

Introduction

The Lake Arlann Homeowners Association (LAHA) By-Laws were created by looking at other Central Illinois lake homeowners' association by-laws while referencing the LAHA By-Laws as amended in June 2023. The intent of the revised By-Laws is to identify outdated or irrelevant information, to incorporate best practices, and to follow current state regulations for not-for-profit boards.

Lake Arlann Homeowners Association (LAHA)
Pekin, Illinois
By-Laws

Originally adopted January 1970, and amended in 1971, 1975, 1979, 1994, 1996, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2009, 2012, 2014, 2015, 2017, 2018, 2020, 2021, 2022, and 2023.

Comment [BDM1]: The Association website shows the current and prior versions of the Bylaws. The 2017 through 2021 copies of the bylaws show recorded versions of the Bylaws. The 2022 copy is not a copy that was recorded. The list of Bylaws also shows a 2023 version. The Bylaws must be recorded to be enforceable against the lot owners. I am assuming that the Association will record the new Bylaws as approved. Please let me know if you would like me to assist you with recording the bylaws.

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Article I: Name, Purpose, and Mission Statement

Name

Lake Arlann Homeowners Association (LAHA).

Note: The official name of the LAHA as an Illinois not for profit corporation is the Arlann Lake Homeowner's Association. However, by long tradition the 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).

Comment [BDM2]: The Secretary of State's Business Entity Search did not show an entity named Lake Arlann Homeowner's Association. It does show an Arlann Lake Home Owner's Association Active since 1956, with the current registered agent as Mary Jane Ingram.

I will send a copy of the Secretary of State's web page.

Due to the long tradition of referring to the association as the Lake Arlann Homeowner's Association I suggest adding a statement referencing that the official name of the association is Arlann Lake Homeowner's Association I note that previous versions of the bylaws contained a similar reference. (2021 Bylaws)

Purpose

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.

Comment [BJ3]: At least one deed for a property on Rosewood Lane says something about the property extending to the low watermark that happens from time to time. Is this a conflict?

Comment [BDM4]: Added to broaden the scope and references the that you are a not for profit

Mission Statement

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

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.

Comment [BDM5]: References the Illinois Not for Profit act New Section to add to table of contents

Personal Application

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.

Comment [BJ6]: Does this legally apply to Rosewood Lane and Mitchell Street residents? We don't think that their deeds compel them to be LAHA members. This is a significant issue. Their deeds specify small boats and motors and we think that they should become members to use the lake with our boat and motor size limits, which are much greater than those on their deeds (at least for Rosewood properties). We need to know our legal standing on this issue.

Comment [BDM7]: Added to make explicit that the Bylaws apply to all owners and tenant new table of contents

Article II: Membership

Membership Eligibility

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), each dwelling unit must pay dues to gain lake rights. It is the deed owner’s responsibility to pay the annual dues to ensure that lake rights may be conferred to the lessee.

Lake rights are the permission to use the lake for boating, fishing, swimming, skiing, tubing, snowmobiling, etc., in accordance with these by-laws.

Member Rights and Responsibilities

Rights

Voting

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 filed 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

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

1. A 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

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

Dues are paid annually for each parcel. 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 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

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.

Homeowners who have not paid their dues within sixty days (60 days) of the due date, shall incur a one-hundred-twenty-dollar (\$120.00) penalty 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 assessments, plus interest, costs, and reasonable attorney's fees in any court of competent jurisdiction.

Comment [BDM8]: The word "equitable" does not add any additional ability to enforce the association's lien. It is just a lien--and it is better than an equitable lien.

Article III: Board, Officers, and Decision Making

Purpose of the Board

The purpose of the Board is to manage Lake Arlann and its shoreline, common LAHA property, 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, and amenities.
2. Monitor and maintain safe water quality.
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 notify the Lake Arlann Drainage District and/or the appropriate authority for repair and remediation.
5. Ensure the lake and all LAHA common properties are properly insured and 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

Comment [BDM9]: I am assuming that the LAHA's annual budgeted assessments are less than \$100,000. If your budgeted assessments are more than \$100,000 then the Association will be subject to the requirements of the Common Interest Community Association Act. If you are subject to the CICA then additional bylaw language may be necessary.

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

Powers and Duties of the Board

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 Declaration;
5. To pay the common expenses;
6. To adopt rules and regulations as provided in the Declaration;
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.

Comment [BDM10]: Section added. It is important to specifically state the powers and duties of the Board in addition to its purpose.

Indemnification of Board Members

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

Comment [BDM11]: This section revised to include terms compatible with the Illinois Not for Profit Act

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

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 five (5) and a maximum of nine (9) additional members.

Officers

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

Board members shall not receive any stated salaries for their services. LAHA shall sponsor association dues for Board members and sponsor an annual recognition dinner for Board members and a guest.

Election Process and Terms

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

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 two-thirds majority vote.

Article IV: Meetings

All meetings shall be conducted in accordance with the rules and provisions set forth in ROBERT'S RULES OF ORDER, as from time to time published.

Meetings of the Members

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 to the members as may be designated in any notice of a meeting.

Comment [BDM12]: Meeting provisions have been added for the Membership meetings

Special meetings of the members may be called at any time for the purpose of considering matters that, by the terms of the Declaration, require the approval of all or some 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 [20] percent of the votes.

Written notice of any membership meeting shall be provided by email at an address provided by the members, published on the LAHA's website, and posted conspicuously on the LAHA notice boards, giving owners not less than [10] nor more than [30] days' notice of the time, place, and purpose of the meeting. At least thirty days' notice must be provided for the annual General Membership Meeting. Members shall provide an email address for accepting notices of meetings and other communications from the Board.

Comment [BDM13]: Note there is no requirement for notice by mail. You can continue with require mailed notice but email notices can result in significant cost savings.

Meetings of the Board

Notice of each meeting of the Board shall be sent by email to each Board member and posted on the LAHA website at least [48 hours] before to the meeting. Notice of each meeting of the Board shall also be conspicuously posted on LAHA Property at least [48 hours] prior to 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

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

A General Membership Meeting shall be held at least annually.

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

Quorum and Decisions

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 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. Members must be present (physically or via conference call/video call) to vote.

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 the annual General Membership Meeting. All annual General Membership Meeting decisions require a simple majority vote of the members present. If votes are not unanimous, the votes shall be recorded. Members must be present (physically or via conference call/video call) to vote.

The affirmative vote of [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 [75] percent of the votes entitled to be cast shall be required for the purchase or sale of land on behalf of all owners.

Comment [BDM14]: The percentages are examples and can be modified for the proposed bylaws. Quorum requirements should be based on historic attendance by the member to avoid a lack of a quorum.

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

Succession Plan

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

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.

1. Develop and implement plans for lake water quality testing and sharing test results with the Board.
2. Secure the necessary permits to control the goose population of the lake and share the results of control measures with the Board.
3. Develop and implement plans to manage the rough fish (carp, drum, etc.) population of the lake and share the results of control measures with the Board.
4. Develop and implement plans to manage the game fish population of the lake and share fish stocking plans and periodic fish population surveys with the Board.
5. Identify 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. Develop plans to restore and maintain overall lake health and share the results of lake health restoration and management activities with the Board.
7. Develop 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.

1. Oversee and maintain all grounds, outlots, and docks owned by LAHA.
2. Inspect and report 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.

1. Compose and distribute a newsletter, “The LAHA Times”, at least two times per year.
2. Recruit potential Board members.
3. Keep the LAHA membership informed of Board, membership-sponsored, and relevant community-sponsored social activities via social media.
4. Ensure 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.

1. Identify areas where by-laws may need to be amended.
2. Ensure any proposed amendments to the by-laws are presented to LAHA members in accordance with the by-laws’ amendment procedures.
3. Maintain accurate records of the by-laws, including amendments.
4. Keep 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.

1. Compile and maintain a list of recreational lake-use policies to ensure safe and equitable enjoyment of members.
2. Enforce recreational lake-use policies.

Leave of Absence

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

Prior to the annual General Membership Meeting each year, the Board shall develop an operating budget to be presented for approval by the members at the annual General Membership Meeting.

The budget shall be published to property owners in The LAHA Times and on the LAHA website at least thirty (30) days prior to the annual General Membership Meeting. The budget, as approved following any amendments, if applicable, will be voted on by LAHA members in attendance at the annual General Membership Meeting and shall become the approved budget with a majority vote.

Budgeted spending approved at the annual meeting shall carry 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 non-budgeted expenditures greater than five hundred dollars (\$500) must be approved by the Board.

Article VI: Amendments

The LAHA By-laws may be amended one time per year at the annual General Membership Meeting by majority vote of the members where a quorum is present. If an emergency situation arises that the Board deems necessary to amend the By-laws, a special General Membership Meeting shall be called.

Article VII: Safety, Water Use, and Structures Policies

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 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

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

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

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 changes 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

Lake Arlann speed limits for all watercraft are as follows:

- From sunset until 7:00 a.m.: “No Wake”. “No-Wake” is the slowest possible speed necessary to maintain steerage of the vessel while minimizing or eliminating waves (wake) by the boat.
- From 7:00 a.m. until 10:00 a.m.: Open to all watercraft except powered personal watercraft. Speed limit is 35 miles per hour.
- From 10:00 a.m. until sunset: Open to all watercraft. Speed limit is 35 mile per hour.

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

Aerators may not open water more than fifty (50) feet from the high-water mark of the shoreline into the lake and may not open water beyond the property owner's property line.

"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

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

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

- Thirty (30) 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

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

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

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

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

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 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

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

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

1. Snowmobiles, motorbikes and all other vehicles operating on the ice follow the same general rules as boats, including the 35 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

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.