



# LAKE HOLIDAY RULES AND REGULATIONS

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# **REGULATIONS FOR LAKE HOLIDAY PROPERTY OWNERS' ASSOCIATION**

## ARTICLE 1. RULES AND REGULATIONS

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## ARTICLE 1: RULES AND REGULATIONS

### SECTION 1. INTRODUCTION

#### 1.01 Introduction.

The Restrictive Covenants and By-Laws of the Lake Holiday Property Owners' Association empowers the Board of Directors to regulate land usage and construction improvements on private lots and the use of association's property (i.e. lake, beaches, roads, green areas. Etc.). This book contains the regulations governing the use of the Lake Holiday property and its facilities by members and their guests. These regulations were duly considered and officially adopted by the Board of Directors of the Lake Holiday Property Owners' Association. This edition reflects all changes in regulations up to **April 8, 2016** and supersedes all other regulations.

All regulations have been formulated with one foremost aim, to establish orderly and reasonable procedures for governing conduct and land usage to maintain the integrity of the development. These regulations should be accepted in a spirit of cooperation. The rule of common sense will prevail in those instances where the interpretation of a regulation is in doubt or where a specific regulation does not exist to cover a particular situation. The application of common sense and reasonableness together with respect for community and property are the primary requisites that Lake Holiday will truly be an enjoyable place to live and play.

In addition to these regulations, read and be familiar with the Lake Holiday Property Owners Association restrictive covenants and By-Laws which are recorded in the office of the LaSalle County Recorder, and which are binding upon title to, and the owners of, lots in the Lake Holiday Development. All of the restrictions and covenants are incorporated by reference and made a part of these regulations. In the event of any conflict between the Restrictive Covenants and this book, the restrictive covenants shall prevail.

The Lake Holiday Board of Directors, as mandated by the By-Laws of the Association, is empowered to set up sanctions for the violation of Association rules. Refer to Section 8 for details on enforcement and sanctions.

#### 1.02 Member Defined

"Member" - any person or spouse who has an interest as an owner in real estate situated in the Lake Holiday development, LaSalle County, Illinois; and who has paid all dues and assessments levied against them or such real estate by the Lake Holiday Property Owners Association, Inc., since said person has acquired said interest in the real estate, and who may otherwise be in good standing.

#### 1.03 Immediate Family Member Defined

"Immediate family member" - parents, spouse of a member, children, grandchildren and the spouses of married children of members.

#### 1.04 Member in Good Standing Defined.

"Member in Good Standing" - a member of the association who has paid all dues, fines and assessments and who has not otherwise been declared not in good standing.

#### 1.05 Association Amenities

Association amenities include, but are not limited to, beaches, green areas, the lake, the lodge, and other Association owned properties.

### SECTION 2. CONDUCT

#### 2.01 Obstruction.

1. No person shall knowingly resist or obstruct the performance by one known to the person to be a private security officer of any authorized act within his or her official capacity. No person shall fail or refuse to comply with any lawful order or direction of any private security officer authorized by the Lake Holiday Property Owners Association. A request to examine personal identification, such as a driver's license, in addition to a member's amenity pass shall be honored. **CLASS A VIOLATION.**

2. A private security officer of the Association shall have the authority to immediately suspend the privileges of any member, associate member or their guests who persist in the violation of any of these rules and regulations, after notice of the violation has been given. The suspension shall be in effect for no more than 24 hours, unless extended by the General Manager or the Board of Directors. Failure to abide by the suspension: **CLASS X VIOLATION.**

#### 2.02 State Law.

Applicable Illinois statutes will be enforced at Lake Holiday.

#### 2.03 Guest Policy.

Guests shall be permitted use of Association amenities, i.e., green areas, lake, beaches and constructed facilities, etc. only while accompanied by a member in good standing. In the event that the guest is providing services as a care giver to a minor, a disabled person, or the like, to whom a membership pass has been issued under Rule 2.04, that guest shall carry the pass and display it as required under Rule 2.04. **CLASS B VIOLATION.**

2.04 Pass Validation.

Members may distribute membership passes to immediate family members at the members' discretion. Passes may be issued in the name of an immediate family member who is a minor, a disabled person, or the like, for whom a care giver may be engaged. Members are responsible for the actions and conduct of their family members and guests, including care givers. Passes must be signed by the individual whose name appears on the pass, unless the person is a minor, a disabled person, or the like, in which case the pass shall be signed by the parent or guardian. Membership privileges for immediate family members are a privilege and not a right. Abuse of this privilege may result in the revocation and surrender of the card.

While using Association amenities, members and their immediate family must carry and display a valid Lake Holiday membership pass when requested by authorized staff. In the event that the family member is a minor, a disabled person, or the like, who is in the custody of a care giver, the care giver must carry and display the family member's pass when requested by authorized staff. **CLASS C VIOLATION**

2.05 Pass Surrender

Membership passes are property of the Association and provide evidence of a revocable usage privilege by the passholder. Usage abuses or failure to sign passes will result in revocation and required surrender of passes to authorized Lake Holiday Private Security Officers. **CLASS B VIOLATION.**

2.06 Pass Sales

Membership passes are intended for the protection and convenience of members; sales or transfer of membership passes is prohibited and violation of this provision may result in a \$350.00 fine and suspension of membership privileges. **CLASS X VIOLATION**

2.07 Pass Curfew.

Privileges of pass holders under 17 years of age will expire at the existing state curfew. **CLASS B VIOLATION**

2.08 Solicitation.

No soliciting shall be permitted within the Lake Holiday development, except when prior approval has been obtained from the Association. **CLASS C VIOLATION.**

2.09 Signs.

No signs may be placed upon any lot without the express written permission of the Association. The following signage is exempted from the requirement of written permission: one realty "open house" sign not exceeding 24" x 36", displayed on the property offered for sale no more than two days per month per house and limited to weekend hours between 9:00 am and 6:00 pm; garage sale signs displayed during the hours of the sale; special event signs displayed on the day of the event and announcement signs, such as a birth notice, may be displayed for 72 hours. Small signs indicating names or addresses are permitted. Signs endorsing political candidates or recommending a political position may be posted by a member-in-good standing on his own property beginning two weeks prior to the date of the election concerned. Signs may not exceed 24" by 24", and must be removed within 72 hours following the closing of the polls. **ABSOLUTELY NO SIGNS ARE PERMITTED ON ASSOCIATION PROPERTY OR WITHIN 20 FEET OF THE ROAD. NO SIGNS ARE ALLOWED ON THE LAKEFRONT. CLASS C VIOLATION.**

2.10 Defacing and Vandalism.

Defacing or damaging Association property is prohibited and willful or malicious damage to any property within the Lake Holiday development is prohibited. **CLASS A VIOLATION.**

2.11 Garage Sales.

No more than two garage type sales may be held at any household within the Lake Holiday development in any calendar year. Garage type sales shall include-yard sales-rummage sales-estate sales-moving sales or any other type of residential sale. **CLASS B VIOLATION.**

**SECTION 3. VEHICLE & TRAFFIC REGULATIONS**3.01 Illinois Vehicle Code.

The Illinois Vehicle Code, as may be subsequently amended, must be observed by the operator of any vehicle within the Lake Holiday development. Those provisions apply unless displaced by a particular provision of these rules and regulations. Any vehicle requiring a state license to travel on Illinois streets and highways must bear a valid state license when in the Lake Holiday development. **CLASS C VIOLATION**

3.02 Car Stickers.

All automobiles registered in the name of a property owner or to an address within the Lake Holiday development shall be required to display a current Lake Holiday vehicle sticker permanently affixed to the lower left-hand corner of the windshield. Vehicle stickers are intended for the protection and convenience of members; unauthorized use and/or transfer of a sticker is strictly prohibited. **CLASS B VIOLATION.**

3.03 Right of Way.

Pedestrians shall have the right-of-way at all times on all roads in the Lake Holiday development. **CLASS A VIOLATION.**

3.04 Weight and Usage.

No car or truck may be driven on the ice of the lake, except for authorized lake maintenance, nor anywhere other than an established roadway at any time. During certain months of the year, a 10-ton weight limit is imposed on all Lake Holiday roads. When this weight limit is in effect, a notice will be posted at all lake entrances. Use of Lake Holiday roads by overweight vehicles during posting shall require a special movement permit, as issued by the Association. **CLASS A VIOLATION.**

3.05 Mufflers.

All motorized vehicles operated at Lake Holiday shall be equipped with adequate and constant muffler systems so as to prevent any excessive and/or unusual noise. **CLASS C VIOLATION.**

3.06 Accidents.

All persons operating motor vehicles who are involved in an accident that results in personal injury or property damage shall report or cause to be reported this information to the Lake Holiday Private Security (815-498-2911 or 815-474-5604). **CLASS A VIOLATION.**

3.07 Unattended Vehicles.

Motorized vehicles left unattended on Lake Holiday Association, Inc. property for more than 3 days and/or motorized vehicles that may constitute a road hazard, may be removed with the cost assessed to the owner. **CLASS C VIOLATION.**

3.08 Licenses.

Every person operating a licensed vehicle within the Lake Holiday development must possess a valid operator's permit as set forth in the Illinois Vehicle Code. **CLASS A VIOLATION.**

3.09 Traffic Control Devices.

All persons at Lake Holiday shall obey the instructions of any applicable traffic control device placed by Lake Holiday Property Owner's Associations. **CLASS C VIOLATION.**

3.10 Speed Limit.

Unless otherwise posted, the speed limit on all Lake Holiday roads shall be 25 miles per hour. Speed limits shall be strictly enforced.

Violations from 1 to 10 mph over the posted speed limit are **CLASS C VIOLATIONS.**

From 11 to 15 mph over the posted limit are **CLASS B VIOLATIONS.**

From 16 mph or over the posted limit are **CLASS A VIOLATIONS.**

3.11 Reckless Driving.

No vehicle may be operated on any Lake Holiday roadway at a speed which is greater than is reasonable and proper with regard to traffic conditions or would endanger life or property. Although vehicle speed may not exceed the posted limit, this does not relieve the driver of the responsibility for reducing speed at intersections, hills, pedestrian crossings, or where special hazards exist to avoid collision. **CLASS B VIOLATION.**

3.12 Standing Vehicles.

Attended vehicles that are standing may do so if they pull off to the side of the road so that at least (2) wheels are off the roadway. This must be done, except where it is physically impossible due to terrain conditions. **CLASS D VIOLATION.**

3.13 Reserved Parking.

Parking shall be prohibited in those areas that are posted by signs as being reserved for specific persons or vehicles. **CLASS D VIOLATION.**

3.14 Truck Parking.

No overnight parking of semi-tractors, semi tractor-trailers, semi-trailer rigs or commercial vehicles over 10,000 lbs. is allowed within the Lake Holiday development. **CLASS D VIOLATION.**

3.15 Overnight Parking.

The parking of unattended vehicles during the hours of darkness shall be permitted only if all four wheels of the vehicles are off the improved roadway and the vehicles do not otherwise constitute a road hazard. **CLASS D VIOLATION.**

3.16 Green Area Parking.

Parking at designated green areas is allowed on the gravel areas only. If conditions permit, vehicles are allowed to pull up to the pavilions to unload picnic supplies and/or handicapped guest but must return to the gravel areas for any extended periods. If the prevailing soil conditions are excessively wet, absolutely no vehicles will be allowed off the designated gravel parking areas. No overnight parking shall be allowed on any green area. **CLASS C VIOLATION.**

3.17 Passing.

Passing of slow or standing vehicles may be done on the left side of the roadway when such a maneuver can be performed without interfering with approaching traffic. Passing is prohibited on hills, curves, or within 150 feet of an intersection. **CLASS C VIOLATION.**

3.18 Right of Way Emergency Vehicles.

All motor vehicle operators shall yield the right-of-way to emergency vehicles displaying a red or blue oscillating light and/or sounding audible alert either by horn or siren. All vehicles approached on the road by an emergency vehicle, having a light and/or audible alert, shall immediately pull to the right of the roadway and slow to a stop. The vehicle may then proceed with caution if not detained or if the emergency unit has passed. **CLASS B VIOLATION.**

3.19 Off Road Vehicles.

Off road vehicles (i.e. dirt bikes, trail bikes, quad runners, snowmobiles, motor scooters, etc.) are prohibited on Association property, roads, and green areas exclusive of the ice of the lake during winter months except in the case of emergencies. **CLASS A VIOLATION.**

3.20 Golf Carts, UTV's & Low Speed VehiclesDefinition

"Golf cart" means a vehicle specifically designed and intended for the purpose of transporting one or more persons and their golf clubs or maintaining the condition on the grounds on a public or private golf course.

"Low Speed Vehicle" means any 4-wheeled motor vehicle whose top speed is greater than 20 miles per hour, but not greater than 25 miles per hour. This group includes neighborhood electric vehicles, and speed-modified golf carts, whose top speed is greater than 20 miles per hour, but not greater than 25 miles per hour. The maximum speed of these vehicles will be taken from the manufacturers specifications.

"UTV" means Utility Task Vehicle designed primarily for recreational use or for the transportation of property or equipment and equipped with a truck like bed.

**Operation on Streets**

It shall be approved to operate a golf cart, UTV or low speed vehicle on LHPOA roadways **ONLY** subject to the requirements and regulations of this chapter.

**Required Equipment**

The following equipment is required to be present and operational at all times.

- A. Brakes.
- B. Steering Apparatus.
- C. Tires.
- D. Rearview Mirror.
- E. A slow moving emblem as required by 625 Illinois Compiled Statutes 5/12-709 attached to the rear.
- F. A headlight that emits white light visible from at least five hundred feet (500') to the front.
- G. A tail lamp that emits red light visible from at least one hundred feet (100').
- H. Brake lights on the rear.
- I. Turn signals on the front and rear.
- J. Seatbelts as required by manufacturer or by state law.
- K. Failure to maintain the above. **CLASS C VIOLATION**

**Insurance Requirements**

Any person operating a golf cart, UTV or Low Speed Vehicle on LHPOA roadways must have proof of liability insurance, meeting Illinois statutes requirements. **CLASS C VIOLATION**

**Lights**

A golf cart, UTV or low speed vehicle must have its front and rear lights on at all times. **CLASS C VIOLATION**

**Age of Operator**

No person shall operate a golf cart, UTV or low speed vehicle on LHPOA roadways unless they are sixteen (16) years of age or older and shall also have a valid Illinois Drivers license. **CLASS A VIOLATION**

**Lake Holiday Registration**

Any person wishing to register a golf cart, UTV or low speed vehicle with the Association must submit that cart or vehicle for a safety inspection to be conducted by LHPOA Security at a predetermined place and time. Once the cart or vehicle has passed the inspection, and the inspection certificate has been signed, the Member must then provide proof of insurance at the LHPOA. The insurance requirements are as follows:

- A. The golf cart, UTV or low speed vehicle is covered by a liability insurance policy as required by 7-601 of the Illinois Motor Vehicle Code.
- B. The operator of the golf cart, UTV or low speed vehicle carries with him/her proof of liability insurance as required by section 7-602 of the Illinois Vehicle Code.

Every application for a permit shall be made on a form supplied by the LHPOA Office and shall contain the following information:

- A. Name, address and phone number of applicant.
- B. Name and phone number of Liability Insurance carrier.
- C. The serial number, make, model and description with photo of the golf cart, UTV or low speed vehicle.
- D. Signed waiver of liability by applicant releasing the LHPOA from any and all future claims resulting from the operation of their golf cart, UTV or low speed vehicle pursuant to the Rules or any other Rules of the LHPOA
- E. Upon initial registration of golf cart, UTV or low speed vehicle, proof of insurance must be provided which meets 7-601 of the Illinois Motor Vehicle Code. After the first year of registration, a form must be completed stating the member has maintained the required insurance.
- F. Such other information as the LHPOA Office may require.



G. After these criteria have been met, a yearly registration fee of Fifty (\$50) dollars must be paid to LHPOA. Once the registration has been paid, the Member will be issued a vehicle sticker and identification number, which is valid from March 1st of the current year to March 1st of the following year. Golf carts, UTV's and low speed vehicles are required to be inspected once, unless modifications have been made. If modifications are made which may affect the cart or vehicle's ability to meet these rules, the member must have the cart re-inspected.

H. Lake Holiday permit number must be displayed on the rear of the vehicle facing backwards. Blue identification numbers will be provided by LHPOA for a one time charge of twenty (\$20) dollars and must be displayed on a white background. If new registration numbers are required for any reason, there will be a replacement fee of twenty (\$20) dollars. Only identification numbers provided by LHPOA will be allowed. A current Lake Holiday registration sticker must be displayed to the right of the registration number.

I. Failure to follow the proper registration process. **CLASS B VIOLATION**

J. Deliberate falsification of any information pertaining to golf cart, UTV or low speed vehicle registration shall result in the revocation of all golf cart, UTV and low speed vehicle privileges for a period of 12 months for that membership. Violation may also result in a loss of all membership privileges for a period of up to one year. **CLASS X VIOLATION**

#### **Rules for Safe Operation**

A. Golf Carts, UTV's and Low Speed Vehicles must follow all rules in Section 3. Vehicles and Traffic Regulations. Failure to do so is punishable by a Class C Violation, unless otherwise stated.

B. Maximum speed for a golf cart, UTV or low speed vehicle is 25 mph. **CLASS X VIOLATION**

C. Golf cart, UTV and low speed vehicle drivers must yield the right-of-way to overtaking vehicles and pedestrians at all times. **CLASS B VIOLATION**

D. The maximum occupancy of golf carts, UTV or low speed vehicles traveling on LHPOA roadways will be one person per bucket seat or two people per bench seat. **CLASS B VIOLATION**

E. No unsafe modifications may be made to the vehicle's suspension. **CLASS C VIOLATION**

F. Golf carts, UTV's and low speed vehicles shall not be operated in inclement weather, nor when visibility is impaired by weather, smoke, fog or other conditions; or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet. The LHPOA Security officers shall determine when conditions are not appropriate for the safe operation of golf carts, UTV's or low speed vehicles. **CLASS D VIOLATION**

G. Golf Carts, UTV's and low speed vehicles may only be operated on Association owned roadways and parking lots. Golf carts, UTV's and low speed vehicles are not to operate off road in Association owned common areas. The only exception will be in the case of a member able to prove limited mobility. A member able to show proof of limited mobility may be issued a special permit by Lake Holiday Security. This will allow them to travel on Association Green Areas so long as they do not cause a hazard to other users and/or damage the turf. **CLASS C VIOLATION**

H. No Golf Cart, UTV or Low Speed Vehicle may be operated in a reckless or dangerous manner. An operator, who does so, will be charged with Reckless Operation. **Class X Violation**

I. Only members in good standing are permitted to have their registered golf cart, UTV or low speed vehicle operated in Lake Holiday. The member, an immediate family member in good standing, or approved renter may operate a registered golf cart, UTV or low speed vehicle belonging to another member with that owner's permission. If a citation is received; it will become the responsibility of the person borrowing the golf cart, UTV or low speed vehicle, and if not resolved will become the responsibility of the golf cart, UTV or low speed vehicle owner. **CLASS C VIOLATION**

#### **Violations**

The LHPOA Board of Directors may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of these rules or if there is evidence that the permit holder cannot safely operate the golf cart, UTV or low speed vehicle.

Two rule violations or more in one year can result in the loss of golf cart, UTV or low speed vehicle registration with no refund of the registration fee.

## **SECTION 4. LAKE USAGE**

### **4.01 Beach Usage and Swimming**

The beaches may only be used by members in good standing and their guests. Beach users must carry and display a valid Lake Holiday membership pass when requested by authorized staff. Children under 16 years of age must be accompanied by an adult at all times. Swimming from Association property is only permitted at designated areas of beaches 1 and 2. Swimming off all other Association property and green areas is prohibited. Swimming is prohibited inside the buoys at the dam which are marked "Danger Dam". Swimming off private property remains at the discretion of the property owner. Swimmers who enter the lake from private property must stay within and along 75 feet of shoreline. Swimming off boats at anchor is permitted where safe. **CLASS C VIOLATION**

## **ILLINOIS DEPARTMENT OF PUBLIC HEALTH BEACH RULES**

1. The beach water is not suitable for drinking. Avoid swallowing beach water.
2. Admission to the beach may be refused to all persons having any contagious disease, infectious conditions such as colds, fever, ringworm, foot infections, skin lesions, carbuncles, boils, diarrhea, vomiting, inflamed eyes, ear discharges, or any other condition which has the appearance of being infectious. Persons with excessive sunburn, abrasions which have not healed, corn plasters, bunion pads, adhesive taped, rubber bandages of any kind may also be refused admittance. A person under the influence of alcohol or exhibiting erratic behavior shall not be permitted in the beach area.
3. Littering is prohibited. In addition, no food, drink, gum or tobacco is allowed in the water. Glass containers are prohibited throughout

the beach area.

4. All children who are not toilet-trained shall wear tight fitting rubber or plastic pants.
5. No one should swim alone.
6. Persons under the age of 16 must be accompanied by a responsible person 16 years of age or older unless a lifeguard is present.
7. Personal conduct within the beach must be such that safety is not jeopardized.
8. Diving in shallow water is not permitted.
9. Caution shall be exercised in the use of diving facilities.
10. Swimming is prohibited after sunset or before sunrise, or when lightning is present, including a 15-minute period after the last lightning observed.
11. No pets are permitted in the beach area.
12. Feeding of wildlife or other actions that encourage their presence is prohibited.

#### 4.02 Lifeguard Authority.

When on duty, the lifeguards have complete authority over the beach area. All beach rules as posted and amended from time to time shall be adhered to. **CLASS B VIOLATION.**

#### 4.03 State Boat and Safety Act.

The provisions of the State of Illinois Boat and Safety Act are incorporated by reference into these regulations.

Every boat operator is required to know the boat registration and safety act. Any violation of the act is a violation of these rules. The provisions of the act are available at any marina; the Lake Holiday office and they will be published at least once per year in the Lake Holiday News.

The operator of any watercraft that is towing a person or persons shall display on the watercraft a bright or brilliant orange flag measuring not less than 12 inches per side. The flag shall be displayed at the highest point of the area surrounding the boat's helm as to be visible from all directions, continuously, while the person or persons being towed depart the boat in preparation for towing and until reentry into the boat when the activity has ceased. Display of the flag for purposes other than the activity described in this Section is prohibited.

**CLASS B VIOLATION**

##### 4.03.1 Age of Operation

Persons under the age of 12 are prohibited from operating a motorized vessel on Lake Holiday.

Persons between the ages of 12 and 16 may operate a motorized vessel, including a personal watercraft, only if they are accompanied by or under the direct on-board supervision of a person over 18 who has a Boating Safety Certificate.

Persons between 16 and 18 may operate a motorized vessel, including a personal watercraft, only if they have a Boating Safety Certificate or under the direct on-board supervision of a person over 18 who has a Boating Safety Certificate. **CLASS B VIOLATION**

#### 4.04 Racing.

The racing of powerboats is not permitted. **CLASS B VIOLATION.**

#### 4.05 Restricted Areas.

No boat may be operated (except the lake maintenance and patrol boats) in any restricted areas which are marked by buoys or which may be otherwise designated from time to time. Kayaks, canoes, non-motorized sailboats and paddle boats shall be permitted to operate in the restricted area between the islands and Beach 2, however no fishing from said watercraft may occur in this area. **CLASS C VIOLATION.**

#### 4.06 Docking and Beaching.

No docking or beaching of boats is permitted in any posted area or on the shoreline of a privately owned lot unless the owner of the property has previously given permission. **CLASS C VIOLATION.**

#### 4.07 No Wake

A No Wake condition shall exist on the entire lake when posted by the Private Security Department and shall remain until declared safe and posting is lifted. No Wake operation will be posted when excessive debris is present or when water levels exceed the 635-foot elevation by 8 inches or more. Postings will remain until water levels return to less than 8 inches above the 635-foot elevation, or at the discretion of the Association. **CLASS A VIOLATION.**

##### 4.07.1 Idle Speed Definition

Idle Speed Zone (Area North of Beach 3 Only) - Boats must travel at the lowest possible speed to maintain headway while in the area posted Idle Speed Only. **CLASS C VIOLATION**

#### 4.08 Lake Closings.

The lake will be closed to all recreational traffic whenever the level reaches 18" above normal pool or when excessive debris or other circumstances dictate the closing. Once the lake level recedes below 18" above normal pool the lake will be opened to no-wake condition if the lake is deemed safe to travel. **CLASS A VIOLATION**

#### 4.09 Boating Accidents.

Any boating accident shall be reported to the Lake Holiday Private Security (815-498-2911 or 815-474-5604). **CLASS B VIOLATION**

#### 4.10 Overnight Docking.

Overnight docking at Association owned docks is prohibited except by permit obtained from the Association. **CLASS C VIOLATION.**

#### 4.11 Docking Permits.

The mooring, beaching or any other form of securing a watercraft to Association property without a permit will not be allowed. **CLASS C VIOLATION.**

Each year in January a dock permit request form will be published in the Lake Holiday News - members wishing to rent a dock from the Association must complete the form and submit it to the Lake Holiday Office.

Dock slips may be reserved on a year-to-year basis provided the permit fee and dues have been paid by the March 1 deadline each year. Any dock slip not reserved by March 1 will be available to other members on a first come first serve basis.

#### 4.12 Boat Registration Required.

Only members in good standing or Association approved renters may register a watercraft at Lake Holiday. All watercraft registered must be owned and titled in the name of the property owner or renter. **CLASS B VIOLATION.**

#### 4.13 Authorized Watercraft Operators.

Only members in good standing are permitted to have their registered watercraft operated on Lake Holiday. The member, an immediate family member in good standing, or approved renter may operate a registered watercraft belonging to another member with that owner's permission. If a citation is received; it will become the responsibility of the person borrowing the watercraft, and if not resolved will become the responsibility of the boat owner. **CLASS C VIOLATION.**

#### 4.14 State Registration.

Any boat operated upon Lake Holiday must be registered with the state in accordance with state law. All such boats must clearly display the state registration sticker and numbers as required by state statute. **CLASS D VIOLATION.**

#### 4.15 Registration Procedure.

All boats (i.e. motorized and non-motorized) must be registered with the office before launching on the lake. To register a boat, the following information must be provided:

1. A copy of the registration or certificate of number issued by Illinois or the state in which the owner resides, if registration is required by the state.
2. A certificate of marine public liability and property damage insurance (min. \$100,000.00) is required on all boats over 10 hp.
3. The fees for boat registration are established annually and are published in the Lake Holiday News.
4. Registration may be completed by mail or at the LHPOA office, during normal business hours. **CLASS C VIOLATION.**

#### **LIMITS ON MOTOR SIZES:**

250 hp for inboard/outboard motors  
350 hp for inboard motors  
225 hp for outboard motors  
1100cc and 120 hp maximum for Personal Watercraft (JET SKI)

All boats are limited to less than 21 feet, molded swim platform included, bolted platforms considered an accessory with the exception of pontoon boats, which must be 28 feet or less. Limit of two hulled motor craft, no more than one of which shall be a personal watercraft (Jet Ski), (limited number of registrations allowed per year) one pontoon boat and one sailboat over 12 feet allowed to register per lot.

No boat will be registered with a motor that exceeds the size rating by the U.S. Coast Guard for that particular watercraft. Coast Guard rating appears on a plate attached to all watercraft.

Each year a limited number of PWC registrations will be allowed.

Those members currently allowed to register a PWC may continue to register the PWC annually provided proper documentation, dues and watercraft fees are received in the Lake Holiday office by March 1 each year.

After March 1, if the maximum number of allowed PWCs have not been registered, members who have previously placed their name on the waiting list will be contacted and given one month to register a PWC until the maximum number is met.

Any member in good standing may ask to be placed on the waiting list to be allowed to register a PWC. In order to remain on the list, members must pay their dues by March 1<sup>st</sup> each year.

Members will be responsible for notifying the office if the phone number on the list has changed.

#### 4.16 Decals.

Each boat seasonally registered with the office in accordance with Section 4.15 above shall be given a Lake Holiday registration decal. The decal must be displayed clearly on the right hand side of the boat. Any person operating a boat not displaying a

current Lake Holiday registration decal will be subject to a fine and/or suspension of boating privileges. **CLASS C VIOLATION.**

4.17 Registration Limits.

There shall be a limit of two hulled motorized watercraft, no more than one of which shall be a personal watercraft, one pontoon boat and one sailboat over 12 feet allowed to register per lot.

4.18 Red Numbers.

Watercraft used on Lake Holiday, in addition to all other registrations are required to display a red three digit identification number assigned by the Association. These numbers are available from the LHPOA office and must be affixed to the sides of the craft toward the stern above the waterline. The following crafts are exempt: sailboards, paddleboats, rubber rafts, and small sailboats without sufficient freeboard to make display possible. Only those numbers supplied by the Association will be acceptable for display. **CLASS C VIOLATION.**

4.19 Falsification of Registration.

Deliberate falsification of any information pertaining to boat registration shall result in the revocation of all boating privileges for a period of 12 months for that membership. Violation may also result in a loss of all membership privileges for a period of up to one year. **CLASS X VIOLATION.**

4.20 Safe Speed.

Boats must never be operated at a speed which is unsafe for the prevailing conditions. **CLASS B VIOLATION.**

4.21 No Wake and Idle Speed Areas

No Wake Zones- A wake is defined as a movement of the water created by a boat underway great enough to disturb a boat at rest, but under no circumstances shall a boat underway exceed 5 miles per hour while in a posted "No Wake" area.

Idle Speed Zone (Area North of Beach 3 Only) - Boats must travel at the lowest possible speed to maintain headway while in the area posted Idle Speed Only. **CLASS C VIOLATION**

4.22 Reckless Operation.

No boat may be operated in a reckless or otherwise dangerous manner. **CLASS X VIOLATION.**

4.23 Night Operation.

No boat may exceed a speed of five (5) mph between the hours of sunset and sunrise. Suitable running lights as required by State law shall be displayed during these times. **CLASS B VIOLATION.**

4.24 Traffic Flow.

Traffic flow for motorized boats and water skiing boats must be in a counterclockwise direction around the lake. **CLASS C VIOLATION.**

4.25 Divers.

Boats must stay 150 feet from a flag or buoy marking the presence of a scuba diver underwater. **CLASS B VIOLATION.**

4.26 Speed Limit

No boat may exceed a speed of 35 mph on Saturdays, Sundays or holidays between the hours of 10:00 a.m. and 6:00 p.m. At all other times the maximum speed limit shall not exceed 45 mph. Violations up to 15 mph over the posted limit is a **Class C Violation**, 15 mph over the posted limit or more is a **CLASS B VIOLATION.**

4.27 Damaging/Hazardous Wakes

1. As the speed of a boat is increased, the bow rises, causing the stern to plow through the water. Maintaining this state without transitioning to plane creates the largest wake and has the potential for the most damage. Therefore, plowing for an excessive time is prohibited. Plowing for more than one minute will be considered excessive although a lesser period may qualify under certain circumstances. No boat shall be operated in such a manner as to obstruct the vision of the operator or create an unusually high or hazardous wake.

2. The use of all wake enhancing devices is prohibited. This includes devices that add weight to a boat including, but not limited to, water or sand filled bags, bladders, pods, sofas, launch pads, fat bladders, locker sacks, etc and the use of wedges, power fins or homemade devices. **CLASS B VIOLATION.**

4.28 Personal Watercraft (Jet Ski) (Limited Number of Registrations Allowed Per Year) - See rule 4.15 for PWC Registration and Waiting List Procedure.

1. No registered PWC may be operated on the lake unless the immediate family member in good standing or approved renter is present on the PWC.
2. No jumping other boat's wakes.
3. No spins or other maneuvers within 100 feet of any watercraft, structure or shoreline.
4. IDLE SPEED ONLY within 100 feet of any watercraft, structure or shoreline. **CLASS A VIOLATION**

4.29 Tubing, Wake Boarding and Skiing.

1. Towlines are to be 75 feet or less.
2. Watercraft and pulled skiers, wake boards or tubes must be 100 feet away from all other watercraft structure or shorelines.
3. No zigzagging or 360 degree turns of boats pulling tubers.
4. Wake surfing off the wake of a motor is prohibited.
5. Any device that is towed behind a watercraft that is capable of sustained flight is prohibited.
6. Width of towed devices shall not exceed 8 feet. **CLASS B VIOLATION.**

4.30 Jumps.

Jumps and slalom course may not be used in connection with skiing activities unless express written permission is first obtained from the Lake Holiday Private Security. **CLASS C VIOLATION.**

4.31 Skiing Hours.

Skiing is allowed on Lake Holiday during the hours from sunrise to sunset only. **CLASS C VIOLATION.**

4.32 Boating Violation Penalty.

Any member receiving two boating citations, within two months of each other, will lose boating privileges for a period of two weeks from the date of the second conviction. A third conviction will result in loss of boating privileges for the remainder of the current year.

4.33 State Fishing Laws.

The regulations of the State of Illinois pertaining to fishing are incorporated by reference into these regulations and are applicable to all fishing activities at Lake Holiday. Thus, Illinois regulations governing fishing licenses, seasons and legal methods of fishing must be observed by property owners and their guests. **CLASS C VIOLATION.**

4.34 Trot Lines.

The use of trotlines, power lines, jugs, setlines, seines (except by authorized lake division and Department of Conservation personnel) and unattended lines is prohibited. **CLASS C VIOLATION.**

4.35 Size Limits.

The fish size and daily bag limits are subject to change on an annual basis by the Board of Directors and will be published from time to time in the Lake Holiday News. Sizes and limits are also posted. **CLASS B VIOLATION**

4.36 Rough Fish.

It is requested that any rough fish (i.e. carp, suckers) caught not be returned to the lake.

4.37 Boat Docks.

When constructing a new dock or making a change in an existing dock, the property owner must first apply for a permit at LHPOA office. Boat docks must be maintained so as to not present any hazard to operations on the lake. **CLASS B VIOLATION.**

4.38 Boat Docks & Lifts.

Boat docks and lifts are governed by Building Code 4.10.

4.39 Swimming Rafts.

Placing of swimming rafts, (including inflatable's) private buoys or markers is prohibited unless a permit is obtained from the LHPOA. All rafts will display the lot number. All rafts will display yellow or orange reflectors on all sides or at every 90 degrees. **CLASS B VIOLATION.**

4.40 Distance from Shore.

No swim rafts, markers/buoys or other devices may extend more than fifty (50) feet from shore unless approved by the Board. **CLASS B VIOLATION.**

4.41 Marking.

Each waterfront lot with a home must have its lot number displayed on the property, and be of such size and style so as to be distinctly and easily read at a distance of 75 feet from the shoreline, with a number height of no less than 4 inches. **CLASS C VIOLATION.**

4.42 Penalties.

Violation of section 4.37-4.40 will result in removal of the unauthorized equipment with all costs charged to the member. **CLASS C VIOLATION**

4.43 Deicers

No device for the purpose of prohibiting the freezing of the lake will be allowed in Lake Holiday. **CLASS X VIOLATION**

4.44 Additions to Lake

No one shall intentionally place, or cause to be placed, any of the following into the lake without first obtaining the permission of the Association: any fish or other aquatic life; any aquatic plants; any artificial fish cover, including but not limited to brush, blocks, tires or trees. The Association reserves the right to refuse such placement, or permit placement with conditions, to protect the overall health of the lake. This rule shall not apply to catch and release activities. **CLASS X VIOLATION**

**SECTION 5. AMENITIES USAGE**

**LODGE USAGE**

5.01 Pets.

No pets are allowed in the lodge or any other Association building without the approval of the Board of Directors. The only exception shall be guide dogs. **CLASS C VIOLATION.**

5.02 Alcohol.

No alcohol shall be sold or offered for sale by Lessee, guests or employees. **CLASS B VIOLATION.**

5.03 Picnicking.

Picnicking is not allowed in the lodge. **CLASS D VIOLATION.**

5.04 Sanctioned Groups.

Sanctioned groups and organizations may use the lodge for meetings and fund raising programs without any charge.

**GREEN AREA USAGE**

5.05 Green Area Usage.

All green areas shall be off limits to persons under 17 years of age unless accompanied by person 21 years of age or older from sunset to sunrise, or as otherwise posted. **CLASS B VIOLATION**

5.06 Pets on Green Area.

All pets must be leashed at all times when on green areas and it is the responsibility of the owner to clean up after the pet. No pets allowed on beaches or otherwise posted areas. **CLASS C VIOLATION**

5.07 Open Fires.

Open fires are prohibited on green areas and beaches. **CLASS C VIOLATION.**

5.08 Equipment.

All refuse containers, picnic tables, and grills must remain on the green areas to which they have been assigned. **CLASS C VIOLATION.**

5.09 Lake Holiday Park

No organized leagues are to use Lake Holiday facilities for practices unless permission has been granted by the Lake Holiday Board of Directors. All such teams if granted permission must carry organized team sport insurance for bodily injury and property damage and provide the Association with a copy of the policy. **CLASS C VIOLATION**

5.10 Hardball.

The use of hard baseballs is prohibited. **CLASS C VIOLATION.**

**SLEDDING HILL USAGE**

5.11 Motorized vehicle.

No motorized vehicles are allowed in the sledding area. **CLASS C VIOLATION.**

5.12 Safety

Participants are responsible for removing dangerous objects or conditions prior to using the facility.

5.13 Age Limits.

Children 12 years old and younger must be accompanied and supervised by an adult. **CLASS C VIOLATION.**

5.14 Sledding Restrictions.

Sledding is not allowed on the dam, roadways or streets. The pulling of sleds, tubes, disks, skis or persons on ice skates behind a motorized vehicle is not allowed on Association roads or green areas. **CLASS C VIOLATION.**



**CAMPGROUND USAGE**5.15 Campsites.

All campsites may be reserved on a year-to-year basis provided the registration fees and dues have been paid by the March 1 deadline. Any campsite not reserved by March 1 will be available to other campers on a first come, first serve basis.

5.16 Upkeep

Each campsite is the responsibility of the association member, who will keep the grass cut and the area clean. **CLASS C VIOLATION.**

5.17 Tents and Campers.

Each registered camper is allowed only one campsite. Additional non-registered campers are not allowed. Tents and screen rooms may be placed on campsites by permit only and may not be present on the site when association members are absent. Tent permits are available at the Association office. **CLASS B VIOLATION.**

5.18 Ownership.

Campers must be titled in registered Association member's name. **CLASS B VIOLATION.**

5.19 Guests.

Each Association member registered at the campground is responsible for actions of immediate family and guests. No guests allowed without one of the immediate family of registered association member present. **CLASS C VIOLATION.**

5.20 Fish Cleaning.

Do not place fish in garbage cans. Use only designated container. **CLASS C VIOLATION.**

5.21 Vehicles.

Motorized vehicles allowed only on campsite roads and designated parking areas past the drainage ditch or in the park area.  
**CLASS C VIOLATION.**

5.22 Electricity.

Unauthorized use of electric power from the campground bathroom is prohibited. **CLASS C VIOLATION.**

5.23 Placement.

Campers must be placed in proper position, as set forth at time of placement by authorized personnel. **CLASS C VIOLATION.**

5.24 Stickers.

All camping facilities must display a registration sticker where it can be easily seen. **CLASS C VIOLATION.**

5.25 Washrooms.

Washrooms must be kept clean. Cooking or dishwashing in the bathrooms is prohibited. **CLASS C VIOLATION.**

5.26 Quiet Hour.

Quiet hours are between 10 p.m. and 6 a.m. **CLASS C VIOLATION.**

5.27 Curfew.

Campsite curfew for those under 17 is consistent with State Law. **CLASS C VIOLATION.**

5.28 Personal Items.

No personal items may be left at the campground after the closing date. **CLASS C VIOLATION.**

**SECTION 6. HOUSEKEEPING REGULATIONS**6.01 Littering.

No littering is allowed within the Lake Holiday development. **CLASS A VIOLATION.**

6.02 Dumping.

Dumping of landscape waste (trees, tree trimmings, branches, shrubs, brush, weeds, leaves, grass, shrubbery and yard trimmings) on Association property or in the Lake is prohibited. **CLASS A VIOLATION.**

Human waste or other hazardous materials must not be dumped on the ground or in the lake. **CLASS X VIOLATION.**

6.03 Garbage, Rubbish, Trash, and Other Waste.

No owner of any lot in the Lake Holiday development shall accumulate or permit, the accumulation out-of-doors of garbage, rubbish, trash or other waste on his/her lot except in receptacles which are installed underground or which are so placed and kept as not to be visible from the

lake or any street within the development at any times, except at the time when refuse collections are being made. **CLASS B VIOLATION.**

**6.04 Burning.**

No open fires shall be left unattended. All ashes should be disposed of properly so as not to enter the lake. No person shall cause or allow open burning of garbage, building debris, refuse or construction trade waste. **CLASS A VIOLATION.**

**6.05 Burning in Ditches.**

Burning or disposal of landscape waste (trees, tree trimmings, branches, brush, weeds, stump, leaves, grass shrubbery and yard trimmings) in drainage ditches is prohibited. **CLASS C VIOLATION.**

**6.06 Mowing.**

All lots must be mowed and kept free of unsightly growth of vegetation and noxious weeds. Note from the Restrictive Covenants and By-Laws that if a property owner does not mow their lot or have it mowed on certain designated and published dates, the Association will do so and a fee will be assessed against the dues for that lot. **CLASS A VIOLATION.**

**6.07 Hunting.**

No hunting is permitted within Lake Holiday. **CLASS A VIOLATION.**

**6.08 Trapping.**

No trapping is permitted within Lake Holiday except when authorized by Lake Holiday Board of Directors for the control of certain pests in the preservation of private and Association property. **CLASS A VIOLATION.**

**6.09 Firearms.**

No firearms of any kind may be discharged in the Lake Holiday development nor may slingshots or other missile hurling devices be used. The only exception is by authorized Lake Holiday personnel for the destruction of animals which are considered dangerous, diseased or injured. **CLASS B VIOLATION.**

**6.10 Pets.**

No animals shall be kept or maintained on any lot in Lake Holiday development, except the usual household pets and these pets must not be allowed to roam. All stray pets should be reported to the Lake Holiday Private Security Department. **CLASS B VIOLATION.**

**6.11 Leash Rule.**

All dogs must be on a leash, rope, or chain and in the immediate control of a property owner, member of Lake Holiday Property Owner's Association, their families or guests when not otherwise confined on the property of the owner. **CLASS B VIOLATION.**

**6.12 Disorderly Conduct.**

A person commits disorderly conduct when he knowingly does any act in such an unreasonable manner as to alarm or disturb another to provoke breach of peace. **CLASS B VIOLATION.**

**6.13 Underage Drinking.**

Consumption or possession of alcoholic beverages by those under the legal drinking age of the State of Illinois (21) is prohibited on all Association property. **CLASS A VIOLATION.**

**6.14 Construction Debris.**

The placing of construction debris on Association property or in Association owned receptacles (dumpsters or cans etc.) is strictly prohibited. Arrangements with the disposal company for pick-up should be made on an individual basis. **CLASS B VIOLATION.**

**6.15 Unlicensed Uninsured or Inoperable Vehicles.**

Within the confines of the Lake Holiday development no vehicles shall be allowed to remain in the development for more than 15 days without being insured, operable, properly licensed with the State of Illinois, and registered with the Lake Holiday Property Owners Association. **CLASS C VIOLATION.**

**6.16 House Numbering.**

Each lot with a home must have its lot number displayed on the property, and be of such size and style as to be distinctly and easily read at a distance of 75 feet from the road, with a number height of no less than 4 inches. **CLASS C VIOLATION.**

**6.17 Feeding Waterfowl.**

Feeding of waterfowl is prohibited within the confines of the Lake Holiday development. **CLASS B VIOLATION.**



6.18 Outdoor Lights

Board approval is required for any light placed within a utility easement. **CLASS X VIOLATION**

6.19 Shoreline Stabilization

- A. As of December 31, 2000 all lakefront property owners must not only establish but maintain their shoreline in a manner not to allow soil erosion.
- B. A representative of the Association will make at least one annual inspection in the fall to determine which lakefront lots will need to be maintained in order to prevent erosion.
- C. The affected property owners will be notified that they need to stabilize their shoreline and will have 12 months to comply. Property owners maintaining their shoreline must use stabilization criteria and the procedures listed in Building Code 4.08.
- D. "Lakefront property owners who have not stabilized or maintained their shoreline by December 31, 2001 will be fined a penalty fee designated by the Board, set at a minimum of \$500 annually. The Association may at its discretion then contract out the stabilization project and the fine and all unpaid charges will be charged to the property owner, and all unpaid charges will result in a lien on the property."

6.20 Portable Outdoor Toilets

Property owners must obtain a permit for the use of portable outdoor toilets limited to the following:

- 1. Construction sites - for the duration of construction only.
- 2. Special events such as auctions and parties or reunions held on private property-limited to length of event and delivery and pick up schedule of provider, not to exceed 3 requests per year.
- 3. Circumstances other than above with permission by the Board of Directors. Toilets shall be placed so as to be hidden from view of neighbors as much as possible and shall be cleaned on at least a weekly basis. **CLASS C VIOLATION.**

6.21 Algae Prevention

The use of solid or liquid fertilizers containing phosphates (phosphorus) is prohibited in the Lake Holiday Development. Lake front property owners must maintain a 20-foot filter strip along the shoreline free of any fertilizer to prevent nutrient infiltration. **CLASS B VIOLATION**

6.22 Wind Turbines for Personal Use

No wind turbines will be allowed in Lake Holiday. **CLASS X VIOLATION**

6.23 Fireworks

No fireworks prohibited by the State of Illinois shall be used within Lake Holiday without prior approval by the Board of Directors. **1st offense \$250.00, 2nd offense Class X.**

**SECTION 7. LEASE OR SALE OF RESIDENTIAL LOTS**7.01 Notice and Application For Lease of Residential Lot

- (a) Any Lake Holiday property owner and member of Lake Holiday Property Owners Association desiring to rent or lease his/her/their improved real estate to a tenant or tenants must provide notice and advise the Manager of Lake Holiday Property Owners Association of the intent to transfer possession of said property to a tenant.
- (b) Three completed and signed forms must be submitted simultaneously before approval for lease will be considered:
  - "Notice and Application For Lease of Residential Lot" ( page 1 of Rental Packet )
  - "Lease Of Residential Lot To Be Completed By Owner(s) Of Lot" ( pages 2 & 3 of Rental Packet )
  - "Lease Of Residential Lot To Be Completed By Proposed Tenant" ( pages 4 & 5 of Rental Packet )
- (c) Simultaneous with the submission of the completed above-mentioned forms, the lot owner or owners shall further submit a copy of a written Lease Agreement, including the dates of the beginning and termination of said lease.
- (d) Simultaneous with the submission of the completed above-mentioned forms, all applicable fees are to be submitted. In the event that an application is denied, all fees will be promptly refunded.

7.02 Approval By Board of Directors

- (a) Approval will not be granted for the lease of a residential property to a member who is not in "Good Standing".
- (b) The Manager of Lake Holiday Property Owners Association shall promptly submit the Application to the Board of Directors of the Association for their consideration at the next regular meeting, or any special meeting called for the purpose of considering acceptance or rejection. The Board of Directors shall promptly act on said Application. The manager will notify the lot owner(s) within 10 days of the Board's decision, in writing.

7.03 Responsibilities Of Owner(s)

- (a) Each owner of a lot and member of the Association shall be jointly and severally liable and responsible for any damage to Association property, or violation of the Rules and Regulations committed by a tenant, or their guests, of a residential lot. Any fines or assessments for damages may be imposed upon the owner(s) and member(s) in the same manner as if said violation occurred as a result of the direct conduct

of the lot owner(s).

(b) An owner transfers his/her privileges as member to the use of common and recreational property to a tenant. In the event the owner(s) of a residential lot elects to continue his use of the common and recreational property, each owner shall be required to pay an additional charge and fee of \$200 per year, which fee is due by March 1<sup>st</sup> of said year.

(c) Owner(s) agree to immediately notify the Lake Holiday Property Owners Association management if any current tenants vacate the premises they have contracted to rent before the stated termination of a submitted lease.

(d) A "Designated Rental Property" may be removed from that designation through written notification to the Lake Holiday Property Owners Association management. If a property is removed from the rental designation by the current registered owner, it cannot be rented unless the property owner wishes to re-designate the property at a future date as a rental property, in which case, the \$300 annual fee is due for that calendar year. This \$300 annual fee is non-refundable.

#### 7.04 Property Usage Restrictions

(a) No lease or tenancy of residential property shall be permitted if it is determined by the Board of Directors that said lease would violate the single family residential dwelling restriction and Restrictive Covenants relating to Lake Holiday Development as designated on the Plats of the recorded Subdivision. Specifically, no proposed lease shall permit the creation of any sub-lease, temporary guest room, time-share arrangement, bed and breakfast, transient rooms for rent, hotel or motel, boarding room or similar commercial business activities or multi-family dwelling units.

Nor shall an owner allow any tenant residency of anyone who violates paragraph 12 of the Restrictive Covenants. Specifically, no registered sex offender shall be permitted to reside within Lake Holiday Subdivision, or be approved as a member of Lake Holiday Property Owners Association.

#### 7.05 Fees For Leasing Residential Lot

(a) An annual non-refundable Rental Fee of \$300 is payable and due by March 1<sup>st</sup> as long as property is a designated rental property. This fee is due whether the property is vacant or occupied. A late charge will be imposed on payments received after the March 1<sup>st</sup> deadline. The \$300 fee will be pro-rated over the calendar year for a property that is rented for the first time (a property that has never been previously rented). Note 7.03 (d) that a property that is removed from the designation as a rental property by the owner cannot be rented until the \$300 annual rental fee is received by the Lake Holiday Property Owners Association regardless of the month or previous payments within the same calendar year.

(b) Each tenant (a married couple or immediate family as defined in rule 1.03 is considered "each") who rents a Lake Holiday property must pay a one-time Tenant's Application Fee of \$200, for the duration of his/her tenancy at that property. Either tenant(s) or owner(s) of the property is responsible for this fee being paid.

(c) A \$200 fee is payable in the event that the owner(s) of a leased or proposed lease of a residential lot elects to continue his/her use of the common and recreational property in conjunction with his/her tenants (as stated previously under 7.03(b).)

#### 7.06 Penalties For Non-Compliance

In the event a lot owner(s) and member permits occupancy of a residence within Lake Holiday without complying with the aforesaid requirements, such failure may result in sanctions being imposed by the Association against the responsible lot owner(s) pursuant to the applicable provisions of the By-Laws. These sanctions may include one or more of the following:

(a) For failure by a landlord to register a tenant, a fine of \$1000 will be imposed. This is a Class X Violation, subject to a hearing by the Lake Holiday Board of Directors.

(b) The tenants of a member's property may be denied access to any common property or amenity within Lake Holiday Development, including the access roadways.

(c) The Association reserves the right to bring criminal trespass or civil Forcible Entry and Detainer actions or injunction actions or such action as may be necessary or appropriate from time to time against the tenants and/or owners to enforce the Restrictive Covenants, Rules, Regulations and By-Laws for the benefit of the members of the Association.

(d) The lot owner or owners shall be financially responsible for any penalties, fines or assessments levied as a result of the violation of any By-Laws or Rules and Regulations committed by their tenants or tenants' guests.

#### 7.07 Right of First Refusal

When an offer to purchase is accepted, a certified letter, with return receipt requested, must be sent to all property owners eligible to exercise first rights of refusal at their address of residence. If no reply is received within 14 days from the time the certified letter is postmarked by the Post Office, the right of refusal shall be considered negative. If an adjoining property owner wishes to exercise their right to purchase, under the same terms as the contract states, they must respond in writing with proof of their ability to complete the purchase within the time frame specified in the original purchase offer. Within 5 business days of announcing their intent to purchase, the property owner must provide a pre-approval letter from a lending institution.

## **SECTION 8. ENFORCEMENT**

#### 8.01 Authority/Procedure.

Enforcement of the Rules and Regulations of the Lake Holiday Property Owners Association as defined in this booklet is empowered to the Board of Directors by the Restrictive Covenants and By-Laws. The Board is empowered to impose sanctions for violation of rules and regulations and building codes. Such sanctions shall include but are not limited to one or more of the following:

1. Written warnings.
2. Fines.
3. Restitution
4. Suspension of the use of Association amenities
5. Criminal prosecution under the applicable state statutes.

In no way shall such sanctions infringe on the rights of individual property owners or the Association to pursue further recourse either in law or equity through civil courts of competent jurisdiction. Lake Holiday Private Security officers have been given power to enforce these regulations. The Private Security officers can issue citations for violations. Enforcement people will carry identification as evidence of the authority which has been delegated to them by the Lake Holiday Property Owners' Association Inc.

Notice of an alleged violation of Lake Holiday rules and regulations will be served in writing either as a citation or letter of notification and will contain the following:

1. The full name and address of the accused.
2. The time, date, and location of the offense
3. The nature of the offense with the regulation number and fine listed.
4. The process to request a hearing.
5. The membership status of the accused, (member, guest, etc.)
6. The lot number of the responsible member.
7. The issuing authority's name and number.

The accused shall have the right to a due process hearing before the Citation Committee regarding the stated offense. This hearing shall be in accordance with the Citation Appeal Process Policy, a copy of which can be obtained from the Lake Holiday Business Office. Hearings must be scheduled by submitting a request in writing to the Lake Holiday Business Office at 283 Easy St. Somonauk, Illinois within 14 days from the issuance date of the citation. All hearings will be held at the Lake Holiday Lodge, 283 Easy Street, Somonauk, Illinois. All testimony shall be heard and evidence reviewed at that time.

Either side may request one continuance in which case the hearing will be held over until the next scheduled date. The Citation Committee will consist of 3 or more property owners appointed by the Board of Directors. The committee members will be appointed for a two year term and shall meet once a month.

The hearings will be presided over by a chairperson and after hearing all testimony the committee will reach a consensus and the results will be announced by the chairperson. After the decision is reached any applicable fine and/or other penalty will be determined by the committee.

Should the accused fail to appear at the hearing an automatic plea of guilty will be entered and notification of penalty will be mailed to the accused.

All decisions handed down by the committee may be appealed to the Board of Directors at the request of any involved party. All such appeals must be made in writing to the General Manager within 15 days of the committee's decision. Appeals shall be allowed based upon anomalies in handling of the citation and/or its hearing by Private Security or the committee. Decision to honor a request for an appeal is at the Board's discretion. If an appeal is not made within the allotted time the decision shall be declared final.

All fines levied by the regulations committee or Board of Directors shall become collectible at the time they are levied and shall be added to the dues. The enforcement of the suspension of membership privileges shall be through use of criminal proceeding relative to criminal trespass. Dues so assessed and other obligations owed to the Association shall constitute a lien on the member's lot or lots in Lake Holiday Development and a lien which may be collected by court action or otherwise may be permitted under applicable law.

An escalating level of fines will be imposed upon an individual for multiple violation of any one rule within any twelve-month period. The following schedule of fines will be effective January 2010.

Either side may request one continuance in which case the hearing will be held over until the next scheduled date. The Citation Committee will consist of 3 or more property owners appointed by the Board of Directors. The Committee members will be appointed for a two year term and shall meet once a month.

#### 8.02 Fine Schedule.

Class Violation	1st Offense	2nd Offense	3rd Offense	Additional Offenses
Class D	\$20	\$50	\$100	Class X
Class C	\$50	\$100	\$200	Class X
Class B	\$100	\$200	Class X	Class X
Class A	\$200	Class X	Class X	Class X
Class X	Board hearing will determine disposition of offenses			

**Offender is to be notified of his Class X violation and a date to meet with the board by registered mail. If offender does not appear at the designated time, a registered letter will be sent notifying them they have 30 days to pay all fines or membership privileges may be revoked and a lien be placed upon their property.**

8.03 Outside Agencies.

Although this development is privately owned property, State police, County Sheriff's police and Conservation officers have power to enter and to make arrests for criminal trespass, disorderly conduct, any infractions which constitute legal misdemeanors or felonies. Members and guest are not immune from law enforcement authorities; and any Lake Holiday "enforcement person" or member may call in or lodge complaints with such authorities under appropriate circumstances.