debris onto the roadway. Vehicles parked in violation shall be subject to a tow-away, at owner expense.

