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PLEASE NOTE:

*-Any items in *****bold italic***** are motions that were made and passed by the Membership at an Annual Membership Meeting in May. These motions cannot be modified, rescinded, or amended except by a vote of the Members at an Annual Meeting at which there is a quorum of members in good standing in attendance or by their proxy. Refer to "Bylaws, Section XIV, pg. 20".*

-Unless otherwise noted, any mention of "Member" will refer to one that is "in good standing".

-Lake Buckhorn Property Owners Association, Inc. will be referred to as LBPOA in these "Rules and Regulations".

1.--MEMBERSHIP

Refer to "**Bylaws**" for complete rules for LBPOA and Bloomfield Water Company memberships by Members and Renters.

2.--MEMBER REGULATIONS

-MEMBERSHIP

Any "non-individual" (e.g. corporation, trust, etc.) membership application must designate an individual person's name.

The "Agreement and Assumption of Risk" agreement must be signed and notarized at the time of "Application for Association Membership", and returned with payment. Members desiring to rent their real estate: Refer to "Bylaws, Article II, Section (a)(1), pg. 10."

All CO-OWNERS will have privileges equal to any member in good standing, except for watercraft (refer to section 6 – Boat Launching at Association Areas, "Where title to lot or lots is held by more than one (1) person, only two (2) motorized watercraft are allowed per title"). Co-owners must pay the current Initiation Fee, thirty dollars (\$30.00) dues, and designated assessments due at the time of request, then annually thereafter. Paid up co-owners would have use of the various community areas, beaches, and any other Association facilities.

Any member who has been expelled and wishes to be reinstated will be required to pay/all delinquent dues and assessments. A current initiation fee will be charged and penalties may be assessed. The Board of Trustees will review each request individually to decide the appropriate requirements for reinstatement.

LBPOA shall require the payment of one (1) assessment for one (1) contiguous holding of four (4) or fewer lots. The previous rule required the payment of one (1) assessment for each contiguous holding of six (6) or fewer lots. Be advised that all five (5) to six (6) contiguous lots purchased prior to June 1st, 1995 will be treated as one (1) assessment. All lots above the four (4) contiguous allowed shall be assessed on a per lot basis. This subsection shall apply only to land transferred before January 1, 1982. Land transferred before January 1, 1982 shall be charged on the basis of one (1) assessment per member, regardless of the number of lots owned. (Board Motion: July 8, 1983.)

Based on precedent of billing and the intents of the previous board, this is to clarify a motion made April 11, 1995. (The relevant section of the old motion is "all five (5) and six (6) contiguous lots purchased prior to June 1st, 1995 will be treated as one (1) assessment.") Provided that five (5) and six (6) contiguous lots purchased prior to June 1st, 1995 are transferred as one (1) parcel and kept under one (1) ownership, they will still be treated as one (1) assessment. NOTE: A five (5) lot parcel can be made from an existing six (6) lot parcel that qualifies for one (1) assessment, and the five (5) lot parcel will still qualify for one (1) assessment.

If a member in good standing sells all of his/her property at Lake Buckhorn, thus losing his/her membership, said former member has up to one (1) year from the date of transfer to take title to a new property and re-establish membership without paying another initiation fee.

"Tidiness" Rule –the Lake Manager shall report to the Board any lot which he deems to be kept "in an untidy manner" as that term is commonly understood. The Lake Manager shall also attempt to give the lot(s) owner(s) ten (10) days notice to correct the situation. Said report to the Board shall include a detailed description of the nature of the violation. If the Board agrees, by a majority vote, that the Manager's Report is well-taken, then the Board shall instruct the Manager and employees of LBPOA to enter the offending property and to take whatever action is necessary, with due respect to avoid destruction or damage of personal property, and to correct the situation and/or a fine may be levied. The service shall be billed to the lot owner(s), pursuant to "Deed Restriction", Section (5), pg. 5 & 6, and collected at the rate of twenty-five (\$25.00) dollars per man-hour, plus supplies. And hereby it is now enacted and codified in the "Rules and Regulations" of the LBPOA. A current list of Fees/Fines is at the end of these "Rules and Regulations".

***** There shall be a list with a signed statement on file at the office as to whether or not each property owner who desires to grant privilege to have access to their property restricted or not to be restricted, a copy of this list to be kept at entrance gate for ALL personnel who work at the gate to have access to it.**

***** To allow all members to use either gate, one (1) keycard to each vehicle registered at NO CHARGE. There is a charge of \$5.00 for replacement keycards.**

NORTH gate keycard privileges for homeowners who have not paid dues and assessments will be denied. All keycard privileges to the NORTH and SOUTH gates for lot owners who have not paid their dues and assessments will be denied. A delinquent member shall have access to go to his/her lot but not to access areas, beaches, boating, use of the dumpster or any other LBPOA owned property.

Refer to “**Bylaws**”, Article II, Section (4)(a)(1), pg. 10, for regulations concerning the rental of a home to a non-member.

-CAR STICKERS

Allow one (1) car sticker and one (1) key card per registered vehicle owned by the member or member of household living at the Lake residence and normally parked at that residence.

To receive car stickers and key cards, a member must fill out the “Membership Information Form” with make, model, year, and license number(s) of the vehicle(s). Car stickers and key cards may be issued for any vehicle titled to a member or member’s spouse (or member’s children or step-children living with the member). In the case of multiple owners, stickers will only be allowed for the member who has paid the initiation fee, annual dues and assessments.

For boat access stickers, the original title must be presented the first time the boat is registered. NOTE: Check the “Rules and Regulations” Boating section for size limits and types of boat allowed.

For recreational vehicles, a title or some other type of proof of ownership must be presented the first time you register the vehicle(s).

Family pass stickers and key cards, for a fee, can be obtained for children, stepchildren, parents, step-parents, grandparents or step-grandparents of a member or member’s spouse. Access gained by a car sticker with the family pass is restricted to the holder of the family pass and his/her spouse. The make, model, year, and license plate number are required for each family pass.

PIN numbers are available to all Members and service providers.

-GUEST PRIVILEGES

Association Members are entitled to use and invite guests to use the facilities of the Association. **Member must be present** within the subdivision while his/her guest(s) are here using the facilities of the Association.

Members are responsible for the actions and activities of their guests. Refer to “**By-Laws**”, Article II, Section 4 (a), pg. 10.

Each Member will be permitted up to twenty (20) guests in any Recreational area. For the purpose of definition “each” individual, age two (2) years old and over will be considered and counted as one guest.

NO guests, unaccompanied by a Member, shall be permitted to swim, use beach, and/or access areas later than **11:00 P.M.** or earlier than one (1) hour before dawn.

3.--RENTER REGULATIONS

A renter is defined as a non-family member who resides in a Lake Buckhorn premises where the property owner does not also reside.

Lots at Lake Buckhorn may not be rented. When a home at Lake Buckhorn is rented, both the member/owner and the resident/tenant must pay assessments. Resident/tenants shall have all Lake Buckhorn rights except voting privileges and motorized watercraft (refer to section 6 – Boat Launching at Association areas).

A Member wishing to rent his/her property must submit a copy of the lease agreement to the Board. The lease agreement must include a provision that the resident/tenant accepts the “Rules and Regulations” of the LBPOA and agrees to abide by them. Additionally, the lease agreement must include a provision that the resident/tenant must pay the annual Lake Buckhorn assessment and if the resident/tenant does not pay the assessment, then the member/owner shall be liable for the payment of the resident/tenant’s assessment as well as the member/owner’s own assessment.

For the fiscal year when the tenant first occupies the property, the assessments payable by the resident/tenant shall be prorated for the remainder of the fiscal year. The prorated assessments will commence at the time the rent or leasehold begins. These dues and assessments are to be paid at the time that the Board receives notification of tenant occupancy and must be prior to the resident/tenant occupying the property. The assessment for resident/tenants is due at the beginning of the Lake Buckhorn fiscal year, which is April 1st. If a resident/tenant leaves the residence before the end of a fiscal year, all assessments are forfeited and no reimbursement shall be paid to the resident/tenant or owner. All privileges and access to the Lake end on the date the residence is vacated.

4.--BEACH AND RECREATIONAL AREAS

The following rules apply to all Association Beach and Swimming Areas and other areas specifically referred to. Failure to abide by these rules constitutes cause for suspension or expulsion. Refer to “**Bylaws**”, Article II, Section (4)(a), pg. 12.

Use of swimming and beach areas is restricted to members of the Association who are in good standing, their families and guests. Unauthorized use constitutes trespass and trespassers will be prosecuted. Proper identification may be required before use of these areas will be permitted.

Member must be present within the subdivision while his/her guest(s) is/are using LBPOA facilities.

NO guests, unaccompanied by a member, shall be permitted to swim, use the beach, and/or access areas after **11:00 P.M.** or earlier than one (1) hour before dawn.

ALL PERSONS SWIM AT THEIR OWN RISK. LBPOA is **not** responsible for any accident or injury sustained while on the beaches or in the water or for the loss of property while on the beaches or in the water or for the loss of property while person(s) are using any other Association areas. Members are responsible for the conduct and actions of themselves, their family members and their guests.

Swimming is restricted to within the designated areas when entry is made from any LBPOA beach. Swimming is restricted to thirty-five (35) feet from the shoreline when entry is made from a non-beach area. Swimming from boats is restricted to non-wake areas.

- NO** running on the beach or throwing of sand is permitted.
- NO** climbing on the wall around the children's area.
- NO** hanging on markers, floats, buoys or beach umbrellas is permitted.
- Every child under the age of ten (10) years** must be accompanied and supervised by an adult.
- NO** glass bottles, picnic tables or pets are allowed on the beaches.
- NO** food or beverages are allowed past the shoreline.
- NO** boisterous behavior and/or profanity are permitted.
- NO** fires are permitted on the beaches.

Use of swimming platform:

- NO** pushing, running or horseplay is allowed on the platform.
- NO** swimming is permitted under the platform.

SCUBA DIVING

(OAC 1501:41-7-05 through 07, pg. 46 OBOG) is considered swimming and therefore subject to the same rules earlier promulgated by the Board with regard to swimming, specifically limiting scuba diving to swimming and other special areas unless previous authorization is given by the Manager.

(ORC 1547.08, pg. 39 OBOG) -- NO person shall operate a vessel within three hundred (300) feet of an official diver's flag unless tendering the dive operation.

Paddle boats are not to be considered "boats" or watercraft and they do not have to have an Association sticker but must show lot number.

Paddle boats have same restriction as swimming, within thirty-five (35) feet from shoreline.

5.--RENTAL OF ASSOCIATION FACILITIES

Further information and rental forms are available at the Association Office during regular business hours. A current list of Fees/Fines is at the end of these “Rules and Regulations”.

The Sponsoring Member is responsible for the removal of any signs, balloons, decorations, etc. which indicate the place of his/her gathering whether it be at Lakeview Hall, Area 7, Pavilion #1 or Pavilion #2, Main Beach Pavilion, Tennis Court, Booth Memorial Ball Field, Any Common Access Area, or on the Member's own lot, etc.

A member in good standing may not sponsor, rent or grant access to any LBPOA owned facility or recreational area to a member who is NOT in good standing. Violation will result in a fine of \$200 (two hundred dollars) to the sponsoring member, and all deposits and monies paid will be forfeited.

Lakeview Hall

A RENTAL AGREEMENT is available to any Member at the LBPOA Office during regular business hours. In this agreement are all stipulations regarding fees, use and care of the building, food and beverages allowed, decorating, cleanup, and the responsibilities of the sponsoring member who is signing the rental agreement. A current list of Fees/Fines is at the end of these “Rules and Regulations”.

Area 7, Pavilion #1

This pavilion is available for rental to Members by contacting the LBPOA Office during regular business hours. A current list of Fees/Fines is at the end of these “Rules and Regulations”.

Area 7, Pavilion #2

This pavilion is available on a “first come, first served” basis, but not to the exclusion of use by other Member(s) and their guest(s).

Main Beach Pavilion

This pavilion is available for rental to Members by contacting the Association Office during regular business hours. If there is no one renting it for the day, it is on a “first come, first served” basis but not to the exclusion of use by other Member(s) and their guest(s). A current list of Fees/Fines is at the end of these “Rules and Regulations”.

Association Docks

The Board of Trustees is offering to Members the opportunity to rent boat dock space annually, payable by April 1st of each year to the LBPOA Office. Effective on and after May 1st, any boat space not already rented can be rented. There is **no** pro-rating of rent payments. Any and all modifications of docks by renters or their representatives must be approved by the LBPOA Manager prior to commencing work. Dock assignments will be made at the LBPOA Office. A current list of Fees/Fines is at the end of these “Rules and Regulations”.

The maximum boat length allowed at LBPOA rental docks is twenty-eight (28) feet. Any boats currently renting a dock over this limit will be grand fathered as long as

the rental does not lapse from year to year and the boat is owned by the same member.

Only watercraft owned by the member renting dock space from LBPOA are permitted to occupy that space. **NO SUB-LEASING OF DOCKS ALLOWED.**

Baseball Diamond

Be called "Booth Memorial Field". This is a "first come, first served" facility available to any Member and their guest(s) but not to the exclusion of use by any other Member and their guest(s).

Tennis Court

Available on a "first come, first served" basis to any Member and/or their guest(s) but not to the exclusion of use by any other Member and/or their guest(s).

6.--BOAT LAUNCHING AT ASSOCIATION AREAS

Member must be sole owner of boat. Refer to "Bylaws", Section (4)f, pg. 11 which reads "Each member in good standing, who has paid the initiation fee, annual dues and legal assessments, is entitled to obtain access permits, at a time and manner as shall be established by the Board of Trustees, for up to two (2) motorized watercraft for use on the lake during a given season. Where title to lot or lots is held by more than one (1) person, only two (2) motorized watercraft are allowed per title. Any motorized watercraft which does not have an access permit attached will not be permitted access to the lake.

Guests may not have access to put any type of watercraft in or on Lake Buckhorn waters.

Any boat shall be titled to a voting member or his/her spouse.

No watercraft owned by non-members can enter Lake Buckhorn property without an authorized test form. Said form will be issued by a Lake Buckhorn representative for the purpose of testing a watercraft for buying or selling. YOU MUST KEEP THIS FORM WITH YOU WHILE TESTING THE WATERCRAFT. THIS PERMIT IS GOOD FOR NO MORE THAN TWO (2) HOURS and must be turned in to the office or gatehouse upon completion of test.

The lake water level will be lowered beginning on November 1st and all boats must be removed from LBPOA owned docks prior to this date.

House boats or an enclosed boat with basic living or camping aboard will not be issued Access Stickers or be allowed to use Association launching ramps, Common Access Areas or parking areas (unless given special permission by the Board of Trustees) within the Lake Buckhorn subdivision. Any previously registered enclosed boats will be grand-fathered.

Three (3) inch Lot Numbers must be displayed on the left and right sides of watercraft in the rear and in a visible spot on any other unit (e.g. trailer, camper, motor home, etc. Only boats owned by lot owners in good standing are permitted on LBPOA launch ramps, access areas, boat storage areas, or parking areas.

The maximum boat length allowed for a Lake Buckhorn Access Sticker is twenty-eight (28) feet. **NO** boat over twenty-eight (28) feet is allowed in or on any Lake

Buckhorn Property Owners Association boat ramps. Any boat over twenty-eight (28) feet currently having an access permit will be grand fathered as long as: 1) The owner remains in good standing; 2) The owner requests a renewal access sticker by May 1st of each year; 3) The boat is owned by the same member.

LOADING (OBOG, pg. 54) - Common sense tells you that this is extremely important. Distribute the load carefully, remembering that the performance of your boat depends on proper distribution of the load. As the load increases, the boat's freeboard decreases to the point where even small wakes or waves will swamp the boat. Water surface can become choppy away from shore.

RAMP ETIQUETTE (OBOG, pg. 54)

Before you get in line, do the following: Stay to one side and watch one of two launchings to notice any local problems of the ramp, wind or current affect on launching. Remove any gear that is stored in car. Rig boat, set mast, etc. Disconnect wiring plug between car and trailer. Remove tie-downs, double check to make sure the drain plug is in. Attach a line to bow cleat and a second line to stern cleat to aid in controlling boat after launching. Double-check the engine safety chains, making sure the outboard is securely attached to the transom.

Enter the launching line: Back down into the water until the rear rollers are barely under the water. Have someone guide you into the water and hold onto the guidelines you connected. Disconnect the winch line from the bow eye and put the boat in the water. Move your boat so others may launch. Return your vehicle and trailer to the parking area.

GENERAL PRUDENT RULES

For safety's sake, the operators of all vessels must take action to avoid collision even if they have the right-of-way.

Be courteous and considerate.

Avoid sharp high-speed turns and reckless operation.

No person shall place or dispose of, in any manner, any garbage, waste, peelings of vegetables or fruits, rubbish, trash, cans, bottles, paper, or anything of an unsightly or unsanitary nature in the access areas or lake basin.

7. --BOATING RULES AND REGULATIONS

LAKE BUCKHORN BOATERS ARE SUBJECT TO ALL RULES OF THE STATE OF OHIO, DEPARTMENT OF NATURAL RESOURCES DIVISION OF WATERCRAFT

The following "State of Ohio, Division of Watercraft" rules are not meant to be taken as the complete rules. The following are meant only as highlights of the existing Ohio rules at the time of the production of this document. A copy of the current "Ohio Boat Operator's Guide" is available from ODNR, Division of Watercraft by calling **1-877-4BOATER** or online at:

www.dnr.state.oh.us/watercraft

REQUIRED EQUIPMENT:

DISTRESS SIGNALS (ORC 1547.251, pg.12 & 13 OBOG)--Every watercraft must carry a distress flag, international orange in color and not less than two (2) feet square. Canoes and rowboats are exempt.

ANCHOR AND SUFFICIENT LINE (ORC1547.26 & OAC 1501:47-1-11, pg. 10 OBOG) – All watercraft except board sailboats and canoes must carry an anchor of sufficient weight and line of sufficient length to anchor the watercraft securely.

FIRE EXTINGUISHERS (ORC 1547.27, pg. 11 OBOG) – NO person shall operate or permit to be operated any power craft that does not meet the fire extinguisher requirement, except those propelled by an electric motor and powercraft less than twenty-six (26) feet in length, of “open construction,” which are not carrying passengers for hire. Power boats under twenty six (26) feet long must carry at least one (1) B-1 fire extinguishers.

NAVIGATION LIGHTS (OAC1501:47-2-21 through 1501:47-2-31, pg. 16 OBOG) –All watercraft must display prescribed lights when under way from sunset to sunrise, and at any other time when there is insufficient natural light for other watercraft to be visible at a distance of three hundred (300) feet. All power boats must carry: A white light aft, higher than the bow light to show all around the horizon (360 or 32 points). A combined light in the forepart of the vessel, lower than the white light aft. This light must show green to starboard and red to port.

WHISTLE AND/OR BELL (ORC 1547.251, pg. 12 OBOG)– On powercraft less the sixteen (16) feet in length, a whistle or bell is not required. Powercraft sixteen (16) feet or more in length must carry one (1) mouth, hand, or power operated whistle/horn audible at least ½ mile.

PERSONAL FLOTATION DEVICES (PFD's) (ORC 1547.25, pg. 7 through 9 OBOG) --Boats, kayaks, canoes, rowboats, sailboats, and pontoon boats must have one (1) Type I, II or III (wearable) PFD on board for each person and one (1) Type IV (throw-able) device for the boat. All PFD's including water skiing devices, must be Coast Guard approved, in serviceable condition, and easily accessible.

BOAT OPERATOR:**Boating Education Requirement:**

(ORC 1547.05, pg. 36 OBOG) – **NO** person born on or after January 1, 1982, shall operate a powercraft powered by more than ten (10) horsepower unless the operator has received a certificate for successful completion of either **(ORC 1547.06 and ORC 1547.41, pg. 36 and 37 OBOG of the following:)**

A boating course approved by the National Association of State Boating Law Administrators (NASBLA) or

A proficiency examination approved by the Ohio Division of Watercraft.

(ORC 1547.051, pg. 36 OBOG) – A person required to have the certificate as indicated above and is stopped by a law enforcement officer while operating a power-craft more than ten (10) horsepower, shall present to the law enforcement officer the certificate of proof of holding the certificate within seventy-two (72) hours of being stopped.

(ORC 1547.06 and ORC 1547.41, pg. 36 and 37 OBPG)—**NO** child under twelve 12 years of age shall operate any vessel unless under the direct visual and audible supervision of a person who is eighteen (18) years age or older. This section does not apply to personal watercraft (see previous paragraph) or other power craft powered by more than ten (10) horsepower.

(ORC 1547.06 and ORC 1547.41, pg. 37 OBOG)-- **NO** person under twelve (12) years of age shall operate power craft powered by more than ten (10) horsepower unless under the direct visual and audible supervision of a person over the age of eighteen (18) years of age or older who is aboard the power craft. In the case of a supervising person born on or after January 1st, 1982, the supervising person must hold a certificate meeting the requirements of ORC 1547.05 and in the case of a rented power craft, must meet the requirement at ORC 1547.052.

(ORC 1547.06 and ORC 1547.41, pg. 36 and 37 OBOG)-- When watercraft are operated by children under twelve (12) years of age, the supervising adult is responsible for the child's actions.

(ORC 1547.12, pg. 41 OBOG)-- **No** person shall operate any vessel if they are unable physically or mentally to operate in a safe and competent manner. **No** supervising person shall allow any person they are supervising to violate any watercraft law.

CAPACITY PLATE (ORC 1547.39 & 1547.410, pg. 43 OBOG)

NO person shall operate or permit operation of a watercraft in excess of any of the stated limits on the capacity plate. When **NO** capacity plate exists, **NO** person shall operate or permit operation of a watercraft if a reasonably prudent person would believe the total load aboard or the total horsepower of any motor or engine presents a risk of physical harm to persons or property. **NO** person shall alter, remove or deface any information on the capacity plate. The plate must be clearly legible from the place where the operator is located, must show the maximum weight, the total number of occupants that may be carried, and the maximum horsepower that may be used on the watercraft under normal operating condition.

These recommendations are for fair weather and do not relieve the operator of responsibility for good judgment.

If weather and water conditions are adverse, the load should be reduced accordingly.

SPEED AND CONTROL

(ORC 1501:47-2-06, pg. 29 OBOG)-- **ALL** watercraft must be operated at reasonable speeds for given conditions and circumstances and must be under the complete control of the operator at all times.

(ORC 1547.11 & ORC 1547.111, pg. 40 OBOG)-- NO person who is under the influence of alcohol or drugs may operate a watercraft or engage in water-skiing on the lake.

(ORC 1501:47-2-06, pg. 29 OBOG) – EVERY vessel shall proceed at a safe speed so that it can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions.

(ORC 1547.07, pg. 38 OBOG) – NO person shall operate a vessel, water ski or similar device:

carelessly or heedlessly

without due caution

in disregard of the rights or safety of any person, vessel, or property

at a rate of speed or in a manner so as to endanger any person, vessel, or property

NO person shall operate or permit operation of a vessel in an unsafe manner. Unsafe operation includes:

becoming airborne while crossing the wake of another vessel within one hundred (100) feet or unsafe distance:

operating at a speed or proximity to a vessel or person being towed so as to require either vessel to swerve to avoid collision; operating less than two-hundred (200) feet behind a water skier;

weaving through congested traffic.

A vessel shall be operated in a reasonable and prudent manner at all times.

(ORC 1547.08, pg. 39 OBOG)-- NO person shall permit operation of a vessel within three-hundred (300) feet of an official diver's flag unless tendering the dive operation.

SPEED LIMITS (OAC 1501:41-11-02, pg.46 OBOG)

(ORC 1547.07, pg. 38 OBOG)--The general speed limitation is that which is implied in safe watercraft operation under existing circumstances.

(ORC 1547.07, pg. 38 OBOG)-- Speed which is excessive for given circumstances, and which endangers persons and property, is one form of reckless operation which is prohibited.

Watercraft should slow down when operating in areas of restricted visibility.

Weather, wind, or heavy traffic conditions may warrant speed reduction.

Watercraft passing close to swimming areas, moored watercraft, a watercraft engaged in fishing or buoys or markers should reduce their speed to prevent their wash or wake from causing damage or inconvenience to occupants of the area or to other craft.

Operators are responsible for damage caused by their wakes.

RIGHT-OF-WAY BETWEEN BOATS (OAC Rules, pg.27-through 35 OBOG)

A sailboat has the right-of-way over motor boats unless it is overtaking (passing) a motorboat or initiates such action that will impede safe passage of a motorboat in a narrow channel, or if a motorboat is fishing with nets or lines.

The right-of-way between motorboats is similar to the right-of-way for automobiles at an intersection. The one on the right (starboard) has the right-of-way.

WATER SKIING

(ORC 1547.14, pg. 42 OBOG) – Skiing shall be confined to designated ski zones.

(ORC 1547.15, pg. 42 OBOG)– A person ten (10) years of age or older, other than the operator, **must** be present in the watercraft to observe the progress of the skier at all times whenever a skier is being towed. The vessel operator shall observe the traffic pattern.

(ORC 1547.16, pg. 42 OBOG) – **NO** person shall water-ski or be towed on any device, or operate a vessel towing a person between sunset and sunrise except upon special permit. Consult an official sunrise-sunset table of the local area for exact times.

To make water-skiing fun, safe, sensible, and successful, practice these safe-operating tips:

Check steering and throttle controls for operation before towing a skier.

On take-offs, *never* accelerate until a signal is given by the skier.

(ORC 1547.15, pg. 42 OBOG) -- When under way, the operator should direct his attention ahead. The observer is there to watch the skier(s).

Never closely follow other boats. Always look before turning. Avoid shallow water.

Promote safety by staying away from other boats, swimmers, fishermen or solid objects.

Return to fallen skier immediately. Slow to idle as you approach the skier(s). Approach skier on driver's side.

Shut off engine while skier(s) climbs into or out of boat.

High-speed landings cause injuries. In landing a skier(s), reduce speed and parallel landing area at a safe distance.

*****RULES ADOPTED BY STATE OF OHIO *specifically for Lake Buckhorn****
(OAC 1501:47-7-18) These rules are effective as of August 29th, 2004.**

OPERATING REGULATIONS

NO person shall operate a power-craft at a speed greater than idle speed or at a speed that creates a wake from sunset to sunrise.

Powercraft operating in the designated speed and ski zones shall travel in a counter-clockwise direction with the shoreline on the starboard (right) side of the powercraft.

ALL powercraft operating at a speed greater than idle speed shall maintain a distance of forty (40) feet from the shore or any designated no-wake zones.

Swimming from watercraft shall be permitted only in designated no-wake zones.

A "wake" as used in this rule shall be defined as a track left by a watercraft in the water causing waves or swells.

RESTRICTIONS

NO powercraft shall tow more than two (2) skiers, ski tubes, or other approved towable devices.

NO person shall anchor, moor, dock or tie up any watercraft to any private dock facility without express permission of the owner or other authorized agent.

While being towed by a watercraft, **NO** person shall have any type of air-foil or other device in hand or affixed to the person for the purpose of becoming airborne over the waters of Lake Buckhorn.

It shall be unlawful for any watercraft to tow a para-sail, kite, or any other airborne device on the waters of Lake Buckhorn.

Air propelled powercraft, wing-in-ground craft, hovercraft, and submersible watercraft are prohibited.

8.--RULES OF THE ROAD

Suggested speed limits are posted on the roadways around the lake for any and/or all motorized vehicles.

To prevent damage to our roads, there is a road weight limit in place during the months of February, March and April of fifteen (15,000) thousand lbs. All vehicles exceeding this limit must have written permission from the Lake Manager, with the exception of the utility company vehicles that are addressing needs for the residents of Lake Buckhorn subdivision.

For any Member whose home is lost due to fire or other catastrophic events, LBPOA will waive ALL fees not covered by insurance to rebuild for a one (1) year period. Pursuant to precedent set in agreement on inability to comply with load limits dated 2/19/2001, same agreement will apply.

OPERATING RULES FOR RECREATIONAL VEHICLES ON LBPOA ROADS

All off-road vehicles not licensed by the State for highway use (e.g. go-carts, mini-bikes, 4 wheelers, 3 wheelers, dirt bikes, golf carts, Gators, Mules, and/or similarly powered vehicles) shall be registered at the Association Office in the name of the Member/property owner.

The Member/Owner's lot number, in black 3-inch numerals, plus current LBPOA Registration Sticker must be displayed on a plate located at the rear center of the vehicle and clearly visible from behind.

A fee per calendar year shall be charged for the Association Registration Sticker. The Lake Manager will issue all Registration stickers for the above-mentioned vehicles.

DRIVERS AND PASSENGERS, PER STATE OF OHIO LAW, UNDER EIGHTEEN (18) YEARS OF AGE, NOT HAVING A VALID STATE DRIVER'S LICENSE MUST WEAR A SAFETY HELMET AND MUST DISPLAY A TRIANGULAR INTERNATIONAL ORANGE SAFETY FLAG ON A SIX (6) FOOT MAST MOUNTED AS HIGH AS POSSIBLE.

NO GUEST OR VISITOR is ever permitted to bring any such previously mentioned motorized vehicles onto the premises of Lake Buckhorn Subdivision.

NO NON-MEMBER RECREATIONAL VEHICLES MAY BE TRAIERED IN OR RIDDEN UPON LAKE BUCKHORN POA OWNED PROPERTIES.

LBPOA accepts absolutely NO responsibility or liability for the safety and/or well being of any person and/or Individuals riding any such previously mentioned vehicles.

The vehicle must be operated according to the road and traffic conditions and **All** vehicles must operate within the suggested speed limits posted in the Lake Buckhorn Subdivision.

These vehicles may not be used upon any of the recreational areas of Lake Buckhorn Subdivision or any LBPOA-owned lots without the express consent of the LBPOA Board of Trustees.

The Registration of any of the above mentioned vehicles is automatic acceptance of all Rules and Regulations governing the operation of such recreational vehicles.

ENFORCEMENT AND PENALTIES: Any and all Board Members and/or Lake Buckhorn employees shall be authorized to report and fine violators as follows:

1st Violation -- Written Warning

2nd Violation -- Fifty (\$50.00) dollar fine

3rd Violation -- Vehicle is barred from Lake property/roads.

******Fines for these violations as passed by a vote of the Membership at an Annual Membership Meeting. ******

It must be understood well in advance that it is a *privilege and not a right to operate such vehicles within the Lake Buckhorn Subdivision.*

If it is determined that the operation of these vehicles constitutes a hazard to the safety and well-being of the entire community, the L.B.P.O.A. Board of Trustees may at any time stop the operation of any and all of these vehicles.

In general, mini-bikes, tri-bikes and any other small engine vehicles, considered as a recreational type vehicle, are subject to the same laws as **ALL** other vehicles.

- 1) Helmets must be worn at all times by anyone, as per State of Ohio Motor Vehicle Law, under the age of eighteen (18) years or the age stated by Ohio Law as to having the right to not wear a helmet.

- 2) Eye protection – must use goggles, glasses or face shield if vehicle does not have a windshield.
- 3) Riding position – cyclist sit astride the cycle.
- 4) Motorcycle equipment – **ALL** standard equipment required by State of Ohio Motor Vehicle Law.

Vehicles licensed for “over the road” transportation are the exception.

Operating time for recreational use of any of the above will be 8:00 A.M. till ½ hour after sunset unless properly equipped with lights...i.e. headlights, taillights, brake lights, etc. Because these types of vehicles are not normally equipped with turn signals, make sure that, regardless of the age of any driver and/or passenger, operator is aware of the hand signals used to indicate a left turn, right turn, or slowing down of the vehicle.

AUTOMOBILES AND OTHER MOTORIZED VEHICLES

Operated by licensed adults or licensed children sixteen (16) years of age or over must abide by the laws of the State of Ohio, observe all posted speed limits and all other laws as stated in the State of Ohio Motor Vehicle Code.

ACCESS ROADS

All Lake Buckhorn property owners whose property borders State Route 83 and all boundary lines who wish to have access to their property from both State Route 83 and to an LBPOA owned roadway do so with caution. **This access is for property owners ONLY and in NO way will this right of way be used by the public or even other property owners as a legal access road into the lake.** It is further stated that all such access roads be secured by placing a chain, cable, etc. across entrance to ensure these roads will be used only by said property owners. **Any variation from this rule** will force the LBPOA to take this right of dual entrance away by giving the property owner choice of only one entrance to their property.

EASEMENT ROADS

- 1) Easements roads are for the use of the LBPOA maintenance staff and members whose properties the easement roads cross.
- 2) The member, his/her guests and contractors may use the easement road only for access to their property and NOT beyond their property.
- 3) Members may not block the easement road in any way to prevent access for other members, their guests or contractors.
- 4) LBPOA is NOT responsible for maintaining easement roads. The affected members must agree among themselves how to maintain the easement road for their use.

HORSE TRAFFIC

No horse traffic is allowed on Lake Buckhorn roads.

9.--BUILDING CODE RULES AND REGULATIONS

The Lake Buckhorn Property Owners Association is a nonprofit corporation organized pursuant to the laws of the State of Ohio. The membership is composed of property owners within a certain tract of land known as the Lake Buckhorn Subdivision, Holmes County, Ohio; the Association is the governing body thereof. The general nature and purpose of the Association are expressly stated in its "Bylaws". It is in conformity with, and in furtherance of the same, that the Association hereby declares the following to be its "Building Code" with reference to the regulation of the planning, design and construction of all buildings and/or property within the subdivision.

A. --BUILDING COMMITTEE

The LBPOA president shall appoint a Building Committee to perform the following functions:

- 1) To provide for the review, evaluation, approval, and/or disapproval of proposed plans for the planning, design and construction of all buildings and/or property improvement within the subdivision.
- 2) To establish, maintain and preserve guidelines and standards or the planning, design and construction of all buildings and/or property improvements within the subdivision.

The Building Committee shall be composed and structured as follows:

- 1) The Building Committee shall consist of not less than three (3) Members in good standing of the Association. One (1) of which will be its Chairperson and an LBPOA Trustee.
- 2) At least one (1) member of the committee shall possess knowledge and/or experience in all, or substantially all, aspects of residential construction.
- 3) The committee and the individual members thereof shall serve at the pleasure of the LBPOA and its Trustees.

Enforcement of Building Code- It is the responsibility of the Lake Manager to enforce **ALL** Building Codes and Regulations.

B--GENERAL BUILDING RULES

NO property shall be built upon until a Building Permit is issued by Lake Buckhorn Property Owners Association, Inc.'s Building Committee. Said permit is to be posted so it can be seen from the roadway. Refer to "**Deed Restrictions**", Section (4), pg. 5.

A **Schematic** not less than ¼ inch per foot be made of position of house and septic system and to be presented to the Building Committee before a permit can be issued.

NO addition or extension of any type shall be made upon any house, garage, or building without a permit and drawing.

At least **two (2) test holes** to be dug on all lots prior to septic evaluation. Depth and location set by Holmes County Health Department. Refer to "Deed Restriction, Section (4), pg. 5.

Lake Buckhorn equipment and employees be available if requested for this purpose. Fee is to be paid in advance by lot owner or perspective buyer. Fee will be set by Lake Manager. A current list of Fees/Fines is at end of these "Rules and Regulations".

NO dwelling shall be occupied either temporarily or permanently until an approved septic system is installed. Said system must be approved and inspected by Holmes County Health Department, and LBPOA Building Committee or Lake Manager. Septic system must be inspected prior to final covering with earth.

ALL out buildings, as specified in the "**Deed Restrictions**", Section (2), pg. 5, on a lot without a residence, must be removed within sixty (60) days of notification or such building will be removed by the Lake at the owner's expense.

NO under-ground fuel tanks will be permitted.

A dumpster is required to be utilized on the site of all major construction projects.

C--BUILDING PERMITS

1. **Scope of Permits** - Building permits shall be required for the construction or alterations of any and all buildings, including boathouses. A "Boat House" shall be defined as any mooring structure with a roof. **NO** sides permitted on boathouses. Permits are also required for new dock installation.
2. **Requirements to obtain permit** - A building permit shall be issued only upon full **compliance and satisfaction** of the following:
 - (a) A permit from the Holmes County Healthy Department for installation of a suitable sewage treatment system. Refer to "**Deed Restrictions**", Sec.(4),pg. 5. **NO** new house construction or addition will be approved by the Building Committee with less than a three (3) bedroom septic system.
 - (b) Lots to be surveyed and flagged along boundary lines before a building permit will be approved.
 - (c) Written approval of all plans and specifications from the Building Committee.
 - (d) Payment of Building Permit Fee, along with any Security Deposit, to LBPOA.

NO more than one (1) home shall be located on any number of contiguous lots owned by the same owner, without paying more than one (1) assessment. In the event that more than one (1) home is built on said contiguous lots, then, and in that event, said owner shall be assessed and shall be obligated to pay the annual assessment times the number of homes built upon said contiguous lots.

To be considered an attached structure, the building must share a common wall and/or roof affixed to and supported by both structures.

- (a) **NO** home that has been titled, presently titled, or hereinafter titled as a mobile home or doublewide mobile home be allowed to be set-up in Lake Buckhorn Subdivision.
- (b) **All steel support structures** must be removable and permanently removed before any off-site manufactured home be permitted in Lake Buckhorn Subdivision unless the on frame modular floor system is a wood framed floor reinforced by a steel frame beneath. The Ohio Board of Building Standards has approved this floor system.
- (c) **All off-site manufactured home structures** must have a roof pitch **no** less than 4/12 pitch.
- (d) **All off-site manufactured homes** must be in compliance with the Ohio Basic Building Codes.
- (e) **Before beginning construction** on any new residence, a lot owner shall engage a Registered Professional Land Surveyor to perform the following requirements:
 - (i) The surveyor shall locate and mark the corners of the lot
 - (ii) The surveyor shall place stakes on the property lines of the lot opposite the proposed structure so that the setback requirements may be checked before and during construction.
 - (iii) The surveyor shall prepare a drawing of the lot showing dimensions of the lot(s) and the size and location of the proposed residence. The drawing submitted by the surveyor need not contain all the requirements for a boundary survey as defined in the "Minimum Standards for Boundary Surveys in the State of Ohio" unless requested by the lot owner. Cost of engaging the surveyor shall be paid by the lot(s) owner.
- (f) Erosion Control
 - (aa) Property owners or contractors, who are clearing, excavating and/or stripping ground cover from their lot(s), shall provide a means of erosion control.
 - (ab) **NO** eroded material shall be allowed to enter the lake or adjoining properties whether owned by another private individual or by LBPOA.
 - (ac) An erosion control device constructed of a geofabric material or bales of straw shall be placed on all properties where disturbance of the topsoil occur.
 - (ad) The device shall be placed so as to successfully stop soil from moving into the lake or onto other property and shall remain in place until all soil in the area has been stabilized.
 - (ae) This device shall be in place before the Building Permit is issued.

The regulations on unattached garages and out buildings limits the size of either of these types of structures to **no** more than nine hundred (900) square feet, roof pitch **no** less than 4/12 pitch, and **no** more than ten (10) feet height to square. Must have approved residential type roofing/siding.

Acceptable residential siding shall be that which is to be deemed suitable by the Building Committee of LBPOA.

Permits are valid for one (1) year from **date of issue**.

NO REFUND will be given after one (1) year if construction has not yet **begun**.

D--APPROVAL OR DISAPPROVAL

NO improvement, construction, addition, or excavation shall be commenced or continued until the same shall have first been approved in writing by the Building Committee in accordance with the Building Code. Approval shall be requested by submission to the Building Committee of plans and specifications, in duplicate, showing the following:

- 1) **Existing** and proposed land contours and grade.
- 2) **All** buildings and/or other improvements, access drives, and other improved areas, and the locations thereof on the site.
- 3) **Plans** for all floor, cross sections, and elevations, including projections and wing walls.
- 4) **Decks**, porches, dock and boathouses.
- 5) **Type materials** to be used shall be of quality products. Refer to "**Deed Restrictions**", Paragraph (2), pg.5.
- 6) The Building Committee may also request any other information such as data or drawings as it is reasonable.
- 7) **NO** saleable logs may be removed from any lot unless a permit to remove them is first issued by the Building Committee. A saleable log is defined as any log in excess of three (3) inches in diameter, also known as a "lumber stick" or "LG form". **NO** fee shall be charged for the permit. The Building committee shall issue such permits only in the case of construction for which an approved plan exists; or for planned thinning; or for landscaping where **NO** construction is anticipated. A fine of up to ten thousand dollars (\$10,000.00) may be imposed for each violation of this rule. In the case of construction, actual construction or excavation must commence within ninety (90) days after the permit is issued.

Approval shall require a majority vote of the Building Committee based, among other things, upon conformity and harmony of the proposed plans with other structures in the subdivision, the effect of the locations and use of improvements on neighboring property; and conformity of the plans and specifications to the purpose and general intent of the Code. Any questionable plans shall be returned to the entire Board of Trustees for majority approval.

The member is responsible to complete all requirements for a building permit and pay the required fees before a permit will be considered by the Building Committee. After the permit application has been determined to be complete and signed by the Chairman of the Building Committee, the Committee shall have 30 days to approve or disapprove the permit. If no action is taken within 30 days after the Building Committee Chairman deems the permit complete, it shall be presented to the Board of Trustees at the next scheduled meeting for approval or disapproval.

Neither LBPOA, the Trustees, the Committee, nor any member thereof, nor any of their respective heirs, personal representatives, successors, or assigns shall be liable to any one submitting plans for approval by reason of mistakes in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans. Every person and entity who submits plans to the Building Committee agrees, by submission of such plans, that he/she or it will not bring any action or suit against the Building Committee or LBPOA to act or to recover any damage.

E--EXPRESS STANDARDS OF CONSTRUCTION

Reference Requirements: The "Minimum Property Standards for One and Two Family Dwellings" issued by the U. S. Department of Housing and Urban Development and the restrictive covenants of the LBPOA Subdivision are made a part hereof to the same extent as if fully rewritten herein, subject to the express provisions hereinafter set forth.

Earth homes: NO earth homes or basement homes will be permitted within the Lake Buckhorn Subdivision.

Modular Structures: Modular construction shall be permitted within this subdivision. For the purpose of this section, the term "modular structure" shall refer to a single-family residential structure, which has been constructed off-site and transported on-site requiring only placement and minor construction prior to occupancy.

Floor Area: Single story homes shall have a minimum of nine hundred (900) square feet of finished living area. Multi-level homes shall have a minimum of nine hundred (900) square feet of finished living area. The main level shall meet the ***Deed Restriction, Section (3), page 5*** requirement of 900 square feet.

Framing: All framing shall be done in accordance with the requirements of section (D) above. Hereof except that in no case shall framing for walls or partitions be less than 2" x 4" nominal. Spacing of 2" x 4" studs and floor joists shall be a maximum of 16" on centers. 2" x 6" studs may be 24" on centers when set directly under trusses to provide adequate roof support. Resistance to racking in exterior wall construction shall be in accordance with 606-4.7 **Item D.**, except that steel straps will be unacceptable.

Driveways: Concurrent with the excavation for footers or basement, the driveway must be graded and filled with limestone sufficient to provide access for trucks without carrying mud and debris onto the subdivision roadways. Requirements for

tiling of drive and treatment of road ditch to be determined by the Lake Manager. Off-street parking for a minimum of three (3) vehicles must be provided.

Electrical: In addition to the requirements of **Section D** hereof all plumbing shall be in accordance with the National Electric Code.

Plumbing: In addition to the requirements of **Section D** hereof all plumbing shall be in accordance with the Ohio State Plumbing Code. All lavatories, toilets, sinks, and laundry tubs shall have a secondary shutoff valve in each water supply line.

- (a) All customer service lines must be $\frac{3}{4}$ " K copper or 200 lb. $\frac{3}{4}$ " CTS pressure plastic pipe.
- (b) All exterior connections must be made of compression fittings.
- (c) All residential houses or other types of construction must have a shutoff valve located inside the new building, and a check valve.
- (d) The company's operator must be given five (5) days notice in order to inspect the water system between the curb box and the new structure.
- (e) The company will not provide water service until the company or its operator has inspected the customer's water supply installation.
- (f) The company will not provide water supply service to any customer until all past due accounts are paid in full. With respect to all existing water supply services, please note that
- (g) The company or its operator must be given twenty-four (24) hours notice to turn-on or turn-off any customer water supply service.
- (h) The company's fee for connecting or disconnecting water supply service must be paid in advance prior to any action by the operator.

NO customer is permitted to turn on or off his/her water service. Any customer who tampers with the water supply system will be prosecuted. A fee will be charged for this service. A current list of Fees/Fines is at the end of these "Rules and Regulations".

A-Frame dwellings must meet the nine hundred (900) square feet "**Deed Restriction**" and must have a basement type foundation as per **Item D** above. In any new construction or excavation on any lot, all water from run off created by drives, concrete slabs or roofing systems, spouting, etc. should be diverted in such a way that it will go to a ditch along the roads or other ditch going to the lake. If necessary, water brake or catch basins may have to be installed. Final decisions on this will be decided by Lake Management.

GIS Address – The GIS 4-digit house numbering system is mandated by the county and the state. To provide for uniformity, GIS address posts and signs are to be installed at side of driveway to allow for ease of locating by fire, emergency medical services, UPS, DHL, Air Express, FedEx, and any other type of delivery service. Contact the office for installation specifications. (Lot numbers will continue to be used on watercraft, recreational vehicles, docks, boathouses, etc.).

F--INSPECTION

Inspection shall be made by qualified individuals, as designated by the LBPOA Board of Trustees, to determine that the terms of this Code have been met. All inspections must be made on site. No portions of the building may be closed to view until the necessary inspections have been made and THE WORK APPROVED. **ALL INSPECTION COSTS SHALL BE INCLUDED IN THE BUILDING PERMIT FEE.**

G--BUILDINGS –FOLLOWING INSPECTIONS WILL BE REQUIRED

- 1) When the layout is staked, lot line pins must remain visible.
- 2) When building is complete.
- 3) Final inspection when building, grading and landscaping is complete. Other improvements must be inspected sufficiently to determine that it has been done according to the approved plans.

H--BUILDING CODE VIOLATORS WILL BE FINED.

A current list of Fees/Fines is available in the LBPOA Office during normal business hours. A current list of Fees/Fines is at the end of these “Rules and Regulations”.

I--REVIEW OF PROCEDURES

- 1) The Committee shall exercise its best judgment to see that all improvements in the subdivision conform to these standards as to size, external design, quality and type of construction material, setting, heights, grade, finished ground elevation. The actions of the Committee, through its approval or disapproval of plans and other information submitted pursuant hereto, shall be conclusive and binding on all interested parties except that deviations may be referred to the LBPOA Board of Trustees for review and a final decision.
- 2) A final decision of the Building Committee may be appealed to the Board of Trustees of the LBPOA. Variances cannot be granted by the Building Committee but must be returned to the full Board for approval. Variances and exclusions may be requested at a meeting of the Board of Trustees.
- 3) The following procedure shall be effected in order to perfect an appeal:
 - (a) A statement setting forth in detail the basis of the appeal shall be filed with the Secretary of the Board of Trustees and the Chairman of the Building Committee within ten (10) days from the date of the final determination being appealed. Filing may be accomplished by personal delivery or certified mail.
 - (b) The appeal shall be considered at the next regularly scheduled meeting of the Board of Trustees at which time the person filing the appeal must be present.
 - (c) The appeal shall be restricted to the documents upon which the Building Committee rendered its determination, together with the statement described in **Item C (2)** hereof, and any oral statements offered at the time of hearing.

- (d) The determination of the Building Committee shall be conclusive absent a showing on the part of the party filing the appeal that the determination is not supported by the provisions of this Code.

J--INSURANCE REQUIREMENTS

The Contractor shall provide evidence of the following MINIMUM Insurance Coverage:

- 1) Commercial General Liability - \$1,000,000 per occurrence and \$2,000,000 annual aggregate. Such insurance shall be broad form and include the applicable general liability, facility, and food service operations, contractual liability, independent contractor's liability, products and complete operations liability and person injury liability.
- 2) Employer's Liability – with minimum liability limits of \$1,000,000 bodily injury by accident, \$1,000,000 bodily injury by disease, \$1,000,000 bodily injury each employee.
- 3) Commercial Auto Liability -- \$1,000,000 per accident. Such insurance shall cover injury (or death) and property damage arising out of the ownership, maintenance or use of any private passenger or commercial vehicle and any other equipment used on Lake Buckhorn property. If no vehicles are insured commercially, evidence of Hired and Non-Owned Auto Liability is acceptable.
- 4) Property Insurance – replacement cost property insurance to protect against loss of owned or rented equipment and tools brought onto and/or used on any property by the contractor.

Certificates of Insurance

- 1) Certificate will be issued with "The Lake Buckhorn Property Owners Association, Inc." shown as the Certificate Holder.
- 2) The Certificate will include a waiver of subrogation against the certificate holder listed above.
- 3) All policies will be written by companies licensed to do business in the State of Ohio with AM Best Ratings of A- or better.
- 4) Contractor shall furnish the Certificates to the client evidencing the above coverage before work commences.
- 5) Certificates of Insurance relating to policies required under this agreement shall contain the following:

"It is agreed this insurance will not be cancelled, non-renewed or the limits of coverage reduced without a thirty (30) day advance written notice of a ten (10) day advance written notice in the case of non-payment of premium, sent by certified mail to the Lake Buckhorn Property Owners Association, Inc., 1817 SR 83, Unit 332, Millersburg, Ohio 44654, ATTN: Lake Manager."

K—UNATTACHED GARAGE AND OUT BUILDING REGULATIONS

The size of an unattached garage and out building is limited to **NO** more than nine hundred (900) square feet, roof pitch no less than a 4/12, and no more than ten (10) feet height to square and must have residential type roofing and siding.

L--BOATHOUSE/DOCK BUILDING CODE AND RESTRICTIONS

- 1) **GENERAL** – Boat docks and boathouses are built in or on LBPOA Property. Therefore permission to build is given by LBPOA and can be taken away if restrictions are not met or if rules governing docks and boathouses are broken. Refer to “**DEED RESTRICTION**” 6 on page 6.
- 2) **DEFINITION**
 - (a) **DOCK** – any floating or permanently built mooring structure that has no sides. Docks/boathouses should not be within ten (10) feet of property lines.
 - (b) **BOAT HOUSE** – any mooring structure built on lake’s edge that has a roof.
 - i) **NO** sides permitted on boathouses.
 - ii) Boat docks/boathouses extend into the lake **NO** farther than twenty-five (25) feet from the 880’ elevation providing it doesn’t create a hazard.
 - iii) Maximum size of limited to seven-hundred-fifty (750) square feet.
 - iv) Boat docks, with or without boat houses, shall extend no more than twenty-five (25) feet into the water from the shoreline at the 880’ full pool. The dock’s width must not come closer than ten (10) feet from either outer property line.
 - v) Only one (1) dock per contiguous lot ownership or per dwelling.
 - vi) Three (3) inch Lot Numbers, readable from the lake, on all docks and/or boat houses.
- 3) **PERMIT**-- A permit will be granted by the LBPOA for a boathouse when the following are completed:
 - (a) Agreement in writing that the boathouse will be maintained or will be torn down at the owner’s expense.
 - (b) Built to specifications agreed to by Building Code and Building Committee (Ref. Exhibit "A" boathouse building plan available at the LBPOA Office during regular business hours.
 - (c) Agree to an annual inspection on or about November 1st of every year by Lake Manager or a designated representative.
- 4) **INSPECTION** –Lake Manager will inspect boathouses on or about November 1st of each year for security, broken boards, broken structure supports, dry rot and overall appearance. Any of the above will require the notification of the owner who will then have one hundred-twenty (120) days to make repairs.
- 5) **BOAT HOUSE BUILDING PLAN**
 - (a) Maximum overall length of boathouse, twenty-five (25) feet from 880 feet high water mark.
 - (b) Maximum width of boathouse – fourteen (14) feet.
 - (c) Maximum height overall – twelve (12) feet above high water mark.

- (d) Boathouses must be centered on respective lots if possible, otherwise no closer than ten (10) feet from property lines.
- (e) Gabled roof only, no flat roofs.
- (f) Only residential-type materials may be used on roofs.

A License Agreement for Construction and Maintenance of Boat House and Boat House specification diagrams are to be attached to the “Building Permit Application, DOCKS/BOAT HOUSE” form.

10. FIRE LAWS

OHIO DIVISION OF FORESTRY

A Division of the Ohio Department of Natural Resources
District 3 Headquarters, 2205 Reiser Ave. SE., New Philadelphia, Ohio 44663
Phone: 330-339-2205 Fax: 330-339-8786 Website: www.ohiodnr.com/forestry

OHIO’S FIRE LAWS

State law (Ohio Revised Code 1503.18) specifically deals with the issues of negligent outdoor burning and the careless discarding of any burning substances. Below are some commonly asked questions and responses:

“I’ve got a pile of brush out back that I’d like to get rid of. Do I need a burning permit?”

No. State laws were revised in 1988 establishing restricted burning times and the burning permit system was discontinued.

“Is it okay for me to burn this brush pile?”

State law prohibits outdoor burning between the hours of 6:00 a.m. – 6:00 p.m. during the months of March, April, May, October and November; and state law requires that:

- 1) All reasonable precautions must be taken to safely burn and that**
- 2) The fire must be attended at all times.**

“Is it okay, then, for me to burn after 6 p.m. or in any other month?”

You must realize that you are always responsible for the fire you kindle. If a fire escapes your control, you will be liable for prosecution. For additional regulations prohibiting outdoor burning, you should contact the Ohio EPA.

“My neighbor is burning debris. It’s very windy, and I’m concerned. Whom do I contact?”

Outdoor burning problems and/or escaped fires should be reported immediately to your local fire department and/or the local Ohio Division of Forestry office.

“The local landfill won’t take this debris; what alternatives to outdoor burning do I have?”

Consider a more natural approach to debris disposal by recycling appropriate household materials, composting lawn and site debris, and construction brush piles with tree limbs and brush to provide cover and shelter for wildlife and birds.

“Remember, Only YOU can prevent forest fires.”

11.--MEETINGS

--**Regular Monthly Meeting** – presently set as the second (2nd) Tuesday of every month.

--Both the LBPOA Board and the Bloomfield Water Company Board of Directors will set the time and place of their monthly meetings at their own discretion. Members may contact the LBPOA Office during regular business hours or contact any member of either Board to be informed of the dates, times and locations of scheduled monthly meetings.

--**No** visitor, other than a member spouse, may be present at Board meetings unless invited or approved by the President or Lake Manager. Members and/or their spouse(s) may attend these meetings.

--RULES FOR ORDER, DECORUM, AND CONDUCT OF MEMBERS:

1. Persons other than Board members may be permitted to address the Board in the proper order of business. A person present may, upon recognition by the Chair, be heard in the order of business under the heading of “communications and petitions” for a period of five minutes and at such other times as the Board may specifically permit.
2. Except upon consent of the Board, each person addressing the Board shall be required to limit his or her remarks to five minutes. The Chair, in its discretion, may restrict or limit the time allotted to a person whose remarks are repetitive or are not germane to the matter under consideration by the Board. He or she shall at no time engage in any personally offensive or abusive remarks. The Chair shall call any speaker to order who violates any provision of this rule.
3. Each member of the Board shall cooperate with the Chair in preserving order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Board, nor disturb any member while speaking, or fail to abide by the orders of the Board or its Chair, except as specifically permitted by these rules.
4. Any person who shall disturb the peace of the Board, make impertinent, derisive or slanderous remarks; or conduct himself or herself in a boisterous manner, or with a lack of reasonably civil decorum (as determined by the Board); or speak in an abusive or threatening manner to the Board, while addressing the Board, shall be forthwith barred by the presiding officer from further audience before the Board, except that if the speaker shall submit to

- proper order under these rules, permission for him or her to continue may be granted by the Board.
5. Each speaker shall sign and give a brief description of what he or she will comment upon prior to speaking. Time cannot be shared or allotted with other speakers. The allotted time of five minutes shall include and commence from the beginning of the speaker's remarks and includes any time that passes during questioning or colloquy between the speaker and the Chair of the Board. When a group of persons wishes to address the Board on the same subject matter, it shall be proper for the Chair to request that a spokesperson be chosen by the group to address the Board and to limit the number of persons addressing the Board on the same matter so as to avoid unnecessary repetition. In the event a person representing a class or group seeks to speak on behalf of that class, group, or organization, additional time may be granted to that person by the Chair.
 6. Board meetings shall be conducted in a courteous manner. Members of the Lake Buckhorn Property Owners Association, Inc. and members of the Board will be allowed to state their positions in an atmosphere free of slander or threats of violence. Board meetings shall not be used as a forum for politics. Sufficient warnings may be given by the Chair at any time during the remarks and, in the event that any individual shall violate the rules of decorum heretofore set forth, the Chair may then cut off comment or debate.
 7. Each member of the Board and of the Lake Buckhorn Property Owners Association, Inc. shall be required to use a silent alert mode on or to mute the sound emitted from all electronic devices in their possession (including but not limited to cellular telephones, pagers, radios, personal data assistants, and hand-held or portable computers) during all Board meetings. Law enforcement and emergency services personnel acting in their official capacity shall be exempt from the provisions described herein.
 8. No person shall display signs or placards, applaud participants in debate, or engage in conversation or other behavior which may disrupt the proceedings of the Board.
 9. First violation – a verbal or written warning will be given. Second and subsequent violations will result in a fine of \$100.00 for each occurrence.

****** The Minutes of the previous monthly Board Meeting be read at the meetings or copies be available for distribution to property owners and microphones be used at these meetings as a courtesy to the Members.***

****** At the monthly meetings, when the Board votes on an issue, each Board Member is to be reported as to how they voted.***

--**Executive Session** is limited to Board Members. Minutes will be taken at the discretion of the Board during an executive session.

--**ANNUAL MEMBERSHIP MEETING**

See "**Bylaws**", Article III, Section (1), page 11 for full information.

--Special Meetings

See “**Bylaws**”, Article III, Section (2), page 11 for full information.

12.—MISCELLANEOUS**A. -- ELECTION OF TRUSTEES**

See “**Bylaws**”, Article IV, Section (11) pg. 15 for full information.

We hold the last three (3) years of ballots (to be destroyed by burning or shredding).

All ballots must be signed in long hand and in the proper place by the Member/property owner in good standing. No candidate's name or resume received later than nine (9) days before the ballot is to be mailed will be included on the ballot.

B. -- OFFICE

NO original documents or papers referring to LBPOA business are to be taken from the office. Xerox copies can be provided to Trustees. Any member requesting copies from the office may be charged a reasonable rate. See “**Bylaws**”, Article IX, pgs 22, 23.

C. -- FEES/FINES

Available in the Office during normal business hours as well as rental forms. A current list of Fees/Fines is at the end of these “Rules and Regulations”.

D. -- TRESPASSING/TRESPASSERS

****** That any and all criminal trespassing offense, theft of service, fishing without permission, unauthorized use, or any other criminal act against the Association will be referred to the Holmes County Sheriff's Office, and the Holmes County Prosecutor for CRIMINAL CHARGES and PROSECUTION.***

E. -- TRASH DUMPSTER

****** Any refuse generated in the home of any member***” may be disposed of in the Lake's dumpster. This will include, but not be limited to new home construction, garages, storage/out buildings, remodeling, roofing, docks and boathouses. Only a member doing this type of work themselves will be allowed to dispose of waste materials in the dumpster.

F. -- SUBSTANCE DUMPING

NO person may dump or discard any substance, liquid or solid, into Lake Buckhorn waters, chemically treat the water, or the bottom of Lake Buckhorn without express, written permission of the Board of Trustees. Also refer to **ORC 1547.49 and ORC 1531.29, pg. 44 OBOG.**

G. -- DOGS RUNNING FREE

Be advised that the leash law issued by the State of Ohio will apply to Buckhorn residents as well. Any concerns and/or requests by members regarding dogs should be made by contacting the **Holmes County Dog Warden @ 330-674-6301.** Attached to the Rules and Regulations is a current list of fees/fines as they apply to Buckhorn residents.

To avoid any problems or fines, please attach a current license and an ID tag to the collar of your pet to facilitate a safe, expedient return if it should be missing. The ID

tag should include the name, address, and phone number of the owner so they can be contacted.

H.-- HUNTING/TRAPPING

NO hunting or trapping within the Lake Buckhorn Subdivision unless duly authorized by the Board of Trustees.

I. -- FISHING

The LBPOA does not require its membership to have fishing licenses, but since the waters of Lake Buckhorn fall under the jurisdiction of the ODNR, Division of Wildlife, if an Officer of that division were to do a check, it would be advisable to have a current fishing license issued by the State of Ohio.

J. -- FIREARMS

NO person shall discharge any rifle, shotgun, revolver, pistol or other firearm within the Lake Buckhorn Subdivision. This section does not apply when firearms are used in self-defense, in the discharge of official duty, or when otherwise Board authorized.

K. – SIGNS -- Refer to “Deed Restrictions”, Section (5), pgs. 5 & 6

--Policy for realtors and members trying to sell their home/lot(s)— While viewing properties for sale in Lake Buckhorn, non-members must be accompanied by the realtor. If the property is for sale by owner, owner will be considered the realtor.

--Current guidelines state that “For Sale” signs may be placed on the lot(s) listed only. Sign must be removed within fourteen (14) days after date of transfer. Directional signs (showing route to sale) may only be used on the actual day of auction or open house – not to exceed a continuous 24-hour period without prior written approval of the Lake Manager. Limit one (1) sign per listing. The sign may be placed only on the lot(s) listed. Lake front properties and SR 83 properties are allowed to have an additional sign on opposite ends of property. Refer to “Deed Restrictions”, Section 5, pgs. 5 & 6.

--Building Permit signs for construction or improvement of the property in question will be allowed one (1) sign.

--Political/Election/Levy signs must be removed after seven (7) days of the Election for which they are intended. Sign(s) may only be placed on the member’s personal property.

--Any sign violation of the aforementioned motion will be held by the Manager for pickup.

L. -- BOAT STORAGE AREAS

--Spaces are on “first come, first serve” basis.

--Abandoned-deteriorating pontoons and boats will be moved behind the Maintenance building. Abandoned units of non-members, members not in good standing, residents who have sold their property, etc. will be removed from these parking areas to make parking space available for paid up members and to help keep the appearance of Lake Buckhorn Subdivision neat and clean.

--We have reserved parking space only for four (4) large vehicles at Main Entrance parking lot. No utilities will be provided, but can be done at owner's expense.

--We allow boats parked on Lake Buckhorn property with previous year's sticker be exempt from citations, and all trailers have lot numbers on them.

--**ALL** boats, trailers, campers, etc. parked on LBPOA property must have a current lot number on them. This is for identification purposes as they will be removed if not properly marked.

FEE SCHEDULE – REVISED 2008

***** Unless fees/fines are set by either the *Deed Restrictions* or *Bylaws*, they are set at the discretion of the Lake Buckhorn Property Owners Association, Inc. Board of Trustees *****

LBPOA MEMBERSHIP

| | | |
|-------------------|------------|---|
| Initiation Fee | \$1,500.00 | |
| Dues | \$30.00 | (As set by <i>Bylaws</i> , Article 11, Section 2, Pg. 9) |
| Annual Assessment | \$500.00 | (Assessments are set by the Board of Trustees and can vary from year to year) |

REGISTRATION OF NON-STATE LICENSED MOTORIZED VEHICLES

\$5.00 per vehicle per year

RENTAL OF ASSOCIATION FACILITIES

| | | |
|----------------------|----------|---|
| Lakeview Hall | \$150.00 | Per day to be <i>paid in full</i> at time of reservation |
| | \$150.00 | Refundable security deposit to be paid when key is picked up*** |
| North Beach Pavilion | \$100.00 | Per day required at time of reservation*** |
| Main Beach Pavilion | \$100.00 | Per day required at time of reservation*** |

*****Refer to Rental Agreement for non-monetary rules*****

ASSOCIATION DOCKS

Association Dock Rental \$100.00 per season

*****Refer to Rules & Regulations for non-monetary rules*****

BUILDING/CONSTRUCTION

| | | |
|----------------------------|------------|--|
| Application Fee | \$2,500.00 | |
| Security Deposit | \$500.00 | (To cover damages or fines as assessed by the Manager - will be refunded if none are assessed) |
| New Home (sq. ft.) | \$0.75 | Minimum 900 square feet living space based on foundation size. No charge for attached garage unless there is living space above it |
| House addition (sq. ft.) | \$0.75 | |
| House alteration (sq. ft.) | \$0.25 | |
| Attached garage (sq. ft.) | \$0.25 | (must not consist of living space) |
| Outbuilding (sq.ft.) | \$0.25 | Maximum 900 sq. ft. |
| Deck | \$25.00 | not built at time of original construction or included on original plans submitted to Building Committee |
| Dock/Boathouse (sq. ft.) | \$0.25 | Maximum 750 square feet |
| Tree Removal | No Charge | New construction, planned thinning, or landscaping (Refer to Rules & Regulations for non-monetary rules) |

***** UNAUTHORIZED CUTTING OF TREES FOR LUMBERING PURPOSES WILL RESULT IN A \$10,000.00 FINE *****

LICENSE AGREEMENT FOR CONSTRUCTION /MAINTENANCE OF BOATHOUSE

Annual fee \$10.00 ***Refer to building permit for non-monetary requirements***

LBPOA FEE FOR PERCOLATION TEST HOLES

Manual digging \$50.00

Use of backhoe \$75.00

MISCELLANEOUS

Replace lost or stolen keycard \$5.00 Cards available at the office

Bloomfield Water Company Fees

Membership Fee \$350.00 One time fee

Meter and tap in \$1,650.00 One time fee

Quarterly service \$55.00 Home water service - 2% discount if paid by the year

Availability fee \$50.00 Annual fee for members without quarterly service

Water turn on fee \$10.00

Water turn off fee \$10.00

Service Restoration fee \$30.00 To restore water service disconnected due to non-payment

FINE SCHEDULE – REVISED 2008

***** Unless fees/fines are set by either the *Deed Restrictions* or *Bylaws*, they are set at the discretion of the Lake Buckhorn Property Owners Association, Inc. Board of Trustees *****

FAILURE TO MAINTAIN GROUNDS

| | |
|----------------|--|
| First Offense | Written notice requiring compliance within ten (10) days |
| Second Offense | Work will be performed by LBPOA employees at owners expense at a charge of \$25.00 per man hour (amount subject to increase as costs increase). If services of an outside contractor must be engaged, owner will be billed at contractor's rate, plus 10% management charge. |

LITTERING ON LBPOA PROPERTY

| | |
|----------------|--|
| First Offense | Written and/or verbal notice and removal of debris |
| Second Offense | \$25.00 Fine |
| Third Offense | \$200.00 Fine |

OTHER LAKE, ROADWAY, AND COMMON AREA VIOLATIONS

| | |
|----------------|--|
| First Offense | Written and/or verbal notice and removal of debris, must comply <i>immediately</i> |
| Second Offense | \$50.00 Fine, plus loss of <u>all</u> recreational privileges for 30 days |
| Third Offense | \$100.00 Fine, plus loss of <u>all</u> LBPOA recreational privileges for remainder of season, not less than ninety (90) days |

RECREATIONAL VEHICLES (GO-CARTS, MINI-BIKES, MOTORCYCLES, DIRT BIKES, GOLF CARTS, FOUR-WHEELERS, AND SIMILAR POWERED SMALL ENGINES) VIOLATIONS

***** Refer to Rules & Regulations, section 8, pages 9-10 for operating rules and fines for recreational vehicles*****

OBSTRUCTION OF ROADWAYS, WATERWAYS, EASEMENTS, AND/OR COMMON AREAS

| | |
|----------------|--|
| First Offense | If no safety hazard present, written notice requiring compliance within three (3) days. <i>If a safety hazard exists, verbal notice will be given requiring immediate compliance.</i> |
| Second Offense | \$25.00 fine <u>per day</u> will be assessed until compliance. |

BOAT TRAILER, MOTOR VEHICLE, OR OTHER PARKING/STORAGE VIOLATIONS

| | |
|----------------|---|
| First Offense | If no safety hazard present, written notice requiring compliance within three (3) days. <i>If a safety hazard exists, verbal notice will be given requiring <u>immediate</u> compliance.</i> |
| Second Offense | \$10.00 fine <u>per day</u> will be assessed until compliance. |

WATERCRAFT BEACHING, ANCHORING, OR DOCKING VIOLATIONS

| | |
|----------------|--|
| First Offense | Written and/or verbal notice. Must comply <i><u>immediately.</u></i> |
| Second Offense | Fifty dollar (\$50.00) fine and must comply <i><u>immediately.</u></i> |
| Third Offense | One hundred dollar (\$100.00) fine and must comply <i><u>immediately.</u></i> |

FAILURE TO CONTAIN/TETHER DOGS (AS PER HOLMES COUNTY REGULATIONS)

| | |
|----------------|--|
| First Offense | Written notice requiring compliance upon receipt. |
| Second Offense | Twenty-five dollar (\$25.00) and immediate compliance |
| Third Offense | One hundred dollar (\$100.00) fine and prosecution through proper authorities. |

***** FOR ANY VIOLATIONS NOT SPECIFIED IN THE FINE SCHEDULE (EXCLUDING TIMBERING VIOLATIONS) , FINES MAY BE IMPOSED FOR NOT LESS THAN \$10.00 (TEN DOLLARS), NOR MORE THAN \$1,000.00 (ONE THOUSAND DOLLARS). A WRITTEN NOTIFICATION, VIA REGISTERED MAIL WITH RETURN RECEIPT, WILL BE SENT TO THE MEMBER PRIOR TO THE BOARD'S REVIEW*****