



- A. Quiet hours throughout the Lake Latonka community are from 11:00 p.m. to 7:00 a.m. on Sundays through Thursdays unless it is the day before a National Bank Holiday, and 12 midnight to 7:00 a.m. on Fridays and Saturdays and days before National Bank Holidays. No fireworks are allowed during these quiet hours and neighbors should not hear loud music, voices, barking dogs, or other noises during quiet hours. Report violations to Security or LLPOA staff. Should another violation happen after a 30-minute time period, additional fines according to the STANDARD FINE schedule will be imposed after each subsequent 30-minute time period. STANDARD FINES will apply.
- B. Vandalism: Any Member, guest or visitor who willfully and intentionally damages any LLPOA property, or the property of any other LLPOA Member, shall be liable for the cost of repair for any such damage and shall be subject to a fine of One Thousand Dollars (\$1,000.00) and suspension of MEMBERSHIP PRIVILEGES for a period of 6 months, and subject to charges pressed by the property owner or proper authorities
- C. Littering, dumping of yard waste or any other refuse in culverts, in the lake or anywhere on LLPOA property is not allowed. STANDARD FINES will apply.
- D. Temporary storage units (pods), storage trailers and trash containers such as roll offs are permitted for a period of 60 days or the length of the existing building permission. Trash containers must be emptied within three (3) days of being full. STANDARD FINES will apply
- E. Pets and glass containers are not permitted on the beach or playground area. STANDARD FINES will apply.
- F. Outdoor lighting shall not be offensive to neighbors. Outdoor lighting shall not create a hazardous situation and shall not shine beyond the boundaries of the owner's property or dock and shall not exceed a height of twenty-five feet above the ground level. Please be courteous and turn off lights when they are not needed. STANDARD COMPLIANCE ENFORCEMENT applies.
- G. No fires (i.e. burning leaves) within 10 feet of LLPOA roads, lake, inlets or on LLPOA property except in designated fire pits. You should not have a fire within 100' of the appurtenances of the main gas line that runs through and under Lake Latonka, or near other such potential hazards. STANDARD FINES will apply.
- H. No hunting or discharge of firearms (except for the purpose of defending yourself or property with applicable laws) or other weapons that pose a threat to life or property will be permitted in the Lake Latonka Subdivision. However, the Board may approve the use of firearms for a controlled hunt for control of nuisance animals or migratory birds in conjunction with and supervised by the Pennsylvania Game Commission. STANDARD FINES will apply and violators may be prosecuted as defiant trespassers pursuant to the laws of the State of Pennsylvania.
- I. To encourage moving boats or trailers out of site they may be stored on the LLPOA property near the Barn for a nominal fee of \$25 per year with stickers. If you do not renew the storage fee or remove the boat or trailer, then STANDARD COMPLIANCE ENFORCEMENT applies.
- J. No abandoned, unregistered, unlicensed, junked or wrecked automobiles, motor vehicles or boats will be permitted on any property (except inside BUILDING(S)) within the LLPOA subdivision. STANDARD COMPLIANCE ENFORCEMENT applies.
- K. Boat lifts or docks may not be stored on land within 60 feet of NORMAL HIGH WATER LINE during June, July or August. STANDARD COMPLIANCE ENFORCEMENT APPLIES.
- L. No discarded material, junk, refuse, or articles will be permitted to accumulate on any lot or locations within the LLPOA subdivision. STANDARD COMPLIANCE ENFORCEMENT APPLIES.
- M. ~~No bus, converted bus, trailers, campers, tents or other sleeping facility may remain on any vacant lot, picnic or recreation area after midnight. STANDARD FINES apply.~~
- N. PETS: According to state law (<https://www.agriculture.pa.gov/Animals/DogLaw/pa-dog-laws/Pages/default.aspx>) all dogs must be under control of the owner at all times. Please pick up after your pets

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. M (p. 13): Fining provision permits the imposition of fines without advance written notice and a statutory opportunity to be heard.

Statutory / Legal Reference: 68 Pa.C.S. § 5302(a)(11) (UPCA)

Statutory Comparison: Under 68 Pa.C.S. § 5302(a)(11) (UPCA), a Pennsylvania unit owners' association has the statutory power to levy reasonable fines for violations of the declaration, bylaws, and rules and regulations of the association only "after notice and an opportunity to be heard." Provisions authorizing automatic, summary, or unilateral fines without prior notice and a hearing opportunity conflict with mandatory Pennsylvania statutory due process.

CURRENT WORDING IN DOCUMENT:

or recreation area after midnight. STANDARD FINES apply. N. PETS: According to state law (<https://www.agriculture.pa.gov/Animals/DogLaw/pa-dog-laws/Pages/default.aspx>) all dogs must be under control of the owner at all times.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to 68 Pa.C.S. § 5302(a)(11) (UPCA), no fine or disciplinary penalty shall be levied against any Unit Owner unless and until the Executive Board has provided the Unit Owner with prior written notice of the alleged violation and a reasonable opportunity to be heard before the Executive Board or its designated hearing tribunal.