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Restrictions Association Bylaws

November 18, 2023

THE PUNDERSON LAKE ALLOTMENT ASSOCIATION, INC.
Revised from the original Restrictions adopted June 28, 1958, and
subsequently amended

CODE OF REGULATIONS

Newbury Township
Little Punderson Lake Community

ARTICLE I - Meeting of Members

The annual meeting of the members for the election of Trustees and the transaction of other business shall be held at a location within reasonable distance of the area of the Association, to be designated in the notice of said meeting, on the third Sunday of August in each year. (August 31, 1975)

Special meetings may be held at such times and places as may be ordered by the Board of Trustees, or by a call (giving the subject) for a special meeting by signed petition of at least thirty-five (35) members.

Notice (signed by the President or the Secretary and giving the purpose) of such annual and special meetings shall be given to each member appearing as such on the books of the Corporation by duly mailing the same to member's last known address ten (10) calendar days prior to the date of such meeting.

At such meetings, no business shall be transacted except that stated in the notice.

ARTICLE II - Quorum

At all meetings, a majority of all members present shall constitute a quorum for the transaction of the business.

ARTICLE III - Board of Trustees

The corporate powers, property and affairs of the Corporation, subject to the limitations contained in the General Code, the Articles or Regulations, shall be exercised, conducted, and controlled by the Board of five (5) Trustees, each of whom shall be a member of the Corporation, and all of whom shall be citizens of the United States.

The election of Trustees shall take place at the Annual Meeting of the Members, or at a special meeting called for that purpose and shall be by majority vote. Trustees shall be elected for two (2) year terms. Two (2) Trustees shall be elected in the year of an even number (i.e., 2022) and three (3) Trustees in the odd numbered years.

In the event a Trustee is unable to serve as Trustee, or resigns, a majority of the remaining Trustees shall concur in the appointment of a successor Trustee for the unexpired term. The determination of the ability of a Trustee to serve shall be made by majority vote of the remaining Trustees.

Elected Trustees will attend two thirds of all meetings held, unless just reason can be shown for non-attendance. (August 17, 1986)

ARTICLE IV - Executive Committee

The Board of Trustees may appoint an Executive Committee of not less than three (3) members from their own number, who shall have charge of the management of the business and affairs of the Corporation in the interim between the meetings of Trustees, with power generally to discharge the duties of the Board of Trustees, but not to incur debts, excepting for current expenses, unless specially authorized. They shall at all times act under the direction and control of the Board of Trustees and shall make report to the same of their actions that shall form part of the records of the Corporation.

ARTICLE V - Officers, Term, Compensation

The Executive Officers, President and Vice President of the Corporation shall be elected from among the Trustees by the Trustees. In addition to the foregoing officers, there may be the offices of Secretary and Treasurer. The offices of Secretary and Treasurer shall be elected by the Trustees and said Secretary and Treasurer may be elected from the members of the Corporation. All the foregoing officers shall be elected for one (1) year, and until their successors are elected and qualified. The office of Treasurer may be contracted out to qualified CPA firm/individual by majority vote of the Board of Trustees.

The Trustees may appoint clerks and other employees for such time and at such salary or wages as they may determine.

ARTICLE VI - Duties of President and Vice President

It shall be the duty of the President to preside at all meetings of Members and Trustees, to sign the records there of, and in general to perform all duties usually incident to such office, or which may be required by the Members or Trustees.

It shall be the duty of the Vice President to perform all the duties of the President, in case of the latter's absence or disability.

ARTICLE VII - Duties of Secretary

It shall be the duty of the Secretary to keep an accurate record of the acts and proceedings of the Members and Trustees, give all notices required by law and by the Members and Trustees, and keep current a membership list, complete with addresses, for the benefit of all Officers of the Corporation; on the expiration of the term of office, deliver all books, papers and property of the Corporation in their hands to their successor or to the President; and in general to perform all the duties usually pertaining to the office.

ARTICLE VII - Duties of Treasurer

The Treasurer shall receive and safely keep all money and choses in action belonging to the Corporation, and disburse the same, under the direction of the Board of Trustees; shall keep accurate account of the finances of the Corporation, in books specially to be provided for that purpose, and hold the same open for inspection and examination of the Trustees and any Committee or members appointed for such inspection, and shall present abstracts of the same at annual meetings of members or at any other meetings when requested; shall at all times make available to the Secretary, the status of the dues of all members, and advise the Secretary on or before May 1st of each year of those members who have failed to pay their annual membership dues; shall give bond in such sum in such securities as the Board of Trustees may require for the faithful performance of duties; and on the expiration of their term shall deliver all money and other property of the Corporation in their hands to their successor or to the President.

Should the Board of Trustees elect to engage a CPA firm/individual, all duties above must be met.

Financial Accountability Control

1. Two (2) signatures required on all Association checks- President or Vice President and one additional elected trustee.
2. If discussed at meeting, approved and recorded in official minutes, any one (1) trustee as assigned in minutes will be able to sign check for transaction (August 20, 2023)
3. The Association books are to be closed and audited prior to the annual meeting. A financial statement is to be made available to all members in good standing, by enclosing same with the notice of the annual meeting.

Article IX - Fees and Duties of Members

Annual dues for the purpose of operating the Corporation shall be payable by the owners of the property within the Punderson Lake Allotment Association, Inc., (Par. 1, Art. X) to the Association on or before the first day of September each year and all fractions of the year shall be counted as a full year. All dues and assessments not paid on or before December 1st of each year shall be considered delinquent and reported to the Secretary as delinquent and shall carry a service charge of 1.5% per month commencing on December 1st of each year.

Statements of outstanding annual dues of owners shall be made to all members of PLAA monthly. Any balance remaining after December 1st of each year shall include a Three Dollar (\$3.00) processing fee. Statement shall also include a minimum payment amount. Failure to make minimum monthly payment within 30 days will result in a Ten Dollar (\$10.00) late fee placed on the property. (August 17, 2014)

New members shall pay an entrance fee of Two Hundred and Fifty Dollars (\$250.00). (August 16, 2015) The annual dues of owners shall be Seven Hundred Fifty Dollars (\$750.00) per residence owned. (August 20, 2023)

There shall be a rental surcharge of One Hundred Fifty Dollars (\$150.00) per year on owners for each residence within the Association being rented. (August 20, 2023) This provision applies to all long- or short-term rentals, including but not limited to Bed and Breakfast (Airbnb) and Vacation Rentals by Owner (VRBO). Any advertising and/or agreement for short term rental(s) shall specifically state that all lake fishing in Punderson Lake Allotment Association is catch and release. (August 20, 2017)

Members must have all properties dues/assessments paid in full to be in good standing with the Association. Members on payment plans for the current association year and current on all payments will also be considered members in good standing. If aforementioned conditions are not met, no privileges (voting, lake use, etc.) will be allowed. Membership tags will only be issued after all properties are in good standing. (August 21, 2005)

A member shall be a "member in good standing" of the Corporation with full voting rights and the right to hold office if said member has maintained their annual dues and assessments current in accordance with this Article. Property owners who have failed to pay the annual dues or an assessment provided herein shall not be eligible to vote or hold office within the Corporation or exercise any of the privileges under Article XI.

A member of a member's immediate family may cast a vote at the duly held meeting of the Corporation providing said member is in good standing. Immediate family is defined as husband, wife, brother, sister, mother, father, or child of said member. Said member shall designate this family member in writing. (August 17, 1985)

ARTICLE X - Qualifications of Members

All members shall be owners of free-hold estate within the area of the Punderson Lake Development, being part of L.L. Punderson's lands in Original Lots 10, 11, 12, and 13, Tract 3, Newbury Township, Geauga County, Ohio as said development was recorded May, 1929.

Landowners who were members of the unincorporated Punderson Lake Association shall automatically become members of this Corporation upon payment of the annual dues a fore said and signing of the copy of the Articles of Incorporation, provided said acts are done within six (6) months after the first meeting of the Corporation, May 25, 1958.

New property owners as outlined in this Article, Par. 1, after payment of entrance fee a fore said and annual dues for one year in advance, shall have the status of voting member (or member in good standing) of the Corporation.

Any person purchasing property after September 1st of any year shall pay only the entrance fee at that time, assuming all obligations have been met by previous owner. To maintain status of membership, annual dues must be paid by March 1st of the following year as covered in Article IX.

Any former member of this Corporation, providing they meet all the qualifications herein set forth, may be reinstated automatically upon the payment of all arrearages in dues and assessments and the payment in advance of the annual prescribed dues.

ARTICLE XI - Membership Duties, Obligations, and Regulations

1. Membership in good standing entitles members, their families and guests to use the Corporation property and enjoy the benefits there of within the terms of these regulations and such directives as may from time to time be issued and put in effect by the Trustees of the Corporation. For liability insurance purposes, the immediate members of a member's family are considered "Association Members." (August 30, 1970)
2. Restrictions contained in deeds to the lots within the area of the Corporation shall be adhered to by all members, except that individual violations for good cause shown may be allowed by the Board of Trustees, with approval of a majority of the members present at a meeting called for such purpose, with notice thereof as in an Annual Meeting of the Corporation.
3. Two (2) identification tags are furnished each member in good standing, which tags are not transferable, and all persons over the age of six (6) years shall wear such identification tags while using PLAA property for recreational purposes (i.e., swimming, fishing, boating) within the Corporation area. Only one member of a family group need display a tag, not each individual. Violators will be prosecuted to the fullest extent of the law. While using PLAA property for recreational purposes, any property owner not in good standing using the lake for recreational purposes such as but not limited to swimming, fishing, or boating will be assessed a \$250 fine. (August 21, 2011)
4. It shall be unlawful for any person to destroy or mutilate property of the Corporation, such as cutting or removal of trees, damaging of roads or rights-of-way, setting of fires, removal of docks or piers, and removal of signs or markers, or in any other manner to perform or commit acts detrimental to the general welfare of the Corporation areas.

Building Regulations

1. All new building, and/or alterations to existing buildings shall be approved by the Building Committee of the Corporation prior to commencement of work thereon, and all construction in connection there with shall be in accord with current Corporation, local, and county building regulations.
2. No docks, piers or other construction shall be made in the lake area or on the shoreline thereof, without the documented approval of the Board of Trustees. Any non-maintained docks may be removed at the discretion of the Board of Trustees.
3. No fence of any kind shall be erected or reconstructed on any property without approval of the Board of Trustees. Property owners are required to submit plans and material list and must comply with local zoning regulations.
4. Excessive construction noise including but not limited to sawing, hammering, pounding and machine operation should not commence prior to 7 a.m. and must be concluded by 8 p.m.

Lake Regulations

1. No fishing shall be allowed in the area of the swimming beaches or from the swimming raft thereon, at any time.
2. No boats shall dock on or at any of the swimming beaches, nor shall any boat be allowed in the area adjacent to the beaches being used for swimming nor allowed at any time within fifty (50) feet of the rafts used for swimming at the bathing beaches, except as specified by order of the Board of Trustees.
3. The use of electric trolling motors is permitted. (August 29, 1971) Gas powered motors may be used for maintenance of the lake as deemed necessary by the Board of Trustees.
4. Swimming hours at the lake, within the Corporation area, shall be between the hours of 8:00 a.m. and 9:30 p.m., except by order of the Board of Trustees.

Road Regulations

1. Speed limit for the roads within the Corporation limits of Punderson Lake Development shall be fifteen (15) miles per hour. (August 17, 1985)
2. No automobiles shall be parked at swimming beaches or on the roads within the area of the Corporation, at any time except in designated parking locations or areas or as specified by order of the Board of Trustees. At no time may vehicles block passage of roadways.
3. The laws of the State of Ohio and Geauga County shall apply to use of the Corporation property in particular with regards to unlicensed drivers and vehicles on the roads. (June 9, 1968)
4. No use of Corporation property, including without limitation private roads within the Punderson Lake Development, shall be permitted which results in excessive noise, air pollution or water pollution, which creates or constitutes a public nuisance, which creates hazards of fire, explosion, chemical fumes or gases, or which interferes in any way with the peaceful use and enjoyment of Association property or of private property by lot owners within the said development.
5. No automobiles, motorcycles or other vehicles of any nature or description for which a license is required under the laws of the State of Ohio or the regulations of any political subdivision having jurisdiction with the Punderson Lake Development, shall be operated in or upon the lands of the Corporation, including common roads within the Punderson Lake Development, unless all required licenses for such vehicle shall have been first obtained.
6. Vehicles for which no license is required by the State of Ohio or the political subdivision such as ATV's and golf carts may be operated on Association property during daylight hours only unless properly equipped with slow moving vehicle (triangle), headlights and taillights and operated by an adult driver.
7. No motor vehicle shall be operated upon the lands of the Corporation or upon the roads within the Punderson Lake Development unless such vehicle is equipped with exhaust system mufflers so designed and so operated as to effectively muffle noise emanating from the exhaust system.

Animal Regulations

1. Harboring, stabling and/or riding of horses within the area of the Corporation is prohibited.
2. No dogs or animals shall be permitted in the swimming areas or on the beaches during the swimming season. All dogs must be leashed. (August 19, 2001)
3. Hunting, trapping or the discharge of firearms is prohibited at all times within the area of the Corporation. Muskrats may be trapped, under supervision of the Board of Trustees. (July 23, 1961) Beaver and other nuisance animals may be trapped, under the supervision of the Board of Trustees. (August 16, 1992)
4. No livestock or poultry of any kind shall be raised, bred or kept on any portion of the property. Dogs (limited to no more than five (5), cats, birds, and other customary household pets may be kept on the property or in the household, provided they are not kept, bred or maintained for any commercial purpose, and provided, further, that any such pet causing or creating a nuisance or unreasonable disturbance or annoyance shall be permanently removed from the property upon thirty (30) days written notice from the Association.
5. All members shall maintain their sanitary septic tank and sewage disposal in accord with Geauga County sanitary regulations and shall not permit any pollution of the public waters and land within the area of the Corporation.

Owner Property Regulations

1. Owners shall maintain their property in a clean and safe condition and in good order and repair, including, but not limited to, the seeding and mowing of all lawns, the pruning of trees and shrubbery, the painting or other appropriate external care of all improvements located on the property, and such owners shall avoid conditions constituting violations of applicable building, fire and health codes, all in a manner and with such frequency as is consistent with good property management. All exterior maintenance, repairs, additions, and external improvements to any structure shall be done in a manner to conform in all particulars to the original structure and shall be done with the same or matching materials.
2. No Owner shall allow trash, garbage, or fallen trees to accumulate on any property or to be discarded on any Common Property except in containers that are emptied regularly. Large construction type trash containers shall be in a location no longer the sixty (60) days unless written permission is received from the Building Committee.
3. No Owner shall make repairs to a vehicle of any kind for a period exceeding 72 hours in front of or on any premises except in an enclosed structure. No owner shall park any motor vehicle off of the surface of a driveway or roadway for an extended period of time. (August 19, 2007)
4. No Owner shall carry on or permit to be carried on, on any property, any trade or business that is evident to the public or to other members of the Association. No signs shall be permitted except discreet signs which (1) advertise the Lot or Living Unit for sale or for rent, or (2) designate the name and address of the occupant or (3) advertise a political candidate running for political office in a current election from a time beginning six weeks before the election date and ending five days after the election date.

5. No vehicles shall be maintained in a "For Sale" display on any non-paved portion of a property.

Enforcement

All nuisance complaints are to be filed with the local law enforcement authorities.

The Corporation shall have the right and power to place a Mechanic's lien against any property whose owner has permitted the dues and assessment to become delinquent for a period of one (1) year or more. (August 16, 1992)

Enforcement of these covenants and restrictions may be by any proceeding at law or in equity against any person or persons violating or attempting to violate any covenant or restriction, either to restrain violation or to recover damages, and against the land to enforce any lien created by these covenants; and failure by Association or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. In any action to enforce these covenants and restrictions, the prevailing party shall be entitled to recover its cost of collection including but not limited to; attorney's fees, fees incurred in the process of gathering facts pertinent to the case, professional fees and copying and duplicating costs incurred in such enforcement, against any non-prevailing party, in whole or in part. (August 15, 2004)

The Corporation or any member there of shall have standing to bring and maintain any action of law or in equity to enforce the provision of this Article XI on behalf of the Association members, individually or collectively, in order that the benefits of this Article XI may be secured to all members entitled there to. For this purpose, the Corporation, upon passage of its Board of Trustees of a resolution to take such legal action, shall be deemed and constituted the Agent of the members, both individually and collectively.

The Board of Trustees may issue a notice of violation to any property within the Association. This notice must be responded to within 30 days of receipt of notice. If no action has been made to rectify the violation, a fine will be placed on the account of the property in violation in the amount of One Hundred Dollars (\$100.00) per month or Three Hundred Dollars (\$300.00) per quarter. (August 17, 2014)

ARTICLE XII - Standing Committees

The Board of Trustees shall be responsible for managing the following areas through the use of volunteers or committees as deemed necessary: Road, Lake, Building, Beach and Beautification.

ARTICLE XIII - Association Area

Article XIII repealed and changed on September 15, 1968, then changed again on August 15, 1993: The Punderson Lake Allotment Association, Inc. area as set forth in Article X above is not to be enlarged to include any adjoining areas or corporation property sold except by the assent there to in writing of two-thirds (2/3) of the Members, or by a majority of the Members at a meeting held for that purpose, notice of which has been given as provided in Article I. (August 15, 1993)

ARTICLE XIV - Order of Business

At the Members' meetings, the order of business shall be as follows:

1. Pledge of Allegiance
2. Roll call
3. Reading minutes of previous meeting and acting thereon
4. Reports of Trustees and Committees
5. Financial report or statement
6. Reports of President or other Officers
7. Unfinished business
8. New or miscellaneous business
9. Proposed Budget
10. Election of Trustees

This order may be changed by affirmative vote of the majority of the members present.

ARTICLE XV - Amendment of Regulations

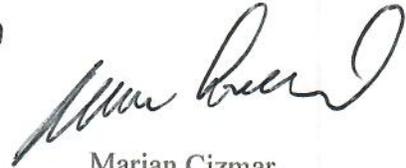
These Regulations may be repealed, amended or changed by the assent thereto in writing of two-thirds (2/3) of the Members, or by a majority of the Members at a meeting held for that purpose, notice of which has been given as provided in Article I.



Phillip Hamer
President

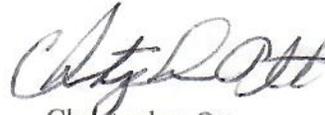


Michael Denchik
Vice President



Marian Cizmar
Trustee

Jerry Kayser
Trustee



Christopher Ott
Trustee

Prepared by:
M. M. Palivoda, Secretary
PLAA, Inc.

Sworn to before me and Subscribed in my presence this 18 day of November, 2023.



Notary

PAULA JANE LANGLEY
Notary Public
State of Ohio
My Comm. Expires
November 7, 2027

ARTICLE XV - Amendment of Regulations

These Regulations may be repealed, amended or changed by the assent thereto in writing of two-thirds (2/3) of the Members, or by a majority of the Members at a meeting held for that purpose, notice of which has been given as provided in Article I.

n/a
President

n/a
Vice President

n/a
Trustee

n/a
Trustee

Gerald A. Kayser
Trustee
GERALD A. KAYSER

Prepared by:
Monica Palivoda, Secretary
PLAA, Inc.

Sworn to before me and Subscribed in my presence this 14th day of November, 2023.



Cassandra Bungard
Notary