

# Lake Wynonah POA Violation Schedule and Fine Table

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## **Upon observing a violation, the Security Officer shall**

1. If possible, video-record (includes audio recording) the violation.
2. Identify the Violator.
3. Immediately report to Local authorities any activity that results in personal injury, threat of injury to innocent parties, or property damage.
4. Prepare a Violation Notice for LWPOA Management to review and send via USPS.

## **Upon receipt of a violation, a designated Security Official and the Community Manager shall:**

1. Review the written violation and any associated video or documentation.
2. If necessary, obtain clarification from the Security Guard issuing the written violation.
3. Determine if the violation constitutes a verbal warning/written warning or a fine.

## **Second and Subsequent Offense Timeline:**

Fines for second and subsequent offenses apply to incidents occurring within one (1) calendar year of the first.

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## Section 1: Motor Vehicle Violations (Moving Violations)

A “Motor Vehicle” shall be defined as any land vehicle using mechanical or electrical power for propulsion (e.g., car, truck, motorcycle, golf cart, or All-Terrain Vehicle (ATV; see Section 8 for Definition).

1a) Speeding: No driver shall drive in excess of the posted community speed limit of 20 MPH. **(Hazard 2 Offense)**

1b) Passing a Stopped School Bus: Passing a stopped school bus is prohibited. Upon meeting or overtaking any school bus on the roadway, operators shall stop at least ten (10) feet before reaching the school bus when the red signal lights on the school bus are flashing. Drivers shall not proceed until the flashing red signal lights are no longer actuated. In no event shall a driver resume motion until all children in the vicinity have reached a place of safety. **(Hazard 4 Offense)**

1c) Driving Carelessly: No driver shall pass another moving motor vehicle, tailgate, or through the misuse of their vehicle, cause physical damage to LWPOA property or the personal property of another Member, or cause or threaten injury to other person(s) and/or pet(s). **(Hazard 4 Offense)**

1d) Operating a Vehicle Without a Driver’s License: No person shall operate a motor vehicle on Lake Wynonah property without being properly licensed or having a valid Learner’s Permit. All persons operating a motor vehicle with a Learner’s Permit shall be accompanied by a licensed driver in accordance with PA law. **(Hazard 1 Offense)**

1e) Operating a Vehicle in Undesignated Areas: Motor Vehicles shall only be operated on paved or graveled surfaces and roadways and parking areas. Operation of any motor vehicle in areas marked “No Motor Vehicles Beyond this Point” or on any portion of any dam or common area not designed as a roadway, access road or parking lot, is prohibited. **(Hazard 1 Offense)**

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## Section 2: Motor Vehicle Violations (Non-moving Violations)

No person shall engage in the following behavior with their motor vehicle or trailer:

2a) Parking on Roadway: No driver shall park or stand a motor vehicle or trailer, whether attended or unattended, within five (5) feet of the paved surface of any roadway. **(Nuisance Offense)**

2b) No Parking Zone: No driver shall park or stand a motor vehicle or trailer, whether attended or unattended, in any clearly marked "No Parking" zone. **(Nuisance Offense)**

2c) Parking in a Space Reserved for the Handicapped: No driver shall park a motor vehicle or trailer in a clearly marked "Handicapped Reserved" parking space unless in possession of a Handicapped or Disabled Veteran license plate or prominently displayed parking placard. **(Nuisance Offense)**

2d) Blocking Fire Hydrant: No driver shall park a motor vehicle or trailer, whether attended or unattended, within fifteen (15) feet of a fire hydrant. **(Nuisance Offense)**

2e) Failure to Display: License plates and current inspection stickers must be properly displayed on motor vehicles. This is not applicable for ATVs (as defined in Section 8) and other vehicles not requiring a license plate and/or state inspection. **(Hazard 1 Offense)**

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## **Section 3: Disobeying Security Officer**

Disobeying Security Officer: No person shall fail to comply with a reasonable request or order made by a Security Officer. **(Integrity Offense)**

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## Section 4: Littering

Littering: A person will be considered to have Littered when the individual:

4a) Causes any wastepaper, household waste, glass, metal, refuse, or rubbish to be deposited into or upon any road or street, or upon land belonging to LWPOA, or any property owner, or into the waters of the community. **(Nuisance Offense)**

4b) Interferes with, scatters, or disturbs the contents of any receptacle containing ashes, garbage, household waste, or rubbish. **(Nuisance Offense)**

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## Section 5: Animal Nuisance

Members/Residents shall not allow their pets (e.g., dogs, cats, and other customary domestic household animals), or wild animals, to become a public nuisance.

5a) Running at Large: All pets must be kept under the control of their owners at all times. Pets must be leashed when off the property of their owner. **(Nuisance Offense)**

5b) Failure to Clean up after a Pet: Pet owners shall promptly remove and properly dispose of all pet waste. Pet owners shall not allow pet waste to remain in the common areas or on the private property of others. **(Nuisance Offense)**

5c) Failure to Adhere to State Law: The violation of Pennsylvania Dog Laws as adopted by Bureau of Dog Law Enforcement and the Pennsylvania Department of Agriculture, or any other valid authority, is prohibited. Current dog license and current rabies vaccination are required. **(Nuisance Offense)**

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## Section 6: Controlled Burns and Recreational Campfires

The following rules govern controlled burns and recreational campfires by Members:

6a) Failure to Notify Security: Members/Residents shall notify Security prior to conducting a **controlled burn**. See LWPOA Member Handbook for restrictions. **(Hazard 1 Offense)**

6b) Unattended/Improperly Attended Fires: Members/Residents shall be present for all controlled burns and recreational campfires and have available some means to control the fire. **(Hazard 1 Offense)**

6c) Fires only when Weather Permits: A Burn Ban imposed by state or local governments shall apply to all recreational campfires and controlled burns. **(Hazard 1 Offense)**

6d) No Controlled Burns after Dark: Controlled burns are allowed only during daylight hours. **(Hazard 1 Offense)**

\*Any and all costs incurred by the LWPOA to extinguish a fire, or to repair or correct property damage resulting from a fire, may become the Member's/Resident's responsibility.



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## Section 7: All-Terrain Vehicle (ATV) Violations

An ATV is defined any off-road vehicle with two, three, or four wheels not licensed or registered for use on public roadways (including, but not limited to, side by side and utility type vehicles (“mules”, “gators”, etc.), golf carts, mini-bikes, and trail bikes).

7a) Members/Residents are prohibited from operating ATVs on Lake Wynonah property except on roadways or areas designated for vehicle use. Use of ATVs in common areas, at the Grove, on Docks, and in areas marked “No Motor Vehicles Beyond this Point”, is prohibited. **(Hazard 1 Offense)**

7b) ATVs must be operated under the following conditions:

- Operator must possess a current, valid driver’s license.
- All ATVs must display on the rear of the vehicle, three (3) inch tall numbers indicating the lot number of the Member/Resident and a current LWPOA Recreational Vehicle Sticker.
- Operation of any ATV after dark is prohibited, unless the vehicle is equipped with a headlight that illuminates one hundred (100) feet in front of the vehicle and a taillight visible for a distance of five hundred (500) feet to the rear of the vehicle.
- A certificate of insurance must be on file with LWPOA Management. A minimum coverage of \$300,000 of liability and a minimum coverage of \$1000 of medical insurance is required.
- Operation of any ATV while carrying more persons than the vehicle is approved for by the manufacturer is prohibited.

(Hazard 1 Offense)

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## **Section 8: Malicious Tampering with Lake Wynonah Property**

Malicious Tampering: It is prohibited to intentionally tamper with property or equipment belonging to LWPOA in such a manner as to interfere with its established use. This includes, but is not limited to, Access Gates, Surveillance Cameras, playground or recreation equipment, and Gate Access Cards. **(Integrity Offense)**

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## Section 9: Weapons in Lodge/Office

A “Weapon” is defined as any instrument used for fighting to include, but not limited to, firearms; clubs (e.g. blackjacks, sandbags, metal knuckles, or police batons); edged cutting instruments (e.g. swords, axes, knives, or razors) the blade of which exceeds three inches in length; any item containing one or more grams of gun-, flash-, or smokeless-powder; crossbow; or other implement that serves no common lawful purpose which may inflict serious bodily injury.

A “Firearm” is defined as any portable weapon firing shot or bullets by gunpowder, and any weapon that is designed, or made readily converted, to expel any projectile by the action of explosion, or the frame or receiver of any such weapon.

Weapons in Lodge/Office: It is prohibited for any person except duly appointed law enforcement officers to wield (i.e., hold or use) any Weapon in the Lodge or LWPOA Management Office, or display a Weapon by removing it from its holster, sheath, pocket, purse, or carrier. **(Hazard 4 Offense)**

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## **Section 10: Sand on Lake Front Property**

“Sand” shall be defined as any granular material composed of fine rock and mineral particles containing 85% or more by mass of particles ranging in size from .05 mm to 4.5 mm.

Members/Residents who wish to place sand on their lake front property shall adhere to the following rules:

10a) Placing Sand without a Permit: Placement and replenishment of sand on lakefront property without an approved LWPOA permit is prohibited. **(Nuisance Offense)**

10b) Proper Containment and Setback: Any placed sand must be set back twenty-five (25) feet from the highwater mark, on a level ground, and contained to preserve the setback. **(Nuisance Offense)**

Exemption: Portable, self-contained, covered sandboxes, moveable by 2 adults, that sit on a level site, are exempt from this rule.

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### **Section 11: Watercraft Violations (Tier I) - Violations related to Lake Wynonah Rules concerning Watercraft Operation and Boat and Recreational Sticker requirements.**

11a) Boating Speed Limit - Daylight Hours: The speed limit for any watercraft on Lake Wynonah is forty (40) miles per hour during daylight hours as defined by the PA Boating Sundown to Sunrise Timetable. **(Hazard 2 Offense)**

11b) Boating Speed Limit - Sunset until Sunrise: The speed limit for any watercraft on Lake Wynonah is fifteen (15) miles per hour from sunset to sunrise, as defined by the PA Boating Sundown to Sunrise Timetable. **(Hazard 2 Offense)**

11c) Boating Limits Weekends and Holidays: No more than two motorized watercrafts owned by any Member/Resident shall be operated at the same time on Lake Wynonah on weekends and holidays, as defined by LWPOA. **(Hazard 1 Offense)**

11d) Counterclockwise Rule: All motorized boating and towable activities, including PWC towing activities, shall be done in a counterclockwise direction. **(Hazard 1 Offense)**

11e) Watercraft Towing: All watercraft towing water skiers, tubers, etc. are limited to only one towable device or water skier at a time on weekends and holidays. The minimum distance between towable and transom is twenty (20) feet. **(Hazard 1 Offense)**

11f) Violations of Lake Wynonah Watercraft Regulations:

- Guest watercraft are prohibited from entering the Lake Wynonah Community.
- All motorized watercraft operators (of all ages) must have a PA Boating Safety Certificate (or equivalent) in their possession.
- Racing by any motorized watercraft is prohibited.
- Follow slow/no-wake rules.
- Watercraft are prohibited from entering any designated swim area. **(Hazard 4 Offense)**

11g) LW Boat Sticker and Lot Number on Watercraft: The Member's/Resident's lot number (minimum 3" high letters) and current, valid, non-transferrable LW Boat Sticker shall be affixed above the water line on the port (left) stern (rear) of the boat. **(Hazard 1 Offense)**

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### **Section 12: Watercraft Violations (Tier II) - Violations related to LWPOA Watercraft Rules concerning Prohibited Watercraft, Wake Surfing, and Invasive Species Policy.**

It shall be a Violation of LWPOA Boating Rules to enhance wakes, engage in wake surfing, or violate the Invasive Species Quarantine Policy.

12a) Wake Boats and Ballast Tanks: Use of ballast tanks, or other mechanical means of creating or enhancing wakes, is prohibited. Watercraft are subject to inspection for use of ballast or wake enhancers. **(Hazard 3 Offense)**

12b) Wake Surfing: Wake Surfing is prohibited. **(Hazard 3 Offense)**

12c) Invasive Species Quarantine Policy: Members/Residents must adhere to the LW Quarantine Policy and Invasive Species Policy. The member shall be responsible for all cost incurred to remediate any damage to Lake Wynonah and/or Fawn Lake. **(Hazard 3 Offense)**

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### **Section 13: Watercraft Violations (Tier III) - Violations related to Violation of PA Boating Regulations, including PA Boating Illegal Watercraft Operations.**

It shall be a Violation of LW Boating Rules to:

13a) Violate PA Boating Handbook Regulations. **(Hazard 3 Offense)**

13b) Engage in illegal boating operations, per PA Boating Handbook, Chapter 2, page 6, 2019 edition, as may be updated or amended. **(Hazard 3 Offense)**

\* The LWPOA Board of Directors reserves the right to restrict or rescind the Violator's Boating Privileges for one (1) year one for a second violation, and two (2) years for a third.

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## Section 14: Community Access Violations

LWPOA Members, Guests, Residents and Contractors shall adhere to all rules concerning access to Community:

14a) Community Access for Watercraft: All watercraft are subject to the LWPOA Quarantine Policy. All watercraft must enter the Community through the Main Entrance off PA Route 183. No watercraft may enter the Community through the East Gate. Watercraft leaving the LWPOA Community without stopping at Security and installing a trailer lock is subject to quarantine upon re-entering the community. Any pollution/infestation/damage resulting in the failure to adhere to this policy, to either Lake Wynonah or Fawn Lake, is the financial responsibility of the Member. **(Integrity Offense)**

14b) Misuse of Gate Key Card: Automatic Gate Key Cards are the property of the LWPOA issued to individual Members/Residents for their use, incidental use by any immediate family who are LWPOA Residents, or immediate family members registered with Security as Guests. Cards shall never be loaned to anyone for the intention of visiting another lot, left unattended in a public space so as to be retrieved and used by other persons, or used multiple times in short order to allow access to other persons operating separate vehicles. **(Integrity Offense)**

14c) Misuse of East Gate: All persons entering the community via the East Gate must access the community via Automatic Gate Key Card. **(Integrity Offense)**



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## **Section 15: Noise Pollution**

15a) Noise Pollution: It is prohibited for Members/Residents to create, or permit to be created by Guests, any loud noise between the hours of 11:00 PM and 7:00 AM. Loud noise may originate from the playing of music, conversation amongst a group of people, use of fireworks or explosive devices (whether legal or illegal), the use of power or mechanical tools, or the operation of motor vehicles. **(Nuisance Offense)**

15b) Excessive Dog Barking: Frequent and/or habitual barking, howling, screeching, yelping, baying, etc., by any pet in excess of 20 minutes. **(Nuisance Offense)**

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## Section 16: Construction Violations

Contractors working in the LWPOA Community shall adhere to the following rules:

16a) Building without Permits: Construction activities shall not commence without an approved LWPOA Construction Authorization. **(Nuisance Offense)**

16b) Construction Deadlines: Construction activities shall not continue beyond the date stated in the LWPOA Construction Authorization without a Construction Authorization extension. **(Nuisance Offense)**

16c) Contractor Hours: Contractors shall only work between the hours of 7:00 AM and 8:00 PM, Monday through Saturday. Contractors are prohibited from working on Sundays and Holidays. **(Nuisance Offense)**

16d) Construction Equipment Parking: Construction equipment shall be parked or otherwise stored only on the lot where work is being performed and during the dates stated in the LWPOA Construction Authorization. Parking of cars, trucks, trailers, or construction equipment on roadways is prohibited. When necessary, contractors shall use flag persons and/or traffic cones, signage, or other control devices. **(Nuisance Offense)**

16e) Tracked Machines: Operation of metal tracked construction equipment on paved roadways is prohibited. **(Nuisance Offense)**

16f) Overloaded Trucks and damage from Construction Activities: Members/Residents and Contractors shall not allow any vehicle to exceed their maximum Gross Vehicle Weight Rating (GVWR), nor operate them in such a manner as to cause damage to, or dump or spill their contents onto, LWPOA roads. **(Nuisance Offense)**

16g) Construction Debris: On a daily basis, Members/Residents and Contractors must remove all construction debris from the Community either by dumpster or truck; such materials may not be burned or buried. Contractors shall take necessary actions to prevent the tracking of any debris (including, but not limited to, dirt, mud, and stones) onto any LWPOA road, and shall be responsible for the daily cleaning of affected roads. **(Nuisance Offense)**

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16h) Violation of LWPOA Construction Rules: Members/Residents and Contractors shall comply with all rules, regulations, policies and guidelines pertaining to construction, as laid out in the LWPOA Membership Handbook, Deed Restrictions, and Construction Authorizations. **(Nuisance Offense)**

\*Any and all costs incurred by the LWPOA, or LWPOA Members, to fix or correct damage, or clear debris, resulting from construction activity shall be the Contractor's responsibility. In addition, a Contractor that repeatedly violates LWPOA Rules may be barred or restricted from working in the Community.

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### **Section 17: Violations Specific to By-Laws, Deed Restrictions & Membership Handbook**

Members/Residents shall adhere to all rules and regulations described in the LWPOA By-Laws, Deed Restrictions and Membership Handbook. **(Nuisance Offense)**

\*Any and all costs incurred by the LWPOA to remedy, cure, remove, or otherwise correct the source of the Violation shall become the Member's responsibility.

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### **Section 18: No Alcohol Permitted in Posted Areas or Operating Motor Vehicles**

18a) No person shall possess or consume alcohol in LWPOA Common Areas where "No Alcohol Permitted" signs are posted. **(Nuisance Offense)**

18b) No person shall operate a "Motor Vehicle" (as defined in Section 1) under the influence of alcohol. **(Nuisance Offense)**

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## **Section 19: Inappropriate Behavior**

Inappropriate Behavior: The following rules address inappropriate behavior by individuals when interacting with other Members, Residents, Guests, and Agents of the LWPOA including any employee, contractor, or volunteer (e.g., Managers, Management Staff, Security Officers, Maintenance Personnel, Directors, Marina Attendants, Lifeguards, Bartenders, and Servers).  
**(Integrity Offense)**

The following is considered inappropriate behavior:

- Making threatening or insulting remarks including, but not limited to:
  - Actions or language stating, threatening, or implying bodily harm or injury to one's person or property.
  - Insulting one's race, ethnicity, color, age, religion, gender, gender identity, sexual orientation, disability, or family.
  - Unwanted comments of a sexually explicit nature.
  - Harassment of any kind, yelling, screaming, raising voice, cursing, and/or disruptive behavior.
- Refusing to cease unsafe behavior or activity when instructed to do so.
- Physical aggression and/or inappropriate physical contact including, but not limited to, hitting, pushing, shoving, and other uninvited bodily contact.
- Bearing false witness to initiate, or interfere with, an investigation of a Violation by Security Officers or LWPOA Management.

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### **Fine Table:**

Group	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense <sup>1</sup>	Subsequent <sup>2</sup>	Additional Penalties
Nuisance	\$50	\$100	\$150	
Hazard 1	\$100	\$200	\$300	
Hazard 2	\$150	\$300	\$450	
Hazard 3	\$200	\$400	\$600	
Hazard 4 / Integrity	\$250	\$500	\$750	

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