

# Lake Swannanoa Homeowners Association

## RULES AND REGULATIONS

(Revised May 2022, Effective May 28, 2022)

In order to maintain the serenity, beauty and natural resources of Lake Swannanoa for the enjoyment of our whole community, it is necessary that the Lake Swannanoa Homeowners Association (LSHA) establish and enforce the following guidelines regarding the use of the lake, beaches and other LSHA properties. Members are expected to respect the rights and privileges of their neighbors, community and fellow members when using lake property and facilities. Lake Swannanoa Homeowners Association Rules and Regulations are supplementary to Lake Swannanoa Homeowners Association By-Laws (Revised 10-2013), NJ State laws as well as applicable county and town ordinances. It is the member's responsibility to be informed of all applicable laws. Lake Swannanoa Homeowners Association assumes no responsibility for its members' knowledge of these laws.

Any violation of the Rules and Regulations should be brought to the attention of the Board by email to [lakeswannanoa@gmail.com](mailto:lakeswannanoa@gmail.com) or by mail to LSHA, Box 2385, Oak Ridge, NJ 07438.

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## Forms of Membership

1. **Covenant Membership / Full membership** is available as described in the bylaws. Lakefront members must join as Covenant or Full Members
2. **Special Auxiliary Memberships (SAM)**. SAM memberships, as described in the bylaws, are made available to families residing within the Ringling properties that are not lakefront as well as outside the described geographic area. On an annual basis, the number of SAM memberships will be determined by the Board. SAM applicants must submit an application and pay the determined fees. Acceptance of their application is subject to the discretion of the Board of Directors of LSHA, and failure to comply with the rules of the Association could result in the loss of privileges and the non-refundable dues.
  - a. Seasonal SAM membership- membership is valid from Memorial Day to beach closing date (determined by the Board yearly) and entitles use of the beach, lake and other LSHA properties such as access paths.
  - b. Yearly SAM Membership- membership is valid from May to May and in addition to the seasonal membership, allows for additional use of the lake after beach season, for activities such as boating, fishing, ice fishing, ice skating, etc.

## Dues

### Full members

Yearly membership fees, determined by the LSHA Board, are due by April 30. Accounts must be paid to date, in order for a member to receive beach badges and boat tags for the current year, and to be considered to be in good standing.

### SAM members

SAM applications will be available to previous SAM members by February 1. Applications are accepted on a First come basis. If there are remaining spots open, applications will be open to the community on March 1. Dues for yearly and seasonal SAMs will be determined by the LSHA yearly. The number of SAMs will also be determined by LSHA Board prior to February 1.

## General Rules

- Anyone destroying, defacing, disfiguring, injuring or damaging any properties of the Association shall be prosecuted to the fullest extent of the law and shall be subject to suspension of membership privileges.
- Fireworks are prohibited on LSHA property including the 10' foot strip except when authorized to do so by the LSHA Board of Directors.
- Gasoline/fossil fuel engines are prohibited on Lake Swannanoa. This includes, but is not limited to all gas powered augers, boats, canoes, wave runners, snowmobiles, snow blowers, all-terrain vehicles and chainsaws. Exception: Medical and other emergencies as well as use of tools by authorized members of LSHA to perform maintenance duties such as deweeding, tree clearing, construction, lake management consultation and snow clearing for ice skating.
- Dumping/littering of any material, including dirt, lawn clippings, leaves, brush, debris, trash, or household waste in or near the lake or on any other LSHA property is strictly prohibited. In addition to the penalty provisions of N.J.A.C. 7:7A- The Freshwater Wetlands Protection Act for such violations, LSHA reserves the right to implement the penalty provisions of these rules and regulations for all violations.
- ATVs are not permitted on any LSHA properties and trails.

## **I. Badges**

1. Color-coded, dated, beach badges and boat decals will be issued to members in good standing in May of each year.
2. Five badges will be given to each member/household. If the immediate permanent household size exceeds five, additional badges will be issued.
3. Each member will be furnished with a copy of the current rules and regulations which are also posted at the beach and the website. Members are subject to the rules and regulations regardless of whether they receive a copy from LSHA.
4. Badges are not transferable.
5. Badges must be conspicuously displayed by all members and guests.
6. All persons' age 12 or older not wearing or openly displaying the current badge will be denied access to the lake property and its facilities. Said persons will be asked to leave lake property and return with their current badge. Members, guests and other persons unwilling to comply will result in disciplinary action, police response, and/or legal action.
7. It is recommended that guests are accompanied by the members when using lake property and facilities.
8. Members are responsible for explaining the rules to their guests before they use the lake. Members are ultimately responsible for the activities and conduct of their guests.
9. Giving badges to members not in good standing is not permitted.
10. Members requiring additional badges for guests may obtain day badges from the Beach Manager or one of the LSHA Board members.

## **II. Watercraft**

1. The term watercraft includes, but is not limited to, boats, canoes, pedal-craft, sailing vessels, inflatable boats, etc.
2. No watercraft are permitted on LSHA property unless owned by a LSHA member and bearing a current boat tag.
3. Color coded boat tags must be displayed by all watercraft, whether in the water, docked or dry laid on lake property, including the 10' strip and access trails, on the starboard (right) side of the bow.
4. Watercraft left on common lake property without a current decal will be considered abandoned property and may be confiscated/removed/discarded in accordance with the applicable statute at the owner's expense.
5. All watercraft and trailers used on other bodies of water should be washed down and free of "hitch hikers" such as zebra mussels prior to returning to lake property or being placed in the water.
6. No person shall use a boat on the lake without having a Coast Guard approved flotation device for each person in the boat.
7. Children 14 and under must wear a Coast Guard approved flotation device at all times when in a boat.
8. Each boat must be used within its safety guidelines for weight and number of passengers.
9. Use of electric trolling motors is acceptable. Gasoline power-driven boats may be used for emergencies and with written approval from the Board, for such things as lake maintenance.
10. Ice boats are prohibited.
11. All boats are to be kept clear of designated swimming areas.
12. All boats must be kept at least 50 feet away from the spillway.
13. No boating in electrical storms or when lightning is imminent. All boats must be beached at the 1st sign of thunder and/or lightning
14. Launching of boats is allowed at the beach and at the end of Lenape Trail.
15. All vehicles including trailers must be removed from the launching ramps after the boat has been launched. Failure to abide by this rule may result in the vehicle being towed at the owner's expense.

## **III. Beach - Swimming shall be at your own risk.**

The beach is a recreational facility for the community and a gathering place for members, their families, and guests. It is an unguarded beach so it is up to each member to follow the below rules to ensure a safe and enjoyable environment for all.

1. All members are requested to help maintain the beach area, parking lot and portable toilet. Diligence is needed in keeping trash off the beach and parking lot areas. It is not the intent of LSHA to maintain a picnic area. However, tables are provided for those bringing food and beverage to the beach.
2. **Do not leave any garbage at the beach or in the parking lot areas.** Please clean up after yourself, and leave the beach in better condition than when you arrived. There are no garbage cans at the beach, please take your garbage with you when you leave. Garbage attracts insects and animals, and thus presents a hazard.
3. Beach opens on Memorial Day. Closing is determined and communicated by the Board each year. (Portable toilet is available during this season only.)
4. **No Lifeguard is on duty.**
5. Safety equipment such as rescue buoy, throw rope, spine board and a first aid kit are available at the beach in compliance with health department requirements (N.J.A.C. 8-26). This equipment is only to be used in emergency situations. The beach manager must be notified if any equipment is used and if any supplies are to be restocked in the 1st aid kit. Contact information for the beach manager is posted at the beach.
6. The beach may be closed during the season due to safety, health, maintenance or other reasons. If this is necessary, an email will be sent to all members and information will be posted at the beach.
7. Water is tested weekly during swimming season. Results are posted at the beach.
8. Beach may be closed for a brief period following deweeding and/or chemical applications. Notice of this closure will be posted at the beach and around the lake.

#### **Beach Rules**

1. Shoving, horseplay, rough games, pushing, running on docks or floats and throwing of mud, sand, or hard objects are prohibited.
2. No pets (dogs, cats, etc.) permitted on the beach year round, except for service and/or therapy dogs.
3. Smoking, vaping, and the use of tobacco products on LSHA property is prohibited.
4. Alcohol is prohibited except by permission of the LSHA Board of Directors.
5. Glass is prohibited on the beach.
6. Boats and fishing are prohibited in the swimming area.
7. The parking area is for persons using the beach or boat ramp who have appropriate badges.
8. Use of illegal drugs is prohibited. Actions of this nature will be reported to the proper authorities.
9. Abusive, vulgar and foul language will not be tolerated. This is a family beach.
10. Disorderly persons will be asked to leave.
11. Bicycles, motorcycles, off road vehicles, ATV's are prohibited on the beach.

#### **Swimming Rules - Members swim at their own risk**

1. The area for swimming, designated by LSHA, is the beach area, located at 11 Lakeview Court.
2. Members assume full responsibility for swimming at the beach and any other location.
3. Persons age 12 or under are not permitted on the beach or in the water unless accompanied by a parent or guardian.
4. No diving off the fishing dock.
5. All swimmers must be appropriately clothed at the beach.
6. Swimming within 100 feet of the dam or spillway is prohibited.
7. Swimming after dark is prohibited.
8. Inflated tubes, rings and floats are permitted, but may be restricted at the discretion of LSHA management.
9. Non-swimmers are to stay in shallow water. Tubes/arm floats/lifejackets do not provide adequate support in deep water.

10. All swimmers must leave the water and beach if thunder is heard and/or if lightning is seen. The beach will reopen 30 minutes after the thunder/lightning ceases.
11. As per New Jersey Sanitary Code:
  - Do not enter the water if you are experiencing or recovering from diarrhea or have had any signs or symptoms of a gastrointestinal (stomach) disease within the last 7 days.
  - All children who are not toilet trained or are in diapers must wear plastic pants or diapers with snug fitting elastic waist and leg bands to contain feces to avoid contaminating the beach and lake. Do not wash soiled diapers in the lake water or bathing area.
  - Children should be encouraged to use the restroom before entering the water. Immediately report any "accidents" you observe in the swimming area or on the beach.

### **Private Beach Parties**

LSHA offers the use of our beach to members for parties and other activities.

1. Members should request permission for use of facilities by completing the Lake Swannanoa Beach Party Request Form found on the website ([www.lsha.us](http://www.lsha.us))
2. The form should be filled in completely and submitted to the Beach Manager at a minimum of two weeks prior to the event.
3. The Manager will review the request and make a determination based on availability of the beach. Permission is at the discretion of the Beach Manager and the Board of Directors
4. The beach will not be closed to other community members during the party period but the use of the gazebo can be reserved.
5. A lifeguard may be required to be provided by the applicant.
6. A user fee or deposit may be required. A portable toilet charge may also be assessed.
7. An application/liability waiver will be required, and must be signed by the responsible party and a Board member. This form must be available for presentation during the event.
8. MEMBERS MUST CLEAN UP COMPLETELY AFTER THE EVENT. A \$100 deposit is required at time of party reservation and will be returned after the beach is cleaned. Failure to clean up after a party will result in forfeiture of the deposit.

### **IV. Fishing**

1. A valid LSHA badge must be worn visibly.
2. The State of New Jersey requires all fisherman age 14 and over must have and conspicuously display a valid New Jersey fishing license.
3. All New Jersey State rules and regulations as stated by the State Department of Wildlife and Game regarding fish sizes and bag limits apply and are strictly enforced.
4. Lake Swannanoa strongly encourages the practice of catch and release.
5. Discretion and safe practice must be exercised when fishing.
6. Fishing is not permitted in designated swimming areas, or on dams and spillways.
7. No club, organization or individual may stock any fish in the lake without proof of proper state stocking permits and prior approval of the Board of Directors.

### **V. Ice Fishing - Ice fishing shall be at your own risk.**

EXTREME CAUTION must be used when going out onto the ice. Changing conditions in the water level and air temperature may make ice unsafe. Buddy system is recommended, and, for your own safety, someone should know you are on the ice.

1. Valid LSHA badge must be worn.
2. Ice fishing is recommended only when the lake is frozen 4 inches or more. LSHA does not determine the safety of the ice and use of the lake is at your own risk.
3. Holes must be no larger than 9 inches in diameter.
4. Ice fishing is prohibited within 25 feet of shore line, within 100 feet of dams or open water, and at the beach area.
5. Lake Swannanoa strongly encourages the practice of catch and release.

6. All New Jersey State fishing laws as well as fish sizes and bag limits apply to ice fishing.
7. Gasoline powered augers are prohibited.
8. Bonfires are prohibited on the lake, except when approved by an authorized member of the Board of Directors of LSHA.
9. Respect the rights of ice skaters.

## **VI. Ice Skating - Ice skating shall be at your own risk**

EXTREME CAUTION must be used when going out onto the ice. Changing conditions in the water level and air temperature may make ice unsafe. Buddy system is recommended, and, for your own safety, someone should know you are on the ice.

1. Valid LSHA badge must be worn.
2. Ice skating is recommended only when the ice is frozen 4 inches thick or more. LSHA does not determine the safety of the ice and use of the lake is at your own risk.
3. Ice skaters should have a pole, rope, or other safety device within close proximity to where they are skating.
4. Ice skating is prohibited within 100 feet of open water, dams and spillway.
5. Respect the rights of fellow skaters.
6. Gasoline powered snow blowers are prohibited on the ice, except when approved by an authorized member of the Board of Directors of LSHA.
7. Bonfires are prohibited on the lake, except when approved by an authorized member of the Board of Directors of LSHA.

## **VII. Dams and Spillway Walls**

1. No one, member or non-member, is allowed on these structures. Dam areas are fenced and locked to deny access. Access is limited to maintenance purposes only by approval of the Board or in an emergency.
2. Trespassers will be warned and if they persist, police will be notified and trespassing charges filed.

## **VIII. Wildlife**

Our lake hosts a generous population of wildlife in its natural habitat. We, as a community, are dedicated to protecting our natural surroundings and wildlife.

1. No wildlife on Lake Swannanoa may be harassed, injured, killed or otherwise abused.
2. Harassment of nesting fowl and other species, stealing eggs, and other detrimental actions by individuals will not be tolerated.
3. The Board of Directors of LSHA reserves the right to control species populations within the law if necessary to maintain the health and welfare of the membership, lake and dams.
4. As per New Jersey State law, no feeding of any wildlife or waterfowl is permitted.

## **IX. Use of Lake Property, 10-foot strip and Access Trails**

LSHA is the owner of the lake bed itself and the 10' wide strip of land around the perimeter of the lake, several access trails, two ponds, two dams, lots around the lake, the boat house, the pump house, the barn, and beach lots. No private individuals own land that actually abuts the lake. The 10' strip intervenes between the lake and all properties that surround it.

1. **Use of all land owned by LSHA is limited to members in good standing only.**
2. The Board reserves the right to access the strip for safety and/or emergency.
3. Privacy of individual residents should be respected at all times.
4. All LSHA property is to be kept clear of trash and other debris.
5. Cutting and clearing of trees on LSHA property is prohibited except with Board permission.

## **X. Homeowner Improvements to 10' strip**

1. Landscape, maintenance of existing improvements and non-permanent care is permitted for members in good standing. Members are urged to consider the impact their property has on the overall

appearance and use of the lake.

2. Permanent improvements and any building or construction such as docks, retaining walls, boardwalks, paver stones, drainage, plumbing, electrical improvements are prohibited without permission of the Board and the applicable authorities. All owners must comply with the Lakefront Construction Policy issued April 15, 2020 found on the website [www.lsha.us](http://www.lsha.us)
3. LSHA reserves the right to review improvements as to structural integrity and safety.
4. Poorly maintained, rotted or unsafe docks and other items or modifications that are deemed hazardous to the lake, low level outlet valves, and spillway will be removed by discretion of the Board after the owner has been notified thirty days prior by regular and certified mail. If the owner fails to remove or repair the property, to the written satisfaction of the Board, it will be removed at the home owner's expense.
5. Maintenance of the 10ft strip and any permanent improvements is the responsibility of the homeowner.
6. Disposal of yard waste into the lake is prohibited.
7. All Jefferson Township and State laws regulating refuse, tree protection, debris disposal, and construction refuse will apply.

## **XI. Tree Policy**

All homeowners are subject to the Lake Swannanoa Tree Policy (May 28, 2020) found on the website, [www.lsha.us](http://www.lsha.us)

## **XII. Non- Compliance**

**Rules & Regulations are designed to help insure the safety and enjoyment of all members. Failure to comply with the LSHA rules and policy may result in suspension or forfeiture of all lake and membership privileges. The violation of rules and regulations based on NJ statutes and codes, Township Ordinances and NJ health codes, will result in prosecution by the appropriate entity. In addition, LSHA reserves the right to take the following action for violations of the rules and regulations:**

1. Non-compliance with rules and regulations will be cause for immediate eviction from the lake and/or beach properties. The Association reserves the right to refuse admission and evict any person or party, and change rules and regulations as needed to provide a safe family environment for all to enjoy. The Association has the right to confiscate badges from members disregarding any rule.
2. The Beach Manager and/or the LSHA Board are the final authority on matters affecting the day-to-day operations of the Beach and Swim areas.
3. Any person who uses the lake, beach, trails, or roads is deemed to have knowledge of, and consented to be bound by the LSHA Rules and Regulations.
4. Sharing of membership is strictly prohibited and will result in confiscation of badges and boat stickers. Members are responsible for the conduct of their guests.
5. Disorderly conduct and or dangerous behavior on LSHA properties are strictly prohibited and may result in immediate eviction. The Association has the right to immediately confiscate badges or boat tags.
6. The LSHA Board and/or the LSHA Security Guard reserve the right to inspect any boat/watercraft for use on Lake Swannanoa, to verify that it complies with the LSHA Boating Rules and bears a current sticker. Sharing of membership boat stickers is strictly prohibited. Non-compliance with the LSHA Boating Rules can result in revocation of the LSHA boating stickers issued.

## **Non Compliance Process**

### **Juvenile Matters:**

In all violation incidents where a juvenile under 18 years of age has been involved, Lake Patrol or Board of

Directors shall make all reasonable attempts to contact that juvenile's parent or legal guardian regarding the incident. Where the incident is of a minor nature, the parent or legal guardian in question shall be notified by mail or email regarding all matters pertinent to the incident. If the incident requires control of the minor to prevent bodily injury, danger to others, property damage, or serious physical damage, the Lake Patrol or Board of Directors shall immediately contact the appropriate police authority. In all cases, after mailed notification has been made to the juvenile's parents or legal guardian, continuing violations will be referred immediately and directly to the Jefferson Police Department.

**Board Process for non-compliance with By-laws and/or Rules & Regulations**

The Board will begin the process by sending a letter to the resident, notifying the resident of the circumstances and asking them to take care of the situation immediately. The letter will describe the violation, the date, and request resolution. If the matter is not resolved, to the satisfaction of the Board, the Board will consider implementing disciplinary action, i.e. rescind beach or boat privileges, restitution of damages, etc. The Board may suspend membership privileges and assess a monetary fine. A letter will be sent to the member advising them of the violation, the proposed penalty and inviting them to appear at the next Board meeting where they will have an opportunity to be heard before the Board makes a final determination on the penalty. A final letter will be sent to the member informing them of the Board's decision.