

Article I: Name, Purpose, and Mission Statement

Name

This is a new section that clarifies the name of the Lake Arlann Homeowners Association separate from the bylaws and links that name to the official name of Arlann Lake Homeowners Association as an Illinois not for profit corporation.

Our current bylaws refer to LAHA as a non-profit corporation. Our attorney corrected that to a not for profit corporation.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION BYLAWS
(A Non-Profit Corporation) also known as Arlann Lake Homeowners Association.

Proposed Language:

Lake Arlann Homeowners Association (LAHA).

Note: The official name of LAHA as an Illinois not for profit corporation is the Arlann Lake Homeowner's Association. However, by long tradition LAHA has been known as the Lake Arlann Homeowners Association, and therefore, the Bylaws refers to the association as the Lake Arlann Homeowners Association (LAHA).

Purpose

This was reworded by our attorney to be more general and to specifically make reference that we are a not for profit corporation.

The Purpose of the Association is ARTICLE I in the current bylaws. It consists of a list of bullet statements listed in 4 sections and references the Business Corporation Act in Section 4, and according to our attorney, we are actually governed by the Illinois Not For Profit Act.

Article II STATEMENT OF POLICY was incorporated into the more general purpose language.

Current Language:

ARTICLE 1 PURPOSE OF THE ASSOCIATION

Section 1 To act as the official representative for members in matters pertaining to the lake:

- (a) Concerning safety and boat operation rules for the lake.
- (b) Contacts with people or organizations outside our Association.

Section 2 To protect members and their rights, the Association:

- (a) Pays insurance on the lake and the access lots.
- (b) Pays taxes on the lake and access lots and
- (c) Has legal counsel for the Board of Directors.

Section 3 To maintain access lots and administer the affairs of the Association, to improve and beautify the lake, and protect lake rights of the members.

Section 4 To conduct all business allowable under the Business Corporation Act.

ARTICLE II STATEMENT OF POLICY

Section 1 It is the policy of the Lake Arlann Homeowners Association to consider lake problems of individual members, or groups of members, as problems of the Lake Association as a whole.

Proposed Language:

The purposes of the Lake Arlann Homeowners Association (LAHA) are to act on behalf of its members collectively, as their governing body with respect to the preservation, care, maintenance, replacement, improvement, enhancement, operation, and administration of Lake Arlann, its shoreline (defined as the interface of land and water at the ordinary high water mark), LAHA's common properties (Outlots A, B, and C and all structures on the common properties), and all structures that extend into Lake Arlann for the promotion of the health, safety, and welfare of the members of the Association, all on a not-for-profit basis.

The deed for Rosewood says low water mark from time to time.

Mission Statement

We do not have a Mission Statement in our current bylaws and we felt we should have one.

Proposed Language:

The Mission of the Lake Arlann Homeowners Association (LAHA) is to protect, preserve, and promote the general welfare of the lake by acting as the governing body to guide short- and long-term sustainability of the lake's ecosystem for current and future generations, and to be advocates for responsible lake stewardship.

Powers

Our current bylaws do not have a Powers section and this new section was added by our attorney to specifically reference that we operate under the Illinois Not for Profit Act and the Common Interest Community Association Act.

Our current bylaws improperly reference the Business Corporation Act in ARTICLE I, Section 4.

Current Language:

ARTICLE I PURPOSE OF THE ASSOCIATION

Section 4 To conduct all business allowable under the Business Corporation Act.

Proposed Language:

The LAHA shall have and exercise all duties as are now or may hereafter be granted by the General Not For Profit Corporation Act of the State of Illinois (Act) and these Bylaws,

and to the extent applicable to this Association, the Common Interest Community Association Act.

Personal Application

Our current bylaws do not have a Personal Application section and this was added by our attorney to specify that the bylaws apply to all who use LAHA property, which includes the lake.

Proposed Language:

All present or future owners, tenants, future tenants, and their agents and employees and any other person that might use the lake and facilities of the LAHA's property in any manner, shall be subject to the provisions of these Bylaws.

Does this legally apply to Rosewood and Mitchell residents?

Article II: Membership

Membership Eligibility

The first paragraph of the proposed bylaws is identical to Article III Membership, Section 1 in the current bylaws.

The current bylaws also state that, "Owners of property may convey "lake rights" to a lessee of the property." in Article III Membership, Section 1a.

However, all other rental language is in:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS Section 5a and Section 5b at the end of the current bylaws document.

We think it makes more sense to have all membership eligibility information, including rental policies that qualify for granting lake rights to lessees, in one place in the bylaws and to clearly state what a long term rental is.

We used 6 months as a holding place definition of a long term rental.

The current bylaws define short term rental as anything less than a 30 day stay and that short term rentals are prohibited from operating on or using the Lake Arlann. One can infer from this that long term rentals are 30 days or longer.

We believe we need to define long term and short term rentals and decide whether short-term rentals should be given lake rights.

Should we be imposing the length of lease agreements on our fellow homeowners? We think not.

Should we be limiting lake rights only to those with longer term lease agreements, assuming the homeowner grants lake rights as part of the lease agreement? We think yes.

We are suggesting limiting lake rights to rentals that are 6 months or greater so we do not have to constantly be checking on short-term lease agreements and have to police boaters on short term leases. Is this fair? If not, what is a reasonable minimum lease agreement that can convey lake rights?

In the lease agreement section of the proposed bylaws, we clearly specify how LAHA members/homeowners may extend lake rights to their lessees. The requirements are as follows:

- The lease agreement must be for 6 months or greater.
- A copy of the lease agreement that clearly states the lessee has been granted lake rights has been provided to the LAHA Board of Directors.
- The lessee must have renter's insurance.
- The deed owner pays the dues, not the lessee. We do not want to be chasing down lessees for dues.
- For multiple dwelling units, the dues must be paid for each unit.

Lake rights in the current bylaws are defined in ARTICLE III MEMBERSHIP Section 1b, and states, "Lake rights are considered to be authority to use the lake for boating, jet skiing, swimming, fishing, snowmobiling, etc. in a manner not detrimental or hazardous to other people."

We also propose to move ARTICLE III MEMBERSHIP Section 2, "All adult members of the Association have voting rights, but with a limitation of one vote per dwelling on any issue." to the Membership Rights and Responsibilities section under Rights: Voting.

Current Language:

ARTICLE III MEMBERSHIP

Section 1 The membership of the Lake Arlann Homeowners Association consists of all people owning property on Lake Arlann, Sausalito Bay, Gingoteague Bay, the "Canal" and others who have lake rights included in their deeds, specifically Lake Arlann Homeowners Association Lots 1– 164 and 201– 281.

- (a) Owners of property may convey "lake rights" to a lessee of the property.
- (b) The above mentioned "lake rights" are considered to be authority to use the lake for boating, jet skiing, swimming, fishing, snowmobiling, etc. in a manner not detrimental or hazardous to other people.

Section 2 All adult members of the Association have voting rights, but with a limitation of one vote per dwelling on any issue.

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

5 Property Rental

a. Long Term

Long term rentals are authorized. A copy of the lease agreement and renters insurance information are required, to be submitted, to the Board Of Directors within 30 days of executed agreement. Leases should clearly state if renters are being granted lake access.

b. Short Term

Short term rentals through services like, but not limited to, VRBO and AirBnb are prohibited from operating on or using Lake Arlann. Short term rentals are considered anything less than a (30) thirty day stay.

Proposed Language:

Lake Arlann Homeowners Association members consist of all property owners with lots adjacent to Lake Arlann, Sausalito Bay, Gingoteague Bay, the "Canal", and others who have lake rights included in their deeds, specifically Lake Arlann Homeowners Association Lots 1– 164 and 201– 281.

Members of LAHA may extend their lake rights to a lessee of their property provided the lease agreement is twelve (12) months or greater. A copy of the lease agreement that clearly states that the lessee is granted lake rights and proof of renters insurance shall be submitted to the Board prior to granting lake rights to the lessee. If multiple dwelling units are located on the same property (e.g. duplexes and apartment complexes), it is the deed owner's responsibility to pay the annual dues for each unit to ensure that lake rights may be granted to the lessee.

Lake rights are the permission to use the common LAHA properties and structures, and to use Lake Arlann in accordance with these by-laws.

Member Rights and Responsibilities

Rights

Voting

Voting rights in the current bylaws is defined in ARTICLE III MEMBERSHIP Section 2, and states, "All adult members of the Association have voting rights, but with a limitation of one vote per dwelling on any issue."

We propose to move voting rights to this section of the proposed bylaws.

We propose to change the language to say that each dues paying property shall have one vote on any issue and add the member must be in good standing (current on dues and no LAHA lien against the property) to vote. This is also where we add that all voting is by written ballots.

Current Language:

ARTICLE III MEMBERSHIP

Section 2 All adult members of the Association have voting rights, but with a limitation of one vote per dwelling on any issue.

Proposed Language:

All LAHA members who are deed holders shall have voting rights to elect the Board of Directors (Board), approve the annual budget (including increases in annual dues), and amend the by-laws. Each dues paying property shall have a limit of one vote. If the owner is a trustee, corporation, partnership, or other legal entity, then the voting member shall be designated by the owner or owners in writing to the Board. All owners may be present at any meeting of the owners, but the voting rights shall be limited to one vote per dues paying property. However, if the dues paying property is not current on their dues, or if the dues paying property has a lien filled against it by LAHA, that property is not eligible to vote until the dues have been paid and the lien has been removed.

All voting will be by written ballot, and votes will be counted in public at a meeting of the members. Voters may either mail their vote to the LAHA Board of Directors, P.O. Box 254, Pekin, IL 61554, or bring their completed ballot to the meeting of the members to be counted.

Use and Access

This section specifies the rights of LAHA Members in good standing. Good standing is defined as being current on dues without any LAHA liens filed against the property.

We believe that there is too much unnecessary and redundant language in the current bylaws regarding use and access.

The only real change in the section from the current bylaws is that the use of outlots is from Dawn until 10:00 p.m. instead of 7:00 a.m. until 10:00 p.m. There is also a provision to ask to use the outlots outside of these timeframes, which requires Board approval.

Current Language:**ARTICLE X ACCESS LOTS, BOAT DOCKS, AND KEYS****Section 3 Keys**

- (a) All keys to the Access Lot locks are the property of Lake Arlann Homeowners Association. They will be issued by the President's Designee.
- (b) Property owners may keep assigned key as long as their annual dues are kept current. If dues are not kept current, the property owner will be required to return the key to the President's designee. To get a key reissued, all unpaid dues and/or liens must be paid to the Association Treasurer.
- (c) Any Board Member can ask that a key be shown if a question arises about authorization to be on Lake Arlann.
 - (1) If it is determined that a key is being used by someone other than the property owner, the key will be confiscated until contact has been made with the property to resolve the issue.

(2) If a vessel has been put in the lake without proper identification, using the key in question, the police will be called to secure a citation for trespassing.

(e) Keys may be confiscated by any Lake Arlann Homeowners' Association Board Member if:

(1) the key is not assigned to a property owner.

(2) the property owner or a guest is in violation of the rules governing the use of the lake or access lots.

(3) dues are in arrears or this is a lien against the property.

(f) There is to be only one key issued to any one homeowner and immediate family.

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

I MISCELLANEOUS REGULATIONS

1. Boats

a. Only LAHA (Lake Arlann Homeowners' Association) property owners titled and registered watercraft are allowed on Lake Arlann.

b. No guest boats or other watercraft will be allowed on Lake Arlann.

c. All motorized watercraft must be registered with LAHA and display the current LAHA watercraft sticker on the right side of the boat behind the IL registration number.

d. To register and receive stickers for watercraft, the property owner must have current dues paid with no liens filed against the property.

2 Access Lot Use

a. Each property owner must have current dues paid with no liens filed against the property to receive a key to the Access Lots and use the Access Lots.

d. The use of the Access Lots is restricted to the hours between 7:00 AM and 10:00 PM.

Proposed Language:

Members in good standing (dues are current and no liens are filed against the property) shall have the following use and access to LAHA common properties and Lake Arlann.

1. One key is provided to Outlots A, B, and C (all keys are the property of LAHA and are provided by the Lake-use Safety and Policy Committee).

2. Use of the Outlots and ramps for entering and exiting watercraft from the lake.

3. Use of the Outlots from dawn until 10:00 PM (members who wish to use the outlots outside of this time period require approval by the Board).

4. LAHA Watercraft Sticker(s) to place on their approved watercraft (LAHA Watercraft Stickers are provided by the Lake-use Safety and Policy Committee).

5. The recreational use of Lake Arlann in accordance with these by-laws.

Responsibilities

This is a new section designed to separate Rights and Responsibilities.

We have added the following general statement to the proposed bylaws.

Members of LAHA have the responsibility to maintain their shoreline, protect the lake environment, attend Membership Meetings, pay annual dues, and uphold the by-laws.

Use and access

All of these issues are covered in the current bylaws in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

I MISCELLANEOUS REGULATIONS

We added the following statement, "If something falls in the water, retrieve it."

We also specifically state where LAHA Watercraft Stickers should be placed. "A LAHA Watercraft sticker shall be displayed on the right (starboard) side of all powered watercraft next to the state registration number to be visible from the shoreline."

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

I. MISCELLANEOUS REGULATIONS

1. Boats

- a. Only LAHA (Lake Arlann Homeowners' Association) property owners titled and registered watercraft are allowed on Lake Arlann.
- b. No guest boats or other watercraft will be allowed on Lake Arlann.
- c. All motorized watercraft must be registered with LAHA and display the current LAHA watercraft sticker on the right side of the boat behind the IL registration number.

2. Access Lot Use

- b. Keys may not be copied, borrowed, or loaned to anyone. If a key is lost, a replacement key will be issued at a cost of \$25.
- c. No overnight parking or storage of boats, motors, trailers, or any other vehicles is permitted on the Access Lots.

3. Sticker Location

- a. Boats shall be registered, and display identification stickers issued by the Board of Directors. The sticker shall be displayed on the side of the boats following the state registration number.
- b. Personal Watercraft will be issued a yellow sticker to display on the right side of the boat.
- c. Boats, pontoons, Tri-toons and other powered watercraft will be issued a purple sticker.
- e. All litter shall be taken home or placed in the appropriate garbage can if one is available.
- f. Do not block the launching ramp on Access Lot A or C.

g. No vehicle and/or trailer may be parked on Access Lot A or C while boats are in the water.

h. No children under the age of twelve (12) years will be allowed on the Access Lots without the supervision of an adult.

Proposed Language:

Members of LAHA have the responsibility to maintain their shoreline, protect the lake environment, attend annual General Membership Meetings, pay annual dues, and uphold the by-laws.

Use and Access

1. Keys may not be copied or loaned to anyone. If a key is lost, a replacement key shall be issued at a cost of twenty-five dollars (\$25.00).
2. Children under the age of twelve (12) years shall be supervised by an adult.
3. Boats, motors, trailers, or any other vehicles may not be parked or stored on any outlots or outlot boat dock(s).
4. Remove all items, including garbage, brought to LAHA outlots prior to leaving the area.
5. If something falls in the water, retrieve it.
6. A LAHA Watercraft sticker shall be displayed on the right (starboard) side of all powered watercraft next to the state registration number and shall be visible from the shoreline.
7. No guest watercraft are allowed on Lake Arlann.

Dues

This section is a list of statements relative to dues payments.

We also added the following statement, “Any member who is not current on their dues forfeits their lake rights until paid in full.”

Dues are covered in current bylaws in ARTICLE VI FINANCES, Section 1 Association Dues and Section 2 Enforcement

Current Language:

ARTICLE VI FINANCES

Section 1 Association Dues

(a) For the purpose of providing a general fund to enable the Association to perform the duties and to exercise its powers provided herein, all properties in all Subdivision shall be subject to assessments (also referred herein as “dues”) to be paid by the property owners annually as hereinafter provided or according to such other timetable as the Board of Directors shall determine.

(b) The Treasurer of the Board or a Designee shall maintain complete records of all dues levied and the payments collected annually.

(c) Dues for all property owners are \$120.00, payable annually by July 1 st. If not paid by that date, the dues will be doubled. (\$240).

(d) Each year at least thirty (30) days prior to the Annual Meeting of Members, the Board shall adopt a budget for the payment of all anticipated expenses of the Association for the ensuing year. A copy of the budget shall be provided to each property owner at least thirty (30) days prior to the annual meeting of members. At the Annual Meeting of Members, the budget as adopted by the Board shall become the approved budget of the Association unless a majority of of lot owners vote to disapprove or otherwise amend the budget as presented.

(e) The Board may from time to time amend the budget as they determine necessary on thirty (30) days prior notice to the members calling for a special meeting of members for the consideration of such amendment. Any such amendment shall be approved unless a majority of property owners vote to disapprove or otherwise amend the proposed amendment.

Section 2 Enforcement

To enforce the payment of dues by July 1 st, an initial notice will be sent in the spring CLAM each year. The LAHA Treasurer or a designee will send out a final dues notice by June 1 st. If dues are not received the July 1 st, the amount will be immediately doubled. If the increased dues amount isn't received by Sept. 1 st, a lien will be field against the property.

Proposed Language:

Dues are paid annually for each parcel. Dues are currently one hundred and twenty dollars (\$120) and are due by July 1 each year. For parcels with multiple dwelling units (e.g. duplexes and apartment complexes), dues shall be paid for each dwelling unit.

Notice of annual dues shall be sent to all LAHA members at least 30 days in advance of the due date. The dues shall be paid by the due date.

Any member who is not current on their dues forfeits their lake rights until dues and any associated liens and expenses are paid in full.

Dues shall be monitored by the Board to ensure the amount collected is sufficient to meet the annual approved budget. All funds collected as "Dues" shall be used in accordance with the by-laws.

Late Payments and Liens

We have debated how, or if, we should make changes to our late dues payments policy. Some of us believe the current bylaws are overly punitive to people who miss their dues payment by a few days as the penalty is doubling their dues payment. Others of us believe that the current system is working and members should pay their dues on time.

Dues penalties are covered in the current bylaws in ARTICLE VI FINANCES, Section 1 Association Dues, Section 2 Finances, and Section 3 Liens.

Current Language:

ARTICLE VI FINANCES

Section 1 Association Dues

(c) Dues for all property owners are \$120.00, payable annually by July 1 st. If not paid by that date, the dues will be doubled. (\$240).

Section 2 Finances

To enforce the payment of dues by July 1 st, an initial notice will be sent in the spring CLAM each year. The LAHA Treasurer or a designee will send out a final dues notice by June 1 st. If dues are not received the July 1 st, the amount will be immediately doubled. If the increased dues amount isn't received by Sept. 1 st, a lien will be field against the property.

Section 3 Liens

(a) If the property owner fails to pay the amount as set forth in the letter, the Association shall file a lien against the property and/or file a lawsuit to collect past dues.

(b) The Board shall record the lien at the Tazewell County Recorder of Deeds Office.

(c) All liens filed will continue to accrue additional costs, including filing fees, collection costs, attorney's fees, and any additional yearly dues not paid until either the lien is paid in full or the property is sold.

Proposed Language:

Option 1:

Dues for all property owners are \$120.00, payable annually by July 1 st. If not paid by that date, the dues will be doubled. (\$240).

Option 2:

Dues not paid in full by the due date shall incur a twenty-five dollar (\$25.00) penalty if paid within thirty days (30 days) of the due date.

Dues paid more than thirty days (30 days) from the due date shall incur a fifty dollar (\$50.00) penalty if paid within sixty days (60 days) of the due date.

Option 3:

Dues not paid in full by the due date shall incur a fifty percent (50%) penalty if paid within thirty days (30 days) of the due date.

Language common to both options:

Homeowners who have not paid their dues within sixty days (60 days) of the due date, shall have their dues doubled and a lien shall be filed on their property in the office of the Tazewell County Recorder of Deeds. The lien may be foreclosed at any time.

All liens filed shall continue to accrue additional costs, including filing fees, collection costs, attorney's fees, and any additional yearly dues not paid until either the lien is paid in full, or the property is sold.

In addition to the remedy of foreclosing the lien, the Board shall have the right to sue the delinquent member for unpaid assessment, plus interest, costs, and reasonable attorney's fees in any court of competent jurisdiction.

Article III: Board, Officers, and Decision Making

Purpose of the Board

In this section we want to more explicit about the purpose of the Board. We want to reword this section and to appropriately cite the General Not For Profit Act as opposed to the current language citing the Business Corporation Act.

This section is covered in the current bylaws primarily in ARTICLE 1 PURPOSE OF THE ASSOCIATION.

Current Language:

ARTICLE 1 PURPOSE OF THE ASSOCIATION

Section 1 To act as the official representative of members in matters pertaining to the lake.

- (a) Concerning safety and boat operation rules for the lake.
- (b) Contacts with people or organizations outside our Association.

Section 2 To protect members and their rights, the Association

- (a) Pays insurance on the lake and the access lots.
- (b) Pays taxes on the lake and access lots.
- (c) Has legal counsel for the Board of Directors

Section 3 To maintain access lots and administer the affairs of the Association, to improve and beautify the lake, and protect lake rights of the members.

Section 4 To conduct all business allowable under the Business Corporation Act.

Proposed Language:

The purpose of the Board is to manage and protect Lake Arlann and its shoreline, common LAHA property and structures, and to develop, maintain, amend, and uphold the by-laws, and represent LAHA members' interests to protect Lake Arlann and its natural aesthetics.

The Board shall:

1. Maintain and improve the lake, its grounds, outlots, structures, and amenities.
2. Monitor and maintain safe water quality for swimming and recreational use.
3. Ensure that LAHA members with lakefront property secure and protect the shoreline from erosion to maintain water quality, protect property, and ensure the long-term health and sustainability of the lake ecosystem.
4. Identify sources of runoff and drainage that may impair the long-term stability and safety of the lake and to notify the Lake Arlann Drainage District and/or other appropriate authorities about needed repairs and remediation efforts.
5. Ensure the lake and all LAHA common properties and structures are properly insured and that taxes are paid.
6. Ensure that legal counsel is retained or available for consultation with the Board.
7. Conduct business as allowed by the Illinois General Not For Profit Corporation Act.

8. Create and uphold policies and rules to enhance the safety and enjoyment of the lake, its grounds, outlots, structures, and amenities.
9. Review and approve all official Board communications with LAHA members.

Powers and Duties of the Board

This section was added by our attorney, who stated, "It is important to specifically state the powers and duties of the Board in addition to its purpose."

Proposed Language:

The Board shall have all of the powers and duties granted to it or imposed on it by the Act, these Bylaws, including, without limitation, the following powers and duties:

1. To provide for the designation, hiring, and removal of such employees and such other personnel, including attorneys and accountants, as the Board may, in its discretion, deem necessary or proper for the effective administration of the Association;
2. To provide for any maintenance, repair, alteration, addition, improvement, or replacement of the common elements for which the Association is responsible under the Declaration and these Bylaws;
3. To estimate and provide each owner with an annual budget as provided for in the Declaration;
4. To set, give notice of, and collect assessments from the owners as provided in the bylaws;
5. To pay the common expenses;
6. To adopt rules and regulations as provided in the bylaws;
7. To delegate the exercise of its power to committees appointed pursuant to these bylaws; and
8. To keep detailed, accurate records of the receipts and expenditures affecting the use and operation of the LAHA.

Indemnification of Board Members

This section was added by our attorney, who stated, "This section revised to include terms compatible with the Illinois Not For Profit Act."

Proposed Language:

The LAHA shall indemnify any person who was or is a party or is threatened to be made a party to or witness in any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that he or she is or was a member, director, or officer of the LAHA against expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by that person in connection with such action, suit, or

proceeding to the fullest extent and in the manner set forth in and permitted by the Illinois General Not For Profit LAHA Act and any other applicable law, as from time to time in effect. Such right of indemnification shall not be deemed exclusive of any other rights to which such member, director, or officer may be entitled apart from the foregoing provisions. The foregoing provisions of this Article shall be deemed to be a contract between the LAHA and each member, director, and officer who serves in such capacity at any time while this Article and the relevant provisions of the Illinois General Not For Profit LAHA Act and other applicable law, if any, are in effect, and any repeal or modification thereof shall not affect any rights or obligations then existing with respect to any state of facts then or theretofore existing, or any action, suit, or proceeding theretofore or thereafter brought or threatened, based in whole or in part on any such state of facts.

The LAHA may indemnify any person who was or is a party or is threatened to be made a party to or witness in any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that he or she is or was an employee or agent of the LAHA, or is or was serving at the request of the LAHA as a member, director, officer, employee, or agent of another LAHA, partnership, joint venture, trust, or other enterprise, against expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by that person in connection with such action, suit, or proceeding to the extent and in the manner set forth in and permitted by the Illinois General Not For Profit LAHA Act and any other applicable law, as from time to time in effect. Such right of indemnification shall not be deemed exclusive of any other rights to which any such person may be entitled apart from the foregoing provisions.

Board Organizational Structure

LAHA Board of Directors

This section states what constitutes the Board of Directors, with an Executive Committee that consists of the president, vice-president, Treasurer, and Secretary. We eliminated the language that states, "Any two or more offices may be held by the same person." as it suggests the entire Executive Committee can consist of one person. With the inclusion of a minimum of three additional Board members, could the Executive Committee, consisting of one person, overrule the rest of the committee?

The current bylaws language for the Board of Directors is in ARTICLE IV ORGANIZATIONAL STRUCTURE Section 1.

Current Language:

ARTICLE IV ORGANIZATIONAL STRUCTURE

Section 1 The Board of Directors should consist of a President, Vice-President, Secretary, Treasurer and a minimum of three board members. The minimum number of

Directors may be increased or decreased by the amendment of this section without any effect on any other section. Any two or more offices may be held by the same person.

Proposed Language:

All Board members must be LAHA members in good standing. The Board shall consist of an Executive Committee that includes the President, Vice-President, Treasurer, and Secretary. In addition to the Executive Committee, the Board shall also include a minimum of three (3) and a maximum of nine (9) additional members. Only one person can occupy any of the four (4) Executive Committee positions or additional Board of Directors positions, with each member having one vote.

Officers

This section describes the roles of the Executive Committee members.

The current bylaws language for the roles of the Executive Committee members is in ARTICLE V OFFICERS AND DIRECTORS Section 5.

Current Language:

ARTICLE V OFFICERS AND DIRECTORS

Section 5. The duties of the Officers and Board Members are as follows:

- (a) Board Members along with the Officers shall participate in all business discussions and decisions of the Board. They will serve on committees and handle special assignments as designated by the President.
- (b) Board members are exempt for dues provided they are constantly and actively working to improve the goals of the Association and its members. At the direction of the board, exemptions may be terminated by a majority vote.
- (c) The president shall:
 - 1. see that the Board carries out the policy and purpose of the Association and that the by-laws of the Association are adhered to.
 - 2. organize and conduct meetings
 - 3. make Committee assignments, including the appointment of the Committee Chairman.
 - 4. cosign all checks.
- (d) The Vice-President shall be in charge of meetings in the absence of the President and assists the President in the discharge of the President's duties.
- (e) The Secretary shall:
 - 1. take minutes of all Board and Membership meetings.
 - 2. keep appropriate and accurate records.
 - 3. handle correspondence.
 - 4. maintain an up-to-date Association roster.
 - 5. serve as a co-signer of checks when needed.
- (f) The Treasurer shall:

1. handle of all income and expenditure records.
2. issue and co-sign checks for the Association.
3. maintain a savings account and/or checking account in a local financial institution.
4. be in charge of dues collection. A Designee can be named to help with both dues collection and related records.
5. be responsible for instituting and maintaining a “Revolving Financial Backing Plan” when needed. (See Article VI, section 3).

(g) A President’s Designee will be responsible for delivery of a Welcome Packet to all new members. It will include a letter from the President, a copy of the By-laws and other pertinent information.

Proposed Language:

The President is the chair of the Board and presides over the Board and membership meetings, oversees the operations of the Board, and appoints members to committees.

The Vice President serves as the proxy for the President in their absence, heads committees, helps to smooth operations and communication of the Board, and takes on additional responsibilities for LAHA as directed by the Board and the President.

The Treasurer oversees the finances, including the budget, creates and reviews the financial reports, ensures the financial records are accurate, and seeks out external audits as directed by the Board.

The Secretary maintains the official records of dues and transactions, ensures proper communication through agendas and the documentation of meeting minutes, maintains a list of all LAHA members, and handles administrative tasks related to Board communication.

Board Member Compensation

There is one official change here. LAHA has “sponsored” the association dues for Board members. Some Board members accept this and others choose to pay their dues anyway. In this draft revision, LAHA also sponsors and annual recognition dinner for Board members plus a guest. This has been done informally in the past, so we added this to the proposed by-laws.

The current bylaws language regarding Board member compensation is in ARTICLE V OFFICERS AND DIRECTORS

Current Language:

Section 5 The duties of the Officers and Board Members are as follows:

(b) Board members are exempt for dues provided they are constantly and actively working to improve the goals of the Association and its members. At the direction of the board, exemptions may be terminated by a majority vote.

Proposed Language:

Board members shall not receive any stated salaries for their services. Board members are exempt from dues provided they are actively involved in working on LAHA Board activities on behalf of LAHA members. At the discretion of the Board, exemptions may be terminated by a majority vote. LAHA shall sponsor association dues for Board members and sponsor an annual recognition dinner for Board members and one guest.

Election Process and Terms

This section formalizes how LAHA members can be nominated to the Board of Directors. It also states that initial appointments are for a three year term, with subsequent terms being a two year period with a limit of three consecutive terms unless no other LAHA members are nominated to fill a vacancy. This is to encourage more involvement of LAHA members on the Board of Directors.

The current bylaws language regarding Board member election process and terms is in ARTICLE V OFFICERS AND DIRECTORS Sections 1 and 2.

Current Language:

ARTICLE V OFFICERS AND DIRECTORS

Section 1 The Officers and Board Members shall be members of the Association and shall be elected by a majority vote of those Association members present at a general membership meeting.

Section 2

(a) The terms of Officers and Board Members are for two years starting immediately after the annual meeting of LAHA.

(b) The election of Officers shall be held annually during the annual meeting.

(c) The President, Treasurer, and least one Board Member's terms shall expire alternatively with the terms of the Secretary, Vice-President, and the other Board Members.

Proposed Language:

LAHA members interested in becoming a Board member must be nominated to the Board of Directors at a General Membership Meeting. All positions are voted on at a General Membership Meeting with a majority vote.

All Board member initial terms are for a three-year period, and consecutive terms shall be for a two-year period. Board members are limited to three consecutive terms unless no other LAHA members are nominated to fill a vacancy.

Removal Procedures

This section describes the specific process of removing a member from the Board of Directors by a two thirds majority vote by the Board. We are revising the Board Member Code of Conduct document to make this an official LAHA document.

The current bylaws language regarding Board member removal is in ARTICLE V OFFICERS AND DIRECTORS Section 4.

Current Language:

ARTICLE V OFFICERS AND DIRECTORS

Section 4 Any Officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever, in its judgment, the best interest of the corporation would be served thereby.

Proposed Language:

If a Board member is not in good standing, is not fulfilling their Board obligations, or does not follow the Board Member Code of Conduct, they shall be subject to removal through a special meeting of the Board with a majority vote.

Article IV: Meetings

We have separated the meetings section into more sections to describe both meetings of the members and Board meetings separately. We also wanted to put all meetings information into one section.

Meetings of the Members

This section was added by our attorney to formally list the provisions for our annual General Membership Meetings. It specifies the time of our annual General Membership Meeting as the first Sunday in June each year and specifies that our annual General Membership Meetings require a minimum of 30 days notice. It also provides a process for special membership meetings initiated by the Board or by LAHA members and that these meetings also require a minimum of 30 days notice.

The current bylaws language regarding annual General Membership Meetings and other membership meetings is in ARTICLE VI FINANCES Sections 1d and 1e and ARTICLE IX MEETINGS Section 1.

Current Language:

ARTICLE VI FINANCES

Section 1 Association Dues

(d) Each year at least thirty (30) days prior to the Annual Meeting of Members, the Board shall adopt a budget for the payment of all anticipated expenses of the Association for the ensuing year. A copy of the budget shall be provided to each property owner at least thirty (30) days prior to the annual meeting of members. At the Annual Meeting of Members, the budget by the Board of Directors shall become the approved budget of the Association unless a majority of lot owners vote to disapprove or otherwise amend the budget as as presented.

(e) The Board may from time to time amend the budget as they determine necessary on thirty (30) days prior notice to the members calling for a special meeting of members for

the consideration of such amendment. Any such amendment shall be approved unless a majority of property owners vote to disapprove or otherwise amend the proposed amendment.

ARTICLE IX MEETINGS

Section 1 There shall be a General Membership Meeting at least once every twelve months. A quorum shall consist of twelve votes as defined in Article III, Section 2.

Proposed Language:

LAHA shall hold an annual General Membership Meeting for all LAHA members. The annual General Membership Meeting shall be held on the first Sunday in June of each year in Tazewell County, which is convenient for the members as may be designated in any notice of a meeting.

Special meetings of the members may be called at any time for the purpose of considering matters that, by the terms of the bylaws, require the approval of the voting members or for any other reasonable purpose. Said meetings shall be called by written notice, authorized by the President, a majority of the Board, or by voting members representing at least twenty (20) percent of the votes.

Written notice of any membership meeting shall be delivered by mail or email at an address provided by the members and published on LAHA's website, giving members thirty (30) days notice of the time, place, and purpose of the meeting. Members shall provide a physical or email address for accepting notices of meetings and other communications from the Board.

Meetings of the Board

This section describes notifications of Board meetings and that Board meetings are open to LAHA members.

The current bylaws language regarding Board meetings is in ARTICLE IX MEETINGS Section 2.

Current Language:

ARTICLE IX MEETINGS

Section 2. There shall be a Board meeting at least once every two months. A quorum shall consist of 3 officers and 3 Board members. (50% the Board membership.)

Proposed Language:

Notice of each meeting of the Board shall be sent by email to each Board member and posted on the LAHA website at least forty eight (48) hours before the meeting.

Each meeting of the Board, to the extent required by law, shall be open to any member. The Board may adopt reasonable rules governing the conduct of owners who attend meetings, and owners who do not comply with such rules may be removed from the meeting.

Meeting Minutes

This section specifies how annual General Membership Meetings and Board meeting minutes shall be recorded, documented, and published on the LAHA website. This is to provide transparency to the members.

The current bylaws do not address this directly, other than the Secretary records the minutes in ARTICLE V OFFICERS AND DIRECTORS, Section 5. , (e), 1.

Current Language:

ARTICLE V OFFICERS AND DIRECTORS

Section 5. The duties of the Officers and Board Members are as follows:

(e) The Secretary shall:

1. take minutes of all Board and Membership meetings

Proposed Language:

Meeting minutes shall be documented at each Membership and Board meeting and shall be sent to the Board members prior to the following Board meeting for review and approval. Once the meeting minutes have been approved by the Board they will be posted on the LAHA website.

Meeting Frequency

This section simply describes that the annual General Membership Meeting will be held at least annually and that the Board will meet at least every two months.

The current bylaws language regarding annual General Membership Meetings and Board meetings frequency is in ARTICLE IX MEETINGS Sections 1 and 2.

Current Language:

ARTICLE IX MEETINGS

Section 1. There shall be a General Membership Meeting at least once every twelve months. A quorum shall consist of twelve votes as defined in Article III, Section 2.

Section 2. There shall be a Board meeting at least once every two months. A quorum shall consist of 3 officers and 3 Board members. (50% the Board membership.)

Proposed Language:

A General Membership Meeting shall be held at least annually.

The LAHA Board shall meet at least once every two months.

Quorum and Decisions

This section specifies the quorum required for both Board meetings and annual General Membership Meetings and that votes will be recorded if the vote is not unanimous. For Board meetings a quorum consists of the President or Vice President, plus one other member of the Executive Committee plus a majority of the non-Executive Committee members of the Board.

The quorum for the annual General Membership Meeting is the same plus the addition of all voting members at the meeting.

There is an additional quorum provision of 75% of the members to make major decisions for the association to protect the association from the Board making decisions on behalf of the association that may not be in the best interests of the members. This addition was added by our attorney.

The current bylaws language regarding annual General Membership Meetings and Board meetings quorums is in ARTICLE IX MEETINGS Sections 1 and 2.

Current Language:

ARTICLE IX MEETINGS

Section 1. There shall be a General Membership Meeting at least once every twelve months. A quorum shall consist of twelve votes as defined in Article III, Section 2.

Section 2. There shall be a Board meeting at least once every two months. A quorum shall consist of 3 officers and 3 Board members. (50% the Board membership.)

Proposed Language:

Board Meetings

A quorum shall consist of the President or the Vice President, plus one other member of the Executive Committee, and enough non-Executive Board members to constitute a simple majority of the Board for bi-monthly and special Board meetings. All Board decisions require a simple majority vote of the Board members. If votes are not unanimous, the votes shall be recorded. Board members must be physically present to vote.

No more than two (2) Board members shall discuss official Board business without a quorum. This does not apply to committee deliberations.

General Membership Meetings

A quorum shall consist of the President or the Vice President, plus one other member of the Executive Committee, and enough non-Executive Committee members to constitute a simple majority of the Board, and all LAHA members present at any General Membership Meeting. General Membership Meeting decisions require a simple majority

vote of the members. If votes are not unanimous, the votes shall be recorded. Members do not need to be present to vote if they have submitted their vote(s) via written ballot.

The affirmative vote of seventy-five (75) percent of the votes entitled to be cast shall be required for the following actions: (a) merger or consolidation of the Association; and (b) sale, lease, exchange, mortgage, pledge, or other disposition of all, or substantially all, of the property and assets of the Association. The affirmative vote of seventy-five (75) percent of the votes entitled to be cast shall be required for the purchase or sale of land on behalf of all owners.

Succession Plan

We added a succession plan because the current bylaws do not have one.

Proposed Language:

The purpose of the succession plan is to ensure LAHA has the right people in place to lead and guide the Board when positions become vacant.

All members of the Board Executive Committee should be a member of the Board for at least one (1) year prior to being elected to the Executive Committee.

The Vice President should become the President after the President's term(s) in office has been completed.

The Secretary should become the Vice President after the Vice President's term(s) in office has been completed.

Board Committees and Structure

This section describes the six standing committees of the Board, including the Executive Committee, with a description of the make-up, general roles, and tasks of each committee. We tried to more clearly describe these parameters for each committee than what is in the current bylaws. The names of several committees have been modified. The 6 proposed committees are:

1. Executive Committee
2. Lake Health and Environment Committee
3. Grounds and Facilities Committee
4. Community Engagement Committee
5. By-Laws and Legal Committee
6. Lake-Use Safety and Policy Committee

The current bylaws have the following committees:

1. Executive Committee (though not explicitly identified)
2. Legal, Political, and Public Relations Committee

3. Information and Communication Committee
4. Safety and Rules Committee
5. Grounds and Facilities Committee
6. Environment Committee

Information about these committees is in the current bylaws can be found in ARTICLE IV ORGANIZATIONAL STRUCTURE Sections 1-8.

Current Language:

ARTICLE IV ORGANIZATIONAL STRUCTURE

Section 1 The Board of Directors should consist of a President, Vice-President, Secretary, Treasurer and a minimum of three board members. The minimum number of Directors may be increased or decreased by the amendment of this section without any effect on any other section. Any two or more offices may be held by the same person

Section 2 There should be five permanent committees (sect. 3 –7) plus any temporary committees as appointed by the President. All Committee chairmen are directly responsible to the President and the Board of Directors.

Section 3 Legal, Political and Public Relations Committee

- (a) This Committee should consist of three members; at least one member must be on The Board of Directors
- (b) It should act as a contact with our lawyers.
- (c) It should keep current, and/or future legal situations moving towards solution.
- (d) It should strive to create and maintain a good public image.
- (e) It should maintain contact with the local political structure, keeping them aware of the existence of this Association.

Section 4 Information and Communication Committee

- (a) This Committee should consist of three members; at least one member must be of the Board of Directors.
- (b) It should compose and issue a newsletter, “The Clam”, two times a year – March and September unless otherwise needed. All other information will be sent via email or social media.
- (c) It should attempt to keep the Association membership as well informed as possible. The Distribution of special letters and/or reports to the membership should be utilized as directed by the Board.
- (d) The contents of the newsletters and other correspondence should have the prior approval of the Board of Directors.

Section 5 Safety and Rules Committee

(a) This Committee should consist of three members; at least one member must be of the Board of Directors.

(b) It should compose and maintain a list of lake rules and regulations for presentation for

adoption by the Board of Directors as specified in Article XI, Section 4.

(c) Adherence to the rules and regulations is best achieved by public opinion, but when infractions occur they should be enforced by the Committee and/or Board in the following manner:

1) Personal contact by a member, or an authorized representative of the Committee and/or Board, with the person who is in violation of the rules to discuss the violation and request that it be stopped and/or not repeated.

2) If the violation persists, a written notice should be sent by the Committee and/or Board to the person involved explaining the violation, the steps necessary to correct it, and offering an opportunity for the person to meet with the Committee and Board to discuss the situation if he desires.

3) If a meeting or hearing with the Committee and Board takes place, the decisions of the

Committee and Board should be sent in writing to the person involved indicating what should be done along with an appropriate time limit. The decision of the Committee and Board shall be by majority vote.

4) If the problem is not resolved during the previous steps, an attorney may be contacted and legal action initiated.

5) In an emergency where flagrant violations are occurring or creating a hazard to people on or adjacent to the lake, some or all of the above steps may be by-passed and law officers called immediately as the situation seems to indicate.

Section 6 Social Committee

(a) This Committee should consist of three members; at least one must be of the Board of Directors

(b) It will handle the social aspects of the membership meetings and all other social activities as deemed appropriate by the Board of Directors.

Section 7 Grounds and Facilities Committee

(a) This Committee should consist of three members; at least one member must be of the Board of Directors.

b) It should handle the maintenance, upkeep, and any equipment the Association owns and uses.

Section 8 Environment Committee

(a) This committee should consist of three members, at least one must be a member of the

Board of Directors.

(b) The role of the environment committee is to assist the LAHA Board of Directors (the board) by:

1. Developing and implementing plans for lake water quality testing and sharing test results with the board.
2. Securing the necessary permits to control the goose population of the lake and sharing the results of control measures with the board.
3. Developing and implementing plans to manage the rough fish (carp, drum, etc.) population of the lake and sharing the results of control measures with the board.
4. Developing and implementing plans to manage the game fish population of the lake and sharing fish stocking plans and periodic fish population surveys with the board.
5. Developing and implementing plans to restore and maintain overall lake health and share the results of lake health restoration and management activities with the board.
6. Developing and implementing plans for other environmentally related activities under the guidance of the board.

Proposed Language:

LAHA has six standing committees and, at the request of the Executive Committee, may create Ad Hoc Committees to assist in meeting the purposes of the Board. The six standing committees shall be:

Executive Committee

The Executive Committee provides strategic direction and oversight for each of the remaining committees.

1. Sets priorities based on input from the Board and LAHA members.
2. Facilitates decision-making on behalf of the Board, especially between regular Board meetings and/or in urgent situations.
3. Ensures the mission and the purpose of the Board are carried out and receives and acts on input from all LAHA members.
4. This committee should meet at least two (2) times annually.

Lake Health and Environment Committee

This Committee shall consist of at least three members and at least one member must be on the Board. The chair of this committee shall keep a permanent record of all meetings, decisions, and actions taken, and this record shall be transferred to the new committee chair.

The role of this committee is to monitor and improve the lake water quality and fishery by:

1. Developing and implementing plans for lake water quality testing and sharing test results with the Board.

2. Securing the necessary permits to control the goose population of the lake and share the results of control measures with the Board.
3. Developing and implementing plans to manage the rough fish (carp, drum, etc.) population of the lake and share the results of control measures with the Board.
4. Developing and implementing plans to manage the game fish population of the lake and share fish stocking plans and periodic fish population surveys with the Board.
5. Identifying sources of runoff and drainage that may impair the long-term stability and safety of the lake and share their findings with the Board.
6. Developing plans to restore and maintain overall lake health and share the results of lake health restoration and management activities with the Board.
7. Developing plans for other environmentally related activities under guidance of the Board.

Grounds and Facilities Committee

This Committee shall consist of at least three members and at least one member must be on the Board. The chair of this committee shall keep a permanent record of all meetings, decisions, and actions taken, and this record shall be transferred to the new committee chair.

The role of this committee is to monitor, maintain, and improve LAHA common properties and the lake shoreline by:

1. Overseeing and maintaining all grounds, outlots, and docks owned by LAHA.
2. Inspecting and reporting issues related to shoreline stability/erosion to the Board.

Community Engagement Committee

This Committee shall consist of at least three members and at least one member must be on the Board. The chair of this committee shall keep a permanent record of all meetings, decisions, and actions taken, and this record shall be transferred to the new committee chair.

The role of this committee is to communicate with LAHA members and recruit potential Board members by:

1. Composing and distributing a newsletter, "The LAHA Times", at least two times per year.
2. Recruiting potential Board members.
3. Keeping the LAHA membership informed of Board, membership-sponsored, and relevant community-sponsored social activities via social media.
4. Ensuring the content of newsletters and other correspondence have prior approval of the Board.

By-Laws and Legal Committee

This Committee shall consist of at least three members and at least one member must be on the Board. The chair of this committee shall keep a permanent record of all meetings, decisions, and actions taken, and this record shall be transferred to the new committee chair.

The role of this committee is to ensure that LAHA by-laws and legal documents are up-to-date, compliant, and effectively enforced by:

1. Identifying areas where by-laws may need to be amended.
2. Ensuring any proposed amendments to the by-laws are presented to LAHA members in accordance with the by-laws' amendment procedures.
3. Maintaining accurate records of the by-laws, including amendments.
4. Keeping committee members informed regarding relevant legal, and by-laws matters.
5. Through the Boards legal counsel:
 - a. Review proposed amendments to the by-laws.
 - b. Provide guidance to the Board on legal matters and ensure adherence to relevant laws and regulations.
 - c. Provide legal guidance to the Board on matters related to lake management, property rights, and other legal issues.
 - d. Guide the Board when placing liens on properties.
 - e. Review legal documents such as contracts, leases, etc. to ensure compliance with the by-laws and applicable laws.

Lake-Use Safety and Policy Committee

This Committee shall consist of at least three members and at least one member must be on the Board. The chair of this committee shall keep a permanent record of all meetings, decisions, and actions taken, and this record shall be transferred to the new committee chair.

The role of this committee is to compile, maintain, and enforce recreational lake-use policies by:

1. Compiling and maintaining a list of recreational lake-use policies to ensure safe and equitable enjoyment of the members.
2. Enforcing recreational lake-use policies.

Leave of Absence

This section more clearly defines how the Board will address both short- and long-term leaves of absence for the Executive Committee and Board members.

Board vacancies are addressed in ARTICLE V OFFICERS AND DIRECTORS Section 3 in the current bylaws.

Current Language:

ARTICLE V OFFICERS AND DIRECTORS

Section 3. Vacancies on the Board of Directors caused by death, resignation, or expulsion shall be filled appointment. Appointments are made by majority vote of the remaining members of the Board and are effective for the duration of the term of the position filled.

Proposed Language:

In the event of a leave of absence, the Board shall follow these steps:

Executive Committee Short-Term (up to 180 days):

- The President acts as both the President and the Vice President.
- The Vice President acts as both the President and the Vice President.
- The Treasurer may be filled by any member on the current Board that the Board deems qualified to act as the Treasurer.
- The Secretary may be filled by any member on the current Board that the Board deems qualified to act as the Secretary.

Executive Committee Long-Term (more than 180 days):

If a Board Executive Committee member is unable to fulfill their obligation for greater than 180 days, their position shall be vacated, and an interim Executive Committee member shall be selected by a simple majority vote by the remaining Board members. The position shall be permanently filled at the next annual General Membership meeting.

Board Members short-term (up to 180 days):

The position shall be temporarily vacated.

Board Members long-term (more than 180 days):

The Community Engagement Committee shall secure potential interim Board member(s). The position appointment shall be approved by the remaining Board members with a simple majority vote. The position shall be open to nominations and permanently filled by a simple majority vote at the next annual General Membership Meeting.

Article V: Finances

Budget and Expenditures/Spending Policy

This section states that the annual operating budget will be published to property owners in The LAHA Times and on the LAHA website, and a written ballot will be sent to all member properties at least 30 days prior to the annual General Membership Meeting. The budget will be voted on and approved by the members by counting the votes from the written ballots at the annual General Membership Meeting.

In addition, once the budget has been approved by LAHA members at the annual General Membership Meeting, the committees have the ability to spend the funds as budgeted without having to have expenses approved again at a Board meeting. We added this language because we currently have to vote on approved budget expenditures before we can actually spend the money. This can cause up to a two month delay in implementing projects and expenses that have already been approved at the annual General Membership Meeting.

Current bylaw language regarding the annual budget and expenditures is in ARTICLE VI FINANCES Sections 1d and 1e, and Section 5.

Current Language:

ARTICLE VI FINANCES

Section 1 Association Dues

(d) Each year at least thirty (30) days prior to the Annual Meeting of Members, the Board shall adopt a budget for the payment of all anticipated expenses of the Association for the ensuing year. A copy of the budget shall be provided to each property owner at least thirty (30) days prior to the annual meeting of members. At the Annual Meeting of Members, the budget as adopted by the Board shall become the approved budget of the Association unless a majority of lot owners vote to disapprove or otherwise amend the budget as presented.

(e) The Board may from time to time amend the budget as they determine necessary on thirty (30) days prior notice to the members calling for a special meeting of members for the consideration of such amendment. Any such amendment shall be approved unless a majority of property owners vote to disapprove or otherwise amend the budget as presented.

Section 5 Expenditures

(a) All expenditures larger than \$500 must be approved by the Board of Directors.

(b) All expenditures must be paid by check.

(c) All checks must be cosigned by two of the following: President, Secretary, Treasurer

Proposed Language:

Budget

Prior to the annual General Membership Meeting each year, the Board shall develop an operating budget Meeting at least thirty (30) days prior to the annual General Membership Meeting for initial approval following input from the members in attendance.

The proposed operating budget shall be published to property owners in The LAHA Times and on the LAHA website, and a written ballot to vote on the proposed operating budget will be mailed to all dues paying properties at least thirty (30) days prior to the annual General Membership Meeting. The proposed operating budget shall become the

approved operation budget with a majority vote of the written ballots counted at the annual General Membership Meeting.

In the event that the proposed operating budget is not approved at the annual General Membership Meeting, a new proposed operating budget will be published on the LAHA website, and mailed or emailed to all dues paying properties, and a General Membership Meeting will be held for member input on the new proposed operating budget. A written ballot will then be sent to all dues paying properties at least thirty (30) days prior to another General Membership Meeting where written ballots will be counted. This process will be repeated until an operating budget is approved.

The approved operating budget shall be carried through to each committee without a second vote at Board meetings. Committee members with an approved spending budget shall have the authority to spend the pre-approved dollars associated with the line items approved (e.g. Grounds and Facilities Committee budgeted \$8,000; \$2,000 for annual mowing, \$1,000 for fence repair and \$5,000 for a new dock. The Grounds and Facilities Committee shall move forward with the work as budgeted.). If additional funding is needed, a vote shall take place at a Board meeting.

Spending Policy

1. All expenditures require a receipt or invoice for financial reporting and audits.
2. All LAHA checks must be cosigned by two of the following: President, Secretary, Treasurer.
3. All non-budgeted expenditures greater than five hundred dollars (\$500) must be approved by the Board.

Article VI: Amendments

This section states that amendments to the by-laws can be made one time per year at the annual General Membership Meeting, with a clause that, in an emergency, a special General Membership Meeting may be called to amend the by-laws.

Current bylaw language regarding Amendments is in ARTICLE VII AMENDING THE BY-LAWS Sections 1 and 2.

Current Language:

ARTICLE VII AMENDING THE BY-LAWS

Section 1 Any proposed amendments must be published and distributed to all members 30 days prior to the meeting date.

Section 2 The By-laws can be amended at an Association meeting by a majority of the votes, as defined in Article III, cast on the issue.

Proposed Language:

The LAHA By-laws are generally amended once per year with a majority vote of the written ballots counted at the annual General Membership Meeting. A written ballot to vote on proposed bylaws amendment(s) will be mailed or emailed to all dues paying properties at least thirty (30) days prior to the annual General Membership Meeting. The proposed bylaws amendment(s) shall become the approved bylaws amendment(s) with a majority vote of the written ballots counted at the annual General Membership Meeting. If a situation arises that the Board deems necessary to amend the bylaws, a special General Membership Meeting shall be called.

Article VII: Safety, Water Use, and Structure Policies

This section describes general and specific safety, water use, and structure policies.

General**Current Language:****LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS****A. General**

We are all concerned with the safety of our lake regardless of whether our interest is in swimming, boating, jet skiing, fishing, water skiing, or snowmobiling. It is, therefore, very important that we practice common sense and courtesy, and that we respect the rights of others when participating in water sports. Following this policy and the basic rules outlined below, we feel that our lake will be a safer place for our families and friends.

Boats and jet skis used on Lake Arlann are subject to the Illinois Boat Registration and Safety Act. That Act includes certain registration, certification, equipment requirements, and certain operating procedures and regulations. The owners of all boats on Lake Arlann must comply with the State mandated requirements, whether arising under the Act or under Rules and Regulations adopted by the Illinois Department of Natural Resources by the Act.

The Safety Rules and Standard Operating Procedures and Regulations adopted by Lake Arlann Homeowners Association supplement the State mandated requirements. Be certain that your boats, the equipment on your boats and the use of your boats

comply not only with the State mandated requirements but also with Lake Arlann Homeowners Association's requirements.

If a property owner or his/her guest violates any Safety, Operating Procedure, and/or Regulation, the property owner could be fined \$100.00 per violation and the amount of the fine would be doubled for each violation thereafter. The property owner will also be required to pay any reasonable legal fees and costs the Association might incur for collection of such fine.

Be sure that you, your family and any friends or guest who will be skiing or driving your boat or jet ski, read and are familiar with our safety rules. Remember you are responsible for and liable for the action of your guest. Keep this copy for future reference. Extra copies can be obtained from any member of the Board of Directors. The "Canal" between Sausalito Bay and Gingoteague Bay and Cape Court are NO WAKE areas!!!

Proposed Language:

We are all concerned with the safety and enjoyment of our lake for swimming, boating, fishing, water skiing, tubing, and snowmobiling. Everyone shall respect the rights of others when using the lake. By following the policies outlined below, our lake will be a safe place for our families and friends. If you see someone violating any policy, please report the boat/personal watercraft and boat sticker number to any member of the Board.

All watercraft on Lake Arlann are subject to the Illinois Boat Registration and Safety Act (<https://dnr.illinois.gov/content/dam/soi/en/web/dnr/publications/documents/00000055.pdf>). This Act includes registration, certification, equipment requirements, operating procedures, and regulations. The owners of all boats on Lake Arlann must comply with these State-mandated requirements, whether arising under this Act or under rules and regulations adopted by the Illinois Department of Natural Resources by this Act.

The policies adopted by Lake Arlann Homeowners Association supplement, and in some cases duplicate, the State-mandated requirements. Be certain that your watercraft, the equipment on your watercraft, and the use of your watercraft comply with the State-mandated requirements and LAHA policies.

Watercraft

This section states that owners and operators of watercraft are required to obtain insurance coverage for operating their watercraft and that all persons between 12 and 17 that operate a powered watercraft on Lake Arlann shall complete an IDNR boating safety class. This section also specifies the light requirements for boats to operate on the lake between sunset and sunrise. While both of

This is covered in the current bylaws in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS C. BOATING 4 and ARTICLE XI RULES AND REGULATIONS Section 5.

However, boat light requirements are not specifically addressed in the current bylaws and with the issues we have with personal watercraft without proper lighting.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS
C. BOATING

4. All persons (including guests) between the ages of 12 & 17 operating a jet ski or a motorized boat shall be required to take a IDNR safety class, with respect to the safe operation of said jet ski or motorized boat, prior to operation. A copy of the Certification will be provided to the Board Member in charge of Registration and Stickers after completion of the safety class.

ARTICLE XI RULES AND REGULATIONS

Section 5 Owners and operators of motorized watercraft, including jetskis, shall be required to obtain insurance coverage for the operation of watercraft.

Proposed Language:

Owners and operators of motorized watercraft are required to obtain insurance coverage for the operation of the watercraft(s).

All persons (including guests) between the ages of 12 and 17 that operate a powered boat or personal watercraft shall be required to complete an IDNR boating safety class (<https://dnr.illinois.gov/safety/boatingsafety.html>), and a copy of the Certification shall be carried on board the watercraft.

No watercraft are allowed on the lake between sunset and sunrise unless they have proper lighting, including a red light on the left (port) side of the bow, a green light on the right (starboard) side of the bow, and a white light that is clearly visible on the back (stern) of the boat higher than the motor.

Boat Size Limits

This section describes the length limit of boats and clearly specifies how these measurements are taken.

This is covered in the current bylaws in ARTICLE XI RULES AND REGULATIONS Section 2 and in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS C. BOATING 13.

Current Language:

ARTICLE XI RULES AND REGULATIONS

Section 2 The following boat size and horsepower limits will apply to all people using Lake Arlann. Only one engine per craft is allowed.

POWER BOAT (excluding pontoons)..... 18 ft.

(The overall length of your boat is the horizontal distance from the bow (front of the boat) to the stern (back of the boat at the drain plug) along the centerline.

PONTOON BOAT..... 25 ft.

(The overall length of your pontoon boat is the horizontal distance from the bow (front of a pontoon) to the stern (back of a pontoon).

NON-POWERED BOAT..... 18 ft

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

C. BOATING

13. Abide by the maximum boat sizes as specified by our By-laws.

a. Powered boats (excluding pontoon boats)..... 18 feet

b. Pontoon boats..... 25 feet

c. Non-powered boats..... 18 feet

Proposed Language:

Boat Size Limits

Boat length for all boats except pontoon boats is defined as the horizontal distance from the front of the front of the boat (bow) to the end of the back of the boat (stern) along the centerline of the boat. Swim platforms, motors, ladders, rudders, bowsprits, and bow attachments are excluded from boat length measurements.

Boat length for pontoon boats is defined as the horizontal distance from the front of the pontoon to the back of the pontoon.

PONTOON BOATS..... 25 feet

ALL OTHER BOATS.....18 feet

Watercraft Horsepower Limits

This lists the previously published horsepower limits, but excludes trolling motors and kicker motors from the horsepower limits. It also prohibits engine modifications that increase horsepower beyond the horsepower limits listed and prohibits engine modifications that increase exhaust noise. This was done to be more explicit about horsepower, noise limits, and to specifically allow trolling motors and kicker motors on boats.

This is covered in the current bylaws in ARTICLE XI RULES AND REGULATIONS Section 2 and LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS C. BOATING 12.

Current Language:

ARTICLE XI RULES AND REGULATIONS

Section 2

The following boat size and horsepower limits will apply to all people using Lake Arlann. Only one engine per craft is allowed.

OUTBOARD ENGINE..... 115HP*

INBOARD ENGINE.....135HP

JET POWERED CRAFT including jet skis to be limited to 135 H.P.

* Published maximum BHP at rated RPM

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

C. BOATING

12. Abide by the maximum horsepower limit as specified by our By-laws.

a. Outboard engine 115 HP (Published maximum BHP at rated RPM)

b. Inboard engine 135 HP

Proposed Language:

[Watercraft Horsepower Limits](#)

The following horsepower limits apply to all watercraft on Lake Arlann. Auxiliary motors (trolling motors and kicker motors) are excluded from maximum horsepower limits.

OUTBOARD ENGINE..... 115 Horsepower*

INBOARD ENGINE.....135 Horsepower*

*Factory rated maximum horsepower.

Engine modifications that increase the horsepower beyond the stated Lake Arlann horsepower limits or increase the noise from engine exhaust are prohibited on Lake Arlann.

Speed Limit

This section maintains the speed limit of boats to 30 miles per hour during daylight hours. This section also allows all boats except personal watercraft to operate at 30 miles per hour beginning at 7:00 a.m., while personal watercraft can operate at 30 miles per hour beginning at 10:00 a.m. This was done to allow water skiers to have flatter water conditions in the morning. Personal watercraft limits are to reduce the boat traffic and noise on the lake in the early morning.

These draft by-laws are different than the current bylaws as boats other than personal watercraft can operate at 30 miles per hour beginning at 7:00 a.m. and the current bylaws restrict all boat operation to “no wake” speeds between sunset and 10:00 a.m.

The current bylaws language is in ARTICLE XI RULES AND REGULATIONS Section 3.

Current Language:

ARTICLE XI RULES AND REGULATIONS

Section 3 The maximum speed limit on Lake Arlann shall vary according to the following time periods:

30 MPH.....10am to Dusk

5 MPH..... Dusk to 10am

Proposed Language:

Speed Limit

Lake Arlann speed limits for all watercraft are as follows:

- From sunset until 7:00 a.m.: 5 miles per hour.
- From 7:00 a.m. until 10:00 a.m.: Open to all watercraft except powered personal watercraft. Speed limit is 30 miles per hour.
- From 10:00 a.m. until sunset: Open to all watercraft. Speed limit is 30 miles per hour.

Shoreline Stabilization and Maintenance

This section states that all homeowners on Lake Arlann are responsible for maintaining their own shorelines. It also specifies the materials that can be used to stabilize shorelines and specifically prohibits the use of construction debris to stabilize shorelines. It also prohibits the extension of shorelines beyond property boundaries per an official survey. It also prohibits the construction of new sand beaches and prohibits adding additional sand to existing sand beaches. Sand beaches mean sand beaches that intersect directly with Lake Arlann’s shoreline. Several members have “sandboxes” near the shoreline that do not interact with Lake Arlann’s shoreline and members are free to periodically add sand to these structures as long as the sand is not entering Lake Arlann.

Shoreline stabilization is covered in the current bylaws in ARTICLE XII ENVIRONMENTAL, Sections 1-3.

Current Language:

ARTICLE XII ENVIRONMENTAL

Section 1. Shoreline Stabilization

- (a) Do not dump sand onto beaches.
- (b) Do not dump leaves, grass, yard waste, or construction debris onto beaches or into the lake.
- (c) Shorelines should be stabilized, and stabilization materials must be a minimum of 4 inches in diameter and backed by fabric, or better.

Section 2. Artificial beaches must be reinforced so that sand does not wash into the lake.

Section 3. Requirement For Shoreline Stabilization

Seawalls and other shoreline stabilization structures are not common elements of The Lake Arlann Homeowners Association. Each member of the Association is solely responsible for their own seawalls or shoreline stabilization structures and the upkeep and maintenance of those structures. Due to silt management and shoreline erosion concerns, each property owner shall have a shoreline stabilization structure consistent with the minimum requirements of Section 1 of this Article. Each property owner shall be responsible for keeping their shoreline stabilization structures in good and working order, free of any material defects. The goal of these structures is to keep silt out of the Lake and avoid shoreline erosion that could affect other property owner's property.

(a) Enforcement

Due to the ongoing concerns of silt and shoreline erosion the Board may enforce this Section of the Bylaws. The Board may take any required legal action, after consultation with its Attorney, to enforce compliance with this Section upon a majority vote in favor. Legal actions the Board will consider include, but are not limited to, a civil lawsuit, referral and reporting to the appropriate environmental agencies, and a potential lien recording.

Proposed Language:

Shoreline Stabilization and Maintenance

All homeowners on Lake Arlann are responsible for maintaining their shoreline so it does not intrude into the water.

Shorelines may be stabilized with:

- Rock or concrete block materials with a minimum of 4 inches in diameter and backed by fabric.
- Steel or composite seawalls.

Shorelines may not be stabilized with:

- Construction debris.

Shorelines may not be:

- Extended into the lake past property lines per an official land survey.

Beaches may not:

- Be constructed as new.
- Have additional sand added to existing sand beaches.

Aerators

This section states that aerators may not open water more than 50 feet from the high-water mark of the shoreline and may not open water beyond the property owner's property line.

Aerators are covered in the current bylaws in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS H_WINTERTIME, 2 Ice safety, g.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

H._WINTERTIME

2. Ice safety

g. For the safety of the membership, no aerator can open water more than 50' from the high water mark and not exceed beyond the legal boundaries.

Proposed Language:

Aerators

Aerators may not open water more than fifty (50) feet from the high-water mark of the shoreline into the lake.

Aerators may not open water beyond the property owner's property line.

"No Wake" Zones

This section explicitly designates the "Canal", "Cow Cove", and 100 feet out from the entire shoreline of Lake Arlann as no wake zones. This section also explains that a lake-wide no wake policy may be put into effect during periods of high water.

No wake zones for the "Canal" and "Cow Cove" are covered in the current bylaws in the last sentence of LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS A. GENERAL. Boaters are required to stay at least 100 feet from shorelines in the current bylaws in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS C. BOATING, 2., but it does not specify no wake within 100 feet of the shoreline. In Part G. JET SKIING (Personal Watercraft Rules) PWC rules, the current bylaws do state that within 100 feet of any dock, swimmer, swim raft, or non-motorized boat, boat speed must be "no-wake".

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

A. GENERAL.

The "Canal" between Sausalito Bay and Gingoteague Bay and Cape Court are NO WAKE areas!!!

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

C. BOATING

2. Stay at least 100 feet from shorelines, docks and swimmers.

G. JET SKIING (Personal Watercraft Rules) PWC rules

6. When within 100 feet of any dock, swimmer, swim raft, or non-motorized boat, your speed must be Slow-NoWake. Thus, Slow-No-Wake is the slowest possible speed necessary to maintain steerage, but in no case greater than 5 MPH.

Proposed Language:

“No Wake” Zones

The following areas on the lake are “No Wake” zones:

- The “Canal”
- “Cow Cove”

In addition, the entire area surrounding the lake out one hundred (100) feet from the high-water mark of the shoreline is a “No Wake” zone.

During times of high water, a temporary “No Wake Policy” shall go into effect for all of Lake Arlann. Notifications shall be made via social media, and signs will be placed on and around the lake.

Structures

Boat Docks and Boat Dock Canopies/Roofs

This section states that all new and replacement boat dock construction must be approved by the Board. This does not mean that members need permission from the Board to replace a few rotted planks of wood on your dock. This section also specifies the length limit for all new and replacement boat docks as 50 feet from the high-water mark on the main lake, 16 feet from the high-water mark on Gingoteague Bay and Suasalito Bay, and 8 feet from the high-water mark on the Canal and the entrance to Cow Cove. We have increased the length of new boat docks from 6 feet to 8 feet on the canal. Cow Cove proper does not currently have restrictions in the current or proposed by-laws. I suggest that we make that restriction 16 feet. The 8 foot restriction to the entrance of Cow Cove is new.

Boat docks are covered in the current bylaws in ARTICLE X ACCESS LOTS, BOAT DOCKS, AND KEYS, Section 2 Boat Docks. The current bylaws restrict new docks to be 16 feet from the high-water mark on Gingoteague Bay and Suasalito Bay, 6 feet from the high-water mark on the Canal, and 50 feet from the high-water mark on the main lake.

We added a new statement about canopy/roof heights for docks and boat lifts with canopies of roofs to limit the height to that needed to safely enter and exit watercraft.

This was added because some newer boat docks have been built that block the view of the lake from neighboring properties. This is not addressed in the current bylaws.

A section specifically addressing the removal of boat lifts, boat docks, or other structures in disrepair is added. This is addressed in the current bylaws in ARTICLE X ACCESS LOTS, BOAT DOCKS, AND KEYS, Section 2 Boat Docks, parts f and g.

Current Language:

ARTICLE X ACCESS LOTS, BOAT DOCKS, AND KEYS

Section 2 Boat Docks

- (a) Each lakeshore lot may have one boat dock.
- (b) On Lake Arlann proper, no boat dock and/or boat lift may project into the water more than fifty (50) feet from the high water mark of that property.
 - (1) All existing boat docks will be allowed to exist until replaced.
 - (2) All new and/or replacement boat docks will conform to these standards as of February 1, 1996.
- (c) On Gingoteague Bay, Sausalito Bay, and the "Canal" connecting these two bodies of water, boat docks may project into the water in the following manner:
 - (1) Gingoteague Bay and Sausalito Bay may have boat docks and/or boat lift projecting into the water no more than sixteen (16) feet from the high water mark.
 - (2) The "Canal" may have boat docks projecting into the canal no more than six (6) feet from the high water mark.
- (d) Boat docks for property being brought into Lake Arlann Homeowners Association will conform to the following standards:
 - (1) Existing boat docks will be allowed to remain until replaced.
 - (2) All new and/or replacement boat docks will be allowed to project no further into the water than sixteen (16) feet from the high water mark.
- (e) Lake Arlann Homeowners Association may grant a variance to boat dock rules & standards on a majority vote of the board. Any variance granted must have the following factors completed, received and evaluated. Any variance granted is only for the structure proposed and will need to be readdressed if replaced in the future.
 - (1) In person site evaluation by at least four (4) Board Members. One must be Executive Board Member and one from Maintenance Subcommittee.
 - (2) Receipt of written plans at a regularly scheduled board meeting with at least two months notice.
 - (3) Environmental concerns being addressed.
 - (4) Safety concerns being addressed.
 - (5) Approval of all adjacent property owners whose property touches subject.
 - (6) Member in good standing with no current liens.
- (f) All boat docks or lifts will be maintained in a state of good repair.

(g) Any boat dock or lift in a state of disrepair will be condemned by Lake Arlann Homeowners Association and will be required to be repaired, removed, and/or replaced.

Proposed Language:

Structures

Boat Docks and Boat Dock Canopies/Roofs

All new and replacement boat dock construction must be approved by the Board.

The length limit of all new and replacement boat docks is:

- Fifty (50) feet from the high-water mark on the main lake.
- Sixteen (16) feet from the high-water mark on Gingoteague Bay and Sausalito Bay,
- The length limit of all new and replacement boat docks is eight (8) feet from the high-water mark on the Canal and the entrance to Cow Cove.

The canopy/roof height of docks and boatlifts with canopies or covered roofs shall be limited to the height necessary to safely enter and exit the watercraft and must be approved by the Board.

Boat lifts, docks, or other structures that are in disrepair, as deemed by the Board, shall be removed or repaired at the homeowners' expense. Disrepair means the dock, boat lift or other structure is in a state of neglect and deteriorating, requiring repairs due to rotting wood, structural instability, or is nonoperational.

Near Shore Structures

This is a new addition in the draft revised by-laws. The intent is to ensure that near shore structures like sheds or boat houses do not block the view of neighboring properties. The current suggestion is an 8-foot height limit above ground level.

Proposed Language:

Near Shore Structures

Construction or replacement of near shore structures within thirty (30) feet of the high-water mark of the lake must be approved by the Board.

The maximum height limit of near shore structures is eight (8) feet above ground level.

Fishing

This section is similar to current bylaw language in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS E. FISHING. The only addition is that fish size, slot limits, and harvest limits will be posted at all outlots.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

E. FISHING

LAHA follows all guidelines from IDNR Rules & Regulations but are subject to change at the Board's Environmental Committee's discretion. Refer to the Board for any further guidance. Property owners and their guests, over the age of 16 must have a current State of Illinois fishing license per IDNR guidelines.

Proposed Language:

LAHA follows all guidelines from IDNR Rules and Regulations but are subject to change at the Board Lake Health and Environment Committee's discretion. Refer to the Board for any further guidance. Property owners and their guests over the age of 16 must have a current State of Illinois fishing license per IDNR guidelines.

LAHA fish size, slot limits, and harvest limits are posted at all outlots. These policies may change, so be sure to read them before you go fishing.

Swimming

This section is similar to current bylaw language in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS B. SWIMMING.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

B. SWIMMING

1. Swim parallel to the shore instead of out into the Lake.
2. Don't swim alone.
3. Do not swim after dark. Remember nighttime boaters can not see you.
4. Learn to swim and teach your children to swim.

Proposed Language:

Swimming

1. Swimming is at your own risk.
2. It is recommended that you do not swim alone.
3. Swimming in the main lake channel is discouraged.
4. Swimming at night is discouraged. If you do swim at night, please stay near your dock or boat.
5. Children who are not potty-trained must wear swimming diapers or other protection while in the lake.

Boating

This section is similar to current bylaw language in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS C. BOATING. However, redundant language covered in other sections of the bylaws has been removed.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

C. BOATING

1. Drive counter-clockwise around the Lake.
2. Stay at least 100 feet from shorelines, docks and swimmers.
3. Do not “buzz” other boats, swimmers, fishermen, skiers or docks. “BUZZING IS VERY DANGEROUS AND IS PROHIBITED.”
4. All persons (including guests) between the ages of 12 & 17 operating a jet ski or a motorized boat shall be required to take a IDNR safety class, with respect to the safe operation of said jet ski or motorized boat, prior to operation. A copy of the Certification will be provided to the Board Member in charge of Registration and Stickers after completion of the safety class.
5. If you cannot swim, wear a life jacket while fishing or riding in a boat or on a jet ski. A possible alternative to this is to tie a life jacket or cushion to you with a 3 or 4 foot length of cord, so in an emergency if you end up in the water, the floatation device comes in with you.
6. A non-powered craft (row boat, canoe, or sailboat) has the right of way at all times.
7. A non-powered craft should use discretion so as not to create a dangerous traffic jam of larger motorized boats and skiers.
8. When two crafts are approaching each other head-on, each veers to the right. Stay on the right side of the “road”, just as you would on the highway.
9. Grant the right of-way to a boat approaching from an angle on your right hand side. Again, this is the same application as the right-of-way rule at a street intersection in a car. If the boat approaches from your left, you have the right of way.
10. In overtaking and passing another boat, it is your duty to stay clear. The boat being overtaken has the right-of-way and the choice of direction.
11. Don’t overload your boat. This is a very dangerous violation.
12. Abide by the maximum horsepower limit as specified by our By-laws.
 - a. Outboard engine 115 HP (Published maximum BHP at rated RPM)
 - b. Inboard engine 135 HP
13. Abide by the maximum boat sizes as specified by our By-laws.
 - a. Powered boats (excluding pontoon boats)..... 18 feet
 - b. Pontoon boats..... 25 feet
 - c. Non-powered boats..... 18 feet
14. Abide by the maximum speed limits as specified in our By-laws.

a. 10 AM to Dusk 30 MPH

b. Dusk to 10 AM 5 MPH

15. LAHA boat registration stickers, a must for all motorized boats, are to be placed on the right front sides of the boat at the rear of the registration number.

16. During times of high water table, a “No Wake Zone” will go into effect. Notifications will be made via email, social media and placement of signs on the lake.

Proposed Language:

Boating

1. All watercraft shall drive counterclockwise around the Lake.
2. All watercraft shall stay at least one hundred (100) feet from shorelines and docks when above “No Wake” speed.
3. All watercraft shall stay at least one hundred (100) feet from swimmers when above “No Wake” speed.
4. All watercraft shall stay at least one hundred (100) feet from a boat pulling a water skier, wake boarder, or tuber.
5. A personal floatation device (e.g. life jacket) shall be worn by all persons aboard a powered personal watercraft.
6. Non-powered watercraft (rowboat, canoe, sailboat, etc.) always have the right-of-way.
7. For safety reasons, non-powered watercraft should stay close to the shoreline.
8. When two crafts are approaching each other head-on, each craft veers to the right.
9. Grant the right-of-way to a boat approaching from an angle on your right. If a boat approaches from your left, you have the right of way.
10. In overtaking and passing another boat, it is your duty to stay clear. The boat being overtaken has the right-of-way and the choice of direction.

Water Skiing, Wake Boarding, and Tubing

This section is similar to current bylaw language in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS D. SKIING, with a slight change from no water skiing later than ½ hour after sunset to no water skiing, wake boarding, and tubing after sunset.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS
D. SKIING

1. Wear a life jacket or belt must be worn at all times when water skiing or jet skiing.

2. There must be two (2) capable people in the ski boat. The passenger handles the ski rope, watches the skier and watches the rear of the boat. The driver watches the front and the side of the boat.
3. In accordance with State Law, an orange flag must be visible to others while towing a skier or rafter.
4. Don't follow too close to another skier. Stay at least 100 feet away.
5. When a skier falls, the ski boat/jet ski should immediately go back to cover him. If for some reason a skier is alone in the water, he/she should hold up a ski so other boats or jet skis will be able to see him.
6. Skiers should land parallel to the shore. Do not try to land perpendicular to the shore or towards a dock.
7. When in the water don't get close to the prop.
8. Water skiing is prohibited later than one-half hour after sunset.

Proposed Language:

Water Skiing, Wake Boarding, and Tubing

1. A personal floatation device must be worn when water skiing, wake boarding, or tubing.
2. There must always be at least two (2) people in the towing vessel. If a powered personal watercraft is used for towing a skier, wakeboarder, or tuber, it must be capable of seating three (3) persons. The passenger handles the ski rope, watches the skier, and watches the rear of the boat. The driver watches the front and the sides of the boat.
3. In accordance with State Law, an orange flag measuring at least twelve (12) inches per side must be visible to others while towing a skier, wakeboarder, or tuber.
4. Other boats shall stay at least one hundred (100) feet away from a boat pulling a water skier, wake boarder, or tuber.
5. When a skier, wake boarder, or tuber falls, the towing vessel shall immediately go back to recover the skier. The skier should hold up a ski so other boats or personal watercraft shall be able to see them in the water.
6. Water skiing, wake boarding, and tubing are prohibited after sunset.

Non-Powered Watercraft

This section is similar to current bylaw language in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS F. NON POWERED WATERCRAFT.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

F. NON POWERED WATERCRAFT.

1. All non-powered watercraft must follow any and all IDNR rules & regulations.
2. Non-powered watercraft do not need LAHA stickers, but it is recommended that they have some sort of clear, easily identifiable marking. It is suggested that it be the property owner's lot number or contact information.
3. Travel parallel to the shore.

Proposed Language:

Non-Powered Watercraft

1. Non-powered watercraft shall follow all IDNR rules and regulations.
2. Non-powered watercraft are not required to have LAHA Watercraft stickers, but they are available from the Lake-use Safety and Policy Committee.
3. Non-powered watercraft shall travel parallel to the shore in a counterclockwise direction.

Powered Personal Watercraft

This section is similar to current bylaw language in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS G. JET SKIING (Personal Watercraft Rules) PWC rules. However redundant language that is covered in previous sections has been omitted.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

G. JET SKIING (Personal Watercraft Rules) PWC rules

1. All persons, (including guests) between the ages of 12 & 17 operating a jet ski shall be required to take an IDNR safety class, with respect to the safe operation of said jet ski prior to operation. A copy of the certification will be provided to the Board Member in charge of Registration and Stickers after the completion of the class.
2. Except in an emergency, a person under the age of 14 may not operate or be permitted to operate a PWC unless there is another person 18 years of age or older on board.
3. Each person aboard must be wearing a U.S. coast guard approved life jacket.
4. If the PWC is equipped with a lanyard type engine cutoff, the lanyard must be attached to the operator's person, clothing or life jacket.
5. Operation is not permitted from 1 hour before sunset to one hour after sunrise unless proper navigation lights are displayed.
6. When within 100 feet of any dock, swimmer, swim raft, or non-motorized boat, your speed must be Slow-NoWake. Thus, Slow-No-Wake is the slowest possible speed necessary to maintain steerage, but in no case greater than 5 MPH.

7. No person shall operate a personal watercraft in a negligent manner. The following are examples of negligent operation:
- a. unreasonable jumping or attempting to jump the wake of another vessel.
 - b. following within (100) one hundred feet of a water skier.
 - c. weaving through congested vessel traffic.
 - d. chasing or harassing wildlife as this is a Federal offense.
 - e. exceeding the speed limit of 30 MPH on the Lake.
 - f. not operating PWC at least 50 feet from rafts, docks, occupied bathing areas and the shoreline.

Proposed Language:

Powered Personal Watercraft

1. If the powered personal watercraft is equipped with a lanyard type engine cutoff, the lanyard shall be attached to the operator's person, clothing, or personal floatation device.
2. No person shall operate a personal watercraft in a negligent manner. The following are examples of negligent operation:
 - a. Unreasonable jumping or attempting to jump the wake of another vessel.
 - b. Following within one hundred (100) feet of a water skier or tuber.
 - c. Weaving through congested vessel traffic.
 - d. Chasing or harassing wildlife.
 - e. Exceeding the speed limit of 35 miles per hour.
 - f. Operating at greater than "No Wake" speed within 100 feet of the shoreline.

Winter Recreation and Lake Use

This section is similar to current bylaw language in LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS H_WINTERTIME.

Current Language:

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS H_WINTERTIME.

1. Snowmobiles, motorbikes and all other vehicles operating on the ice follow the same general rules as boats.
2. Ice safety
 - a. Under no condition should a hole larger than six inches in diameter be chopped in the ice. A large hole, partially frozen over could have disastrous effects when encountered by children, pets, or skaters.

- b. When the ice first freezes, the ice in the shallow areas along the shore are often thicker than the deep areas.
- c. If the Lake level rises rapidly, the shore area will be open water or thin ice.
- d. Underground springs keep the ice thin in some areas or it may not freeze at all. This will result in open water surrounded by relatively thick ice.
- e. Holes in the ice can result from the reflected rays of the sun on metal objects, such as barrels. This frequently happens around docks.
- f. Watch for ducks—even when the ice is very thick, they will maintain an area of open water.
- g. For the safety of the membership, no aerator can open water more than 50' from the high water mark and not exceed beyond the legal boundaries.

Proposed Language:

Winter Recreation and Lake Use

1. Snowmobiles, motorbikes and all other vehicles operating on the ice follow the same general rules as boats, including the 30 mile per hour speed limit.
2. No hole larger than six inches in diameter shall be chopped in the ice.
3. Lake Arlann is a spring-fed lake, so beware of open water and thin ice.

Article VIII: Policy Violation Procedures

This section clearly states the process that will be used to address policy violations. The current bylaws have similar processes scattered throughout the document. We wanted to document these procedures in one place.

The current bylaws have policy violation procedures listed in ARTICLE IV ORGANIZATIONAL STRUCTURE, Section 5 Safety and Rules Committee, ©, ARTICLE XI RULES AND REGULATIONS, Section 1 and Section 4b, ARTICLE XII ENVIRONMENTAL, Section 3. Requirements For Shoreline Stabilization, (a) Enforcement, and LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS, A. GENERAL.

Current Language:

ARTICLE IV ORGANIZATIONAL STRUCTURE
Section 5 Safety and Rules Committee

(c) Adherence to the rules and regulations is best achieved by public opinion, but when infractions occur they should be enforced by the Committee and/or Board in the following manner:

- 1) Personal contact by a member, or an authorized representative of the Committee and/or Board, with the person who is in violation of the rules to discuss the violation and request that it be stopped and/or not repeated.

- 2) If the violation persists, a written notice should be sent by the Committee and/or Board to the person involved explaining the violation, the steps necessary to correct it, and offering an opportunity for the person to meet with the Committee and Board to discuss the situation if he desires.
- 3) If a meeting or hearing with the Committee and Board takes place, the decisions of the Committee and Board should be sent in writing to the person involved indicating what should be done along with an appropriate time limit. The decision of the Committee and Board shall be by majority vote.
- 4) If the problem is not resolved during the previous steps, an attorney may be contacted and legal action initiated.
- 5) In an emergency where flagrant violations are occurring or creating a hazard to people on or adjacent to the lake, some or all of the above steps may be by-passed and law officers called immediately as the situation seems to indicate.

ARTICLE XI RULES AND REGULATIONS

Section 1 If a property owner or his/her guest violates any of the Safety Rules and Operating Procedures and Regulations, the property owner may be fined up to \$100.00 per violation per day and double the amount of the fine for each violation thereafter. The property owner will also be required to pay any such reasonable legal fees and costs the Association might incur for the collection of such fine.

Section 4

(b) Adherence to the rules and regulations of the Association is best achieved by public opinion, but when infractions occur they shall be enforced by the Committee and Board in the following manner.

- (1) If a property owner or his/her guest violates any of the Rules and Regulations, personal contact will be made by either a member of the Safety and Rules Committee or a member of the Board to discuss the violation and request that it be stopped and/or not be repeated.
- (2) If the violation persists, a written notice, via certified mail shall be sent to the property owner. The notice shall outline the violation, provide steps needed to correct the violation, and offer an opportunity to meet with either the Committee or the Board.
- (3) If a meeting with Committee and/or the Board takes place, the decision of the Board, by majority vote, will be reduced to writing and sent to the property owner.
- (4) If the property owner does not recify the violation, within the timeline outlined in the violation letter, and chooses to continue to violate the Rules and Regulations, the Board will assess a fine of \$100 per day.
- (5) If the violation continues and the fine isn't paid within the time outlined in the letter, a lien will be filed against the property at the Tazewell County Recorder of Deeds.
- (6) The Association Attorney may be contacted so legal action can be taken.

(7) If a flagrant violation occurs, and/or creates a hazard to members of the Association, some or all of the above steps will be by-passed and the Police will be called immediately.

ARTICLE XII ENVIRONMENTAL

Section 3. Requirements For Shoreline Stabilization

(a) Enforcement

Due to the ongoing concerns of silt and shoreline erosion the Board may enforce this Section of the Bylaws. The Board may take any required legal action, after consultation with its Attorney, to enforce compliance with this Section upon a majority vote in favor. Legal actions the Board will consider include, but are not limited to, a civil lawsuit, referral and reporting to the appropriate environmental agencies, and a potential lien recording.

LAKE ARLANN HOMEOWNERS ASSOCIATION SAFETY RULES & OPERATION PROCEDURES & REGULATIONS

A. GENERAL

If a property owner or his/her guest violates any Safety, Operating Procedure, and/or Regulation, the property owner could be fined \$100.00 per violation and the amount of the fine would be doubled for each violation thereafter. The property owner will also be required to pay any reasonable legal fees and costs the Association might incur for collection of such fine.

Proposed Language:

If a property owner or his/her guest violates any Lake Arlann Policy, the following steps shall be taken:

1. Personal contact shall be made by either a member of the Lake-use Safety and Policy Committee or a member of the Board to discuss the reported policy violation and request that it be stopped and/or not be repeated.
2. A written letter will be sent to the property owner that describes the policy violation with the steps needed to correct the violation, and an opportunity to meet with the Board.
3. If a meeting with the Board takes place, the decision of the Board with directions and a timeline to address the violation shall be sent to the property owner via certified mail.
4. If the property owner does not rectify the violation within the timeline outlined in the Board decision letter and continues to violate the Policy, the Board shall assess a fine of one hundred dollar (\$100) per occurrence, and a letter documenting the fine will be sent to the property owner via certified mail.
5. If the property owner does not pay the fine or notify the Board with a payment plan or provide the Board written notification that they are disputing the policy

violation within thirty (30) days, the Board shall turn the matter over to the LAHA attorney for further action.

6. If a resolution that satisfies the Board is not reached within sixty (60) days of the initial Board decision letter, a lien shall be filed against the property at the Tazewell County Recorder of Deeds.
7. Once a lien has been filed against the property at the Tazewell County Recorder of Deeds, the property owner's rights to use Lake Arlann shall be suspended until the lien and all fines are paid.
8. The property owner shall be responsible for paying the legal fees and costs LAHA incurs for collection of fines, recording of liens against the property, and other costs associated with the policy violation(s).

If a flagrant violation occurs, some or all the above steps may be by-passed, and the Police shall be called immediately.