

BYLAWS  
OF  
LAKE CHAWEVA CLUB

REV: June 9, 2019

ARTICLE 1 – NAME AND SEAL

The name of this corporation is “Lake Chaweva Club” and its corporate seal shall be a circular impress of said name, together with the words “Charleston, WV Corporate Seal 1952. “

ARTICLE 2 – PURPOSE

This Club is and shall remain a non-stock, non-profit corporation operated for the mutual benefit of its members who are property owners at Lake Chaweva Club.

ARTICLE 3 – PRINCIPAL OFFICE

The principal office of this corporation shall be kept and maintained at Lake Chaweva club, in the county of Kanawha and State of West Virginia.

“Club property,” or the property that is owned by all the members jointly, includes the property from the front line of the lots, including the road, lake frontage and the lake, with all improvements made thereon by the Club, including bathing beach, tennis courts, picnic areas, club house, bathhouse, ball field, playgrounds, etc.

(See Article 10€ regarding the physical location of the office)

ARTICLE 4 – ANNUAL MEETING

The annual meeting of the members (in good standing) of the Club shall be held at such place as may be designated by the Board of Directors on the second Sunday in April of each year at 2:00 p.m. for the purposes of electing directors and the transactions of any and all business which may be presented at the meeting.

The Board of Directors shall present a proposed budget at this meeting for the approval by vote of a majority of the members (in good standing) present or by proxy. If the budget is not approved, a special meeting of the members (in good standing) shall be called by the President for the sole purpose of considering and approving a budget

#### ARTICLE 5 – SPECIAL MEETINGS

- A. Special meetings of the members (in good standing) may be called at any time by the President or by the Secretary upon the request of the Board of Directors or of fifteen percent (15%) of the members (in good standing) of the Club.
- B. A special meeting may be called by 15% of the membership to discuss the removal of one or more Board members. (As amended February 8, 1998.)
  - 1. A Board member may be immediately removed at a special meeting by a majority vote either by show of hands or by ballot.
  - 2. A majority of the special meeting will consist of those who are present.
  - 3. The call by 15% of the membership must be accomplished in writing by signature and associated lot number.
  - 4. The purpose of the special meeting must also appear on the face of the document to be signed by 15% of the membership.
  - 5. The Board will have ten (10) days to establish a special meeting date which will not exceed thirty (30) days from the date the Board is served with the written request either by mail or in person.
  - 6. The membership will be given fourteen (14) days advance notice of the meeting date.

#### ARTICLE 6 – NOTICE OF MEETINGS

- A. Notice of the annual and other meetings of the members (in good standing) shall be given by advertising the time, place and purpose of the same by notice mailed to each member at least ten days prior to such meeting, with notices addressed to the last known post office (mailing address) and/or email address of said members appearing on the books of the club. Notice of annual and other meetings will be posted on the Lake Chaweva website. (As amended June 10, 2018)
- B. It shall be the duty of each member to furnish the Secretary of the person's post office (mailing) address and/or email address, and to notify the Secretary of any changes thereof.

Notice of any meeting mailed to the last post office (mailing) address or email address on file, posted on the Lake Chaweva website, and shall be sufficient notice hereunder. (As amended June 10, 2018)

- C. A detailed financial statement listing receipts and disbursements (actual income/expenses of current year and proposed budget for next fiscal year) shall accompany the annual meeting notice.

#### ARTICLE 7 – QUORUM

- A. At any meeting of the members, a quorum shall be constituted by the presence of fifteen percent (15%) of the members (in good standing) in person or by proxy; but if a sufficient number of members (in good standing) do not attend in person or by proxy at the time and place appointed, those who do attend may adjourn from time to time until a meeting (with a proper quorum) is regularly constituted.
- B. Every meeting of the members (in good standing) may adjourn from time to time until its business is completed.
- C. Said proxy may be exercised by the member (in good standing) so designated on the proxy statement either in all unfinished, new or miscellaneous business matters and the election of Directors or only on specific items so noted on the proxystatement.

#### ARTICLE 8 – ELECTION OF DIRECTORS

- A. In all elections for Directors, each member (in good standing) present or by proxy may vote for the number of Directors to be elected.
- B. Nominees must be present and in good standing (no delinquent dues or fees).
- C. The required number of nominees receiving the highest numbers of votes shall be declared elected.
- D. Nominations may come from the floor. It is assumed that, as in (B) above, the consent of all nominees to serve has been secured before proposing the names.
- E. The motion to close nominations is not in order until a reasonable time has been given for making nominations (not to exceed five (5) minutes).
- F. In the event that the nominating committee is unable to find qualified Lake members willing to serve as a Director, Board members whose terms have expired may serve an additional one (1) year term with the approval of the membership at the annual meeting.

## ARTICLE 9 – BOARD OF DIRECTORS

- A. The Board of Directors (BOD) shall consist of seven (7) members of the Club, any four (4) of whom shall constitute a quorum for the transaction of business. Election of Board Members will be held at every annual meeting, and the number of positions to be voted on will depend on the number of expiring terms at the time. **(As amended June 9, 2019)**
- B. The term of each Director shall be from the date of the person's election until the next annual meeting following the meeting at which the person was elected, and thereafter until the persons' successor is qualified and elected. There are three (3) 3-year terms, Two (2) 2-year terms, and two (2) 1-year terms. The Secretary will keep board member terms of service on record. Upcoming end-of-term positions will be included in the annual meeting notice, in order for members to be able to run for the position. **(As amended June 9, 2019)**
- C. C.1. In the case when a decision must be made, that normally requires a vote of the BOD's but is not during a regular session, a phone survey may be conducted to achieve a consensus. An example would be a situation requiring the expenditure of lake funds must be made, which normally would be presented for vote during a BOD meeting but cannot wait until the next meeting and requires immediate attention. In this case, the President will make a reasonable attempt to contact all BOD members by telephone, present the issue and proposed resolution, and ask for a yea or nay vote on the action. (as amended June 10, 2018)
- C.2. After the matter has been addressed, the President will write up a summary of the situation that required the immediate action, the results of the telephonic survey, and the remediation implemented. The summary will be presented at the following BOD meeting and recorded in the meeting minutes. (As amended June 10, 2018)
- D. In the event of a lack of quorum at any meeting of the BOD, the attending Directors may adjourn the meeting from time to time until a quorum is secured.
- E. The BOD may hold meetings at such time and place as it sees fit but shall meet at least four (4) times between annual meetings. The BOD shall prescribe by resolution when its regular meetings shall be held, how such meetings shall be called and what notice of time and place to be held shall be given therefore.
- F. The first thirty (30) minutes of these meetings shall be open to discussion on matters brought forth by interested members. Speaking time shall be apportioned according to the number of members present who wish to speak. The remainder of these meetings shall be conducted in closed session. Members are welcome to observe business conducted during closed sessions except for those matters of a personal nature, at which time an executive session shall be called.
- G. A vacancy in the membership of the BOD may be filled by the President, with the approval of the BOD, until the next annual meeting of the members of the Club: such vacancy shall then

be filled by election by the membership for the unexpired portion remaining in the term of the former BOD member. (See Article 8.) In the event of the death, resignation or removal from office of all members of the BOD, the President and Secretary, or either of them, shall forthwith call a special meeting of the members of the Club to choose new Directors.

- H. No Director shall be eligible for re-election until the second annual meeting following the end of the person's elected term; a Director elected to fill an unexpired part of a term shall be eligible for election for a full new term.
- I. In the event a Director has three (3) consecutive absences from regular meetings of the BOD, a representative of said body shall be appointed to investigate and report on the circumstances of the absences to the BOD. Upon affirmative vote by the BOD, the Director in question may be removed from the Board and the vacancy shall be filled as herein provided. (See Article 9, Section G.)
- J. In the event a duly elected or appointed member of the Board shall fail to pay their annual dues within sixty (60) days of billing date, their chair shall be declared vacant and said vacancy shall be filled in accordance with Article 9, Section G. The BOD is empowered to set up a payment schedule with a member who presents a reason for their inability to pay the total amount of their dues within the sixty (60) day period. As long as said Board member complies with the agreement, their seat shall not be declared vacant. (As amended February 12, 2001)

#### ARTICLE 10 – RECORD OF THE BOARD OF DIRECTORS

- A. The Board of Directors (BOD) shall keep a record of their proceedings which shall be verified by the signature of the presiding officer and the Secretary of the meetings.
- B. No member of the Board shall vote on a question in which the person is interested other than as a member (conflict of interest), except at the election of the President or other officer or agent of the Club, and no member shall be present at the Board meeting while a question to which the person is interested other than a member (conflict of interest) except a s provided above is being considered (or voted on).
- C. On any question (motion), the name of those voting and how they vote shall be entered on the record of the proceedings of the Board if any member of the Board requires it.
- D. The Board shall also cause regular and correct books of account to be kept for the Club and to be settled and balanced once at least every six (6) months.
- E. The entrance room of the Gate House shall be designated as the office of the lake Chaweve Club, and a copy of the minutes of the Board meetings shall be posted by the Secretary on the office bulletin board no later than one (1) week from the date of the Board meeting. A complete up-to-date list of names, lot number, phone number and addresses of all members shall be kept on file in this office (and also be included in this booklet with the member's

written consent to distribute their contact information to other Lake members). (As amended June 10, 2018).

#### ARTICLE 11 – OFFICERS AND AGENTS

- A. As soon as may be possible after their election, the Board of Directors (BOD) shall choose, from their own body, a President, Vice President, Secretary and Treasurer, and such other officers and agents of the Club as it may deem proper.
- B. The BOD shall annually thereafter elect such officers as aforesaid and such other officers and agents of the Club as it may deem proper.
- C. The President shall preside at all meetings of the members and directors of the Club at which the President is present and is authorized to countersign checks, drafts or other money orders of the Club, contracts, deeds and other instruments, and to acknowledge the recording of deeds and other instruments and to cause the seal of the Club to be affixed thereto when required.
- D. The Vice President shall perform the duties of the President in his/her absence or inability to act, and shall perform such other duties and have such further authority as the BOD may from time to time prescribe.
- E. The Secretary shall keep all papers and correspondence of the Club, and shall keep and preserve a record of all meetings of the BOD and members, and shall keep the seal of the Club (if not in the safety deposit box), and shall affix the seal to all documents requiring it.
- F. The BOD shall hire a non-member bookkeeper (accountant) who shall keep a record of money received and paid out and of all vouchers and receipts given therefore.
- G. The Treasurer shall have the charge of all funds of said Club. The President and Treasurer and authorized on behalf of the Club to sign checks, drafts and other orders for money of the Club. If the BOD shall so prescribe, all checks shall be countersigned by the President or Vice President or accountant.
- H. The Treasurer and the bookkeeper (accountant) shall give bond in an amount fixed by the BOD, the premium of which shall be paid by the Club.
- I. The BOD shall prescribe the wages, hour and working conditions for those persons performing bookkeeping (accounting), grounds maintenance, legal and other services (excluding emergency needs) for the Club. This responsibility includes the hiring and termination and/or replacement of said employees.

## ARTICLE 12 – COMMITTEES

- A. The BOD shall have the power to appoint an Executive Committee to be composed of three (3) Directors, and to delegate to said Executive Committee any of the powers of the Board in the course of the current business of the Club, provided but shall not be delegated to the Executive Committee the power to elect, suspend or expel any member.
- B. The BOD shall appoint a Membership Committee to which shall receive and review all applications for membership (and tenancy) in the Club and report thereon to the BOD and shall perform such other duties as may be imposed on it.
- C. The BOD shall appointing a Building Committee, subject to the supervision and control of the BOD, which shall oversee the requirements of the Building and Grounds Code.
- D. The BOD shall appoint a Grounds Committee which, subject to the supervision and control of the BOD, shall have charge of all the grounds of the Club. (See Article 3.)
- E. The BOD shall appoint a Maintenance Committee, subject to the supervision and control of the BOD, shall be responsible for the upkeep of the Club House and everything pertaining thereto, as well as any other structures on Club property... (See Article 3.)
- F. The BOD shall have the power to appoint such other standing committees as it may deem necessary. Said committees shall perform such duties and have such authority as the BOD may from time to time prescribe and shall be subject to the direction of said Board or of the Executive Committee when the Board is not in session.
- G. A list of committee chairpersons shall be posted on the bulletin board.

## ARTICLE 13 – MEMBERS

- A. No person shall be eligible for membership in this Club unless the person is eighteen (18) years of age or older, and the purchaser of a fee, interest or an undivided one-half interest, as a tenant in common or otherwise, in one or more lots in one or more of the subdivisions included in Lake Chaweva.
- B. For the purpose of determining who is eligible for membership in this Club, “Lake Chaweva” is hereby defined to include only the following lots:
  - a. Lots 1 to 33, both inclusive; Lots 35 to 206, both inclusive; and Lots 1-A to 32-A, both inclusive, as shown on the map of Lake Chaweva, revised plot, dated November 1935, recorded in the Office of the Clerk of the County Court of Kanawha, West Virginia, in Map Book 7, page 141.

- b. Lots b-1 to B-29, both inclusive, as shown on the map of Chaweva Heights, dated December 1938, recorded in the aforesaid Clerk's office in Map Book 8, page 36.
  - c. Lots B-31, B-32, B-33, F, J, K, L, M and O, as shown on the map as the Addition to Chaweva Heights, dated November 1947, as recorded in the aforesaid Clerk's office in Map Book 9, page 93.
  - d. Lots B-30, C, D, E and H, conveyed by metes and bounds description and not shown on a record map.
  - e. Lots J, K and L on Route 35, as conveyed to Valley Bell Dairy Company, by deed of record in the aforesaid Clerk's office in Deed Book 411, page 28.
  - f. Lots 1 to 15, both inclusive, as shown on the map of Killen Hollow, dated May 24, 1949, to be recorded.
- C. New members are required to meet with the Membership Committee of at least two (2) people, at which time they will fill out an application for membership agreeing to abide by the Bylaws of Lake Chaweva Club, Inc. If they agree to accept the conditions of these Bylaws, they will sign their application and pay the required one-time membership fee (which goes into the Capital Improvement Fund) in full. Also, at this meeting, the new member(s) will make arrangement for or pay any dues and maintenance fees or assessments for the current year. Annual fees and assessments; may be transferred to the new owners (if paid); membership fees are nontransferable. (As amended April 29, 2007)
- D. Guests may be admitted to the Club House and be afforded the privileges of the Club upon such conditions and are subject to such restrictions as the BOD may from time to time prescribed (i.e., members must be in good standing).
- E. A membership may be divided equally between two (2) joint owners if the title to the lot or parcel at Lake Chaweva is so vested. Such membership shall coast only one vote and shall be issued in the joint names of the persons sharing the lot or parcel. In the event the joint owners cannot agree on how the single membership shall be voted, such membership shall not cast its vote for the matter at issue. No other division of membership shall be made.
- F. Two (2) memberships or more may be issued; one to a person of a couple and one to a person of a couple if the couple own together or separately, two or more membership lots. In such event, each membership lot shall be assessed with an additional onetime membership fee, all dues and assessments. No more than two (2) membership votes shall be issued to any couple, jointly or separately. (As amended April 29, 2007)
- G. Upon the sale of all lots or parcels at Lake Chaweva owned by a member, such membership shall automatically terminate and be at an end. Upon sale of a lot, the membership certificate

shall become null and void, unless the member retains ownership of another lot or lots at Lake Chaweva.

- H. For the purpose of construing the Certificate of Incorporation, these Bylaws and all rules and regulations of the Corporation, the terms “persons” and the term “member” shall mean only natural individuals and shall not include any other legal entity such as corporations, partnerships or associations.
- I. Inheritance Clause. **(Added June 9, 2019)**
  - a. When property on Lake Chaweva is bequeathed, the heir will not be charged a new membership fee. The inheriting person becomes the new owner by virtue of inheritance.
  - b. The heir is responsible for all past, current, and future lake dues of the deceased property owner.
  - c. The heir will provide the BOD proof of new ownership within a reasonable amount of time after inheriting property on Lake Chaweva.
  - d. If there are multiple heirs of the same property, and the disposition of the property is in probate, the executor of the estate will be responsible for payment of lake dues until the final disposition of the property.
  - e. Upon final disposition, the new owner will be responsible for all membership fees.
- J. Sale of Property to a Family Member **(Added June 9, 2019)**
  - a. When property on Lake Chaweva is sold from one family member to another family member, the family member purchasing the property will be required to pay the new membership fee to become a member of Lake Chaweva.

#### ARTICLE 14 – DISCIPLINE

- A. If the conduct of any member (or guest or tenant) shall appear to be a willful violation of the Bylaws and rules of the Club, or prejudicial to the interest or character of the Club, the BOD may by affirmative vote of two thirds of the entire Board, vote to apply sanctions for such violations. Thereafter, a written copy of the charges shall be served upon the member and an opportunity given to be heard before the Board, at the next scheduled meeting, in the member’s own defense. At that time, a motion to reverse a sanction may be made, but not thereafter. (As amended April 29, 2007)
- B. No intoxicating liquors shall be sold or kept for sale, nor shall any gambling or games of chance be carried on or played, nor shall any subscription list be circulated to subscription for any purpose whatsoever be requested on Club property.
- C. Members and non-members (guests and tenants) who violate Lake Chaweva Rules and Regulations or Bylaws, or who damage, vandalize or in any other way harm Lake Chaweva

Club property may be sanctioned in the following manner:

1. May be barred from using Lake Chaweva Club property. This includes attending events, swimming, fishing, boating, being on Lake Property, etc.
  2. Shall pay for the repair/replacement due to damage to Lake Property.
  3. May be charged with destruction of property and/or trespassing and prosecuted under the law.
  4. May have gate cards and gate codes suspended. If a problem is due to action of guests or tenants, the responsible member (who allowed the violator in) may be held responsible.
  5. No hearing will be required to apply these sanctions, although a letter will be sent advising the responsible member or violator of their sanction.
- D. Violations that may cause a gate code to be suspended or a gate code to be turned off include, but are not limited to: **(As amended June 10, 2018)**
1. Speeding
  2. Littering on Lake property
  3. Excessive noise after midnight
  4. Vandalism or destruction of private or Lake property
  5. Use of obscenities, profanities or lewd gestures, public nudity
  6. Underage drinking or allowing same on lake property
  7. Contributing to the delinquency of a minor
  8. Illegal drug use on Lake Property
  9. Operating motor vehicles not properly licensed or insured
  10. Operation of off-road vehicles on Lake property and roads
  11. Cruelty to animals both domesticated pets and wildlife
  12. Violating the catch and release rule for fishing
  13. Operating a motorcycle on Lake roads or property
  14. Permitting guests or family members to violate Lake Bylaws
  15. Any other actions deemed as violations by the Board of Directors
- E. The Board of Directors has the right to give warnings on first offenses that do not include damage to property or interactions with minors. After the first warning, the Board may, at its discretion, apply and/or all sanctions necessary for whatever period of time they feel is necessary. (As amended April 29, 2007)

## ARTICLE 15 – DUES

A. The dues of members for each calendar year shall be fixed by the Board of Directors and

approved by the membership at the Annual Meeting. Dues shall be payable on the first day of June of each calendar year. The dues must be paid in full by March 30th of that calendar year for a member to be eligible to vote at the Annual Meeting. (As amended May 1, 2011)

- B. Any member who cannot pay their entire dues, fees and/or assessment by ay the prescribed due date may ask the Board for a payment plan for the current year with added 10% interest, provided that the amount due is paid in full within the 12-month period following the due date. (As amended February 8, 2004)

ARTICLE 16 – DELINQUENCIES (as amended May 26,2009 via special Membership Meeting)

- A. Membership dues and fees are due the first day on June of each calendar year. After July 1st, Lake Chaweva will consider any membership dues and fees not yet paid to be past due. At that time, Lake Chaweva will begin collection action, which may include placing a lien on the property (lot) in accordance with W. Va. Code Section 36B-3-116. Such lien will be recorded in the County Clerk's Office. Members may avoid liens being placed on their property if they have entered into a payment plan with Lake Chaweva.
- B. After a member has not paid his dues for one full fiscal year or is delinquent on an assessment, the following loss of privileges goes into effect immediately:
  - 1. Loss of voting rights
  - 2. Member cannot request actions and assistance from the BOD except for the hardship provision as stated in Section C.
  - 3. Building Permit will not be issued to saidmember
  - 4. Loss of use of guest list at the Gatehouse
  - 5. Loss of fishing and swimming privileges
  - 6. Loss of all but one gate card
  - 7. Loss of renter's gate card privileges
  - 8. Loss of dock
  - 9. Loss of use of bulletin board
  - 10. Member will not be allowed to park on Club property
- C. Lake Chaweva may take one or more of the following steps to collect unpaid membership dues, fees, or assessments:
  - 1. File a lien against the property as detailed in Section A
  - 2. File civil suit in circuit court or magistrate court. If Lake Chaweva Club receives a judgment, it will act to place a judgment lien on the property and will take legal action to collect the judgment amount. Such legal action may include, but are not limited to wage, garnishment and bank account attachment.
  - 3. Any member experiencing a true financial hardship shall have the right to submit a verified and notarized letter to the Board of Directors, giving a true and accurate account

of the hardship. Upon investigation by the Board of Directors, proving the hardship to be valid and with a vote of approval by a least five Board members, the member shall be granted hardship. However, a lien will be recorded in the County Clerk's office against the member's lot and the Board will retain the right to file a civil action.

- D. Payment plans for those members two or more years delinquent will be allowed only under the following conditions:
1. Monthly payment plans will not exceed twenty-four (24) months
  2. Interest on any outstanding balance shall accrue at ten percent (10%) per annum.
  3. Current year membership dues must be paid in full
  4. All monthly payments on outstanding dues and assessments must be kept current

#### ARTICLE 17 – ORDER OF BUSINESS

- A. Unless otherwise ordered, as so far as the same may be applicable, the order of business at annual meetings shall be as follows:
1. Registrations
  2. Reading of minutes of previous meeting
  3. Reports and statements of officers and/or committees
  4. Unfinished business
  5. Approval of budget
  6. Election of Directors
  7. New or miscellaneous business
- B. Roberts Rules of Order, Newly Revised, shall be the law of the Club on parliamentary questions. A knowledgeable parliamentarian and a Recording Secretary, approved by the Board of Directors, shall be present at the annual meeting.

#### ARTICLE 18 – “STOCKHOLDERS” TO BE MEMBERS

The word “member” shall be considered to be the same as “stockholder” in the covenants, restrictions and agreements contained in any deed or other agreement conveying or pertaining to any lot or parcel of land in Lake Chaweve as herein defined. Any conveyance or restriction requiring the ownership of a share of stock at Lake Chaweve Club, Inc., shall be considered to be complied with by the owner of the lot becoming and remaining a member of the Club.

#### ARTICLE 19 – REGULATION OF TRAFFIC

- A. The BOD shall have full power and authority to make such rules and regulations as the Board deems necessary to regulate and control all traffic, vehicular, pedestrian and otherwise, on and over the travel roads and ways with the boundaries of Lake Chaweve.

- B. No motor vehicle of any kind or description, except conventional stock automobiles and trucks not exceeding three-fourths of a ton capacity, properly licensed as a motor vehicles, shall be used or driven over any of the roads and lake right-of-way abutting on the lots of Lake Chaweva, provided, however, that trucks for the delivery of furniture, appliances, building materials to be used only on properties within Lake Chaweva, miscellaneous supplies, etc., and trucks making regular deliveries for the benefit of members. **(As amended June 9, 2019)**
- C. No obstacles will be placed to slow or divert traffic flow on Lake-owned roads without the BOD's written permission. (as amended June 10, 2018)
- D. Operation of off-road vehicles such as 4-wheelers is forbidden on lake owned roads, property, and right-of-ways. **(Added June 9, 2019)**
- E. Any person violating the rules and regulations promulgated by the BOD, pursuant to the authority hereby granted, or any person violating the provisions of the Article, shall be deemed guilty of trespassing on the property of the Club and shall be subject to legal action resulting from such trespass.

#### ARTICLE 20 – AMENDMENTS

Amendments may be made to these Bylaws by a majority vote of the members present, in person or by proxy, at any annual or special meeting.

#### RULES FOR MEMBERS AND GUESTS

TO PRESERVE THE PRIVILEGES OF MEMBERSHIP AND RESIDENCY AND SAFEGUARD THE PROPERTY OF LAKE CHAWEVA CLUB, YOU ARE URGED TO COMPLY WITH AND ASSIST THE BOARD OF DIRECTORS IN THE ENFORCEMENT OF THE FOLLOWING RULES:

#### MEMBERS AND GUESTS

- A. Each member in the Club is limited to Club privileges, such as fishing, swimming or other Club activities, to eight (8) guests per day. Any person over 14 years of age participating by invitation in Club privileges shall be held to be a guest; children under 14 years of age shall not be counted as guests. (The foregoing limitation of the number of guests is not applicable to the number of house guests a member can have on their own premises.)
- B. No delinquent member or any other member that person's family shall be permitted to enjoy the privileges of the Club, either as a member or guest, during such delinquency.
- C. Members shall be held responsible for the conduct of their guests, and Lake Chaweva Club Inc. will not be held liable for injuries sustained, or damages incurred by guests while on Lake

Property. (as amended June 10, 2018)

## GATE CARDS

Gate cards are issued upon payment of all dues and assessments. An additional charge is assessed for the replacement of lost or stolen cards (no fee for replacement of non-working cards – free exchange). If a gate card is lost or stolen, the member will report the serial number of the lost or stolen card to the BOD's, so that the card can be deactivated. (as amended June 10, 2018)

## FISHING AND SWIMMING

- A. Members in good standing and their guests may fish in the Lake on a catch and release basis only.
- B. No swimming is permitted after 10:00 p.m.
- C. The “Beach and Swimming Area” encompasses club property (road, lakefront and lake) between Lot 24 and Ridge Drive, inclusive. In the beach and swimming area, the following are prohibited: (as amended June 10, 2018)
  - 1. Alcoholic beverages and other intoxicants to include illegal drug use.
  - 2. The use of obscenities or profanities, or lewd gestures and nudity.
  - 3. Dogs are not permitted in the “Beach and Swimming Area” off of a leash. Supervision of such animals on private or lake property will consist of control of unnecessary noise; especially during night time hours; and control of harassment of lake members while on lake property.
  - 4. The riding of skateboard and bicycles off the road.
  - 5. Excessive noise, or other actions unbecoming a member of the Club.

Currently posted at the beach is:  
“NO LIFEGUARD ON DUTY – SWIM AT YOUR OWN RISK”

## RENTAL PROPERTY

- A. Any Lake Chaweva Club member (in good standing) desiring to rent the Club House may do so with the payment of a deposit and rental fee.
- B. Money taken in for clubhouse activities is to be used on clubhouse maintenance (As amended

February 8, 1981.)

- C. Outside organizations may also rent the Club House with payment of a deposit and rental fee, providing the sponsoring Club member of such organization is present and responsible.
- D. Members in good standing who wants or intends to rent their property, or otherwise allow their property to be used by non-members, must notify the BOD. Renters (or other tenants) must meet with the membership Committee to fill out a Tenant's Application and pay a one-time Tenant's fee per annual meeting which will go to Capitol Improvement. This time they will be covered by Club Bylaws, Rules and Regulations and they must agree to abide by and uphold these Bylaws. Then they pay for their gate cards before being allowed on Lake property. Failure to follow these guidelines can and will result in renters not being allowed on Lake property and they can and will be considered trespassers.

**D1. Direct Family Members Residing in Property not occupied by the Member (Inhabitants). (Added June 9, 2019)**

In cases where direct family members reside in a dwelling on Lake property that is not also occupied by the actual owner and Lake Member, the direct family member will be considered an occupant, and not a tenant or renter subject to the renters clause, as long as the following apply;

- a. The Owner/Member retains their name on all property deeds.
- b. All utilities remain in the Owner/Members name.
- c. The Owner/Member is not gaining financially from their presence i.e., charging the family occupant rent.

Direct Family Member is defined as a spouse, son, daughter, step-son, step-daughter, or in-law.

Distant relatives such as cousins are not considered a direct family member, and will fall under the Renters clause.

Occupants must abide by all rules and regulations of the Bylaws. If the occupants violate lake rules and bylaws, the owner will be notified of the offenses, and will be held responsible for the actions of their occupants. Occupants will be subject to the same penalties and sanctions as a member.

Occupants must meet with the membership committee, solely for the purposes of introducing themselves so the Board knows who is living in the residence, and that they understand the rules, regulations, and Bylaws.

**D2. Air BNB (bed and breakfast) (Added June 9, 2019)**

Air BNB's are either short or long-term occupants paying the owner a fee to occupy all or a

portion of their residence. There could be one or multiple “renters” of an Air BNB during a calendar year. If a member desires to offer their residence or part thereof as an Air BNB, they must pay an annual Air BNB fee of \$200, for as long as their property is listed as an Air BNB.

Air BNB owners will have no more than two (2) gate cards designated specifically for Air BNB renters.

The card numbers of those designated cards will be provided to the BOD, so they can be logged as cards belonging to the Air BNB owner.

If a gate card is not returned to the Air BNB owner, the owner will notify the BOD at the earliest possible time in order to have that card disabled in the gate system.

All replacement cards will be charged in accordance with the standard gate card replacement procedures.

## DECORUM

- A. Members and guests shall refrain from making loud and disruptive noise after midnight.
- B. Reckless conduct, speeding around the lake and riding on the outside of automobiles or any other violation of state laws are forbidden at all times. The speed limit on all lake roads is fifteen (15) miles per hour for the safety of pedestrians, children and pets.
- C. The operation of motorized vehicles such as motorcycles, motor scooters, go-carts, ATVs, snowmobiles, etc. (of any horsepower) is prohibited on Club property or within Club boundaries.
- D. The operation of gasoline fueled motors (even miniature or toy motors) on the lake is prohibited because of the noise, fumes and danger of pollution to the lake.
- E. THE USE OF FIREARMS IS PROHIBITED WITHIN THE LAKE CHAWEVA CLUB.
- F. Members shall be held responsible for actions of their own dogs on Lake Chaweva Club property. Supervision of such animals on lake property will consist of control of unnecessary noise, especially during night time hours; and control of harassment of lake members while on lake property. Dogs are to be kept on a leash when not on the member’s own property, and guests must keep their dogs on a leash at all times.

## BUILDING AND PROPERTY MAINTENANCE

- A. Structures at Lake Chaweva must comply with the building and Grounds Code contained herein. LLC Building Permits are required before any construction is begun at Lake Chaweva.

- B. The Building Committee is authorized to demand that all docks deemed unsafe be repaired or removed within thirty (30) days and, if not removed by the owner, the dock shall be removed by the order of the BOD.
- C. Members owning lots or structures judged unsafe by the Building and Grounds and Property Improvement Committees (or others as may be appointed by the BOD), shall be notified by the BOD that the problem must be corrected.
- D. House numbers shall be displayed in obvious locations to aid emergency vehicles in finding individual homes.
- E. Garbage Cans: Garbage cans shall be set out no sooner than 7:00 PM the day before collection. In the case of vacation or other occasions, as may occur, the garbage may be placed out sooner. Garbage containers are to be put up as soon as possible after collection. For security, it would be best to have a neighbor bring in your containers. Please remove trash bins from the side of the road after trash collection. The road way around the Lake is already narrow, and empty trash cans and bins create additional obstacles to circumvent. (as amended June 10, 2018)

#### MISCELLANEOUS

- A. Members may post personal notices on the bulletin board at the lake entrance. Notices should be on paper no larger than 8 ½ by 11 and should be neat in appearance. The notice may remain for one (1) week, unless a longer time is approved by the BOD>
- B. The attorney engaged to provide legal work for the Club bills for each service performed. In order for contacts with the attorney to be reimbursed by the Club, they must first have the approval of the BOD>
- C. Interest earned from the checking account goes into the Capital Improvement Account. (As amended February 13, 1983)
- D. Each year the budget shall contain \$4,000 to be placed in a special fund for future dredging. (As amended February 14, 1993)
- E. A separate fund for “Beach” shall be established and any and all money raised for the beach shall be credited to this account and can only be spent for the development and maintenance of the beach and/or beach area. (As voted on February 13, 2005)

Although Lake Chawevea Club is a private and gated community, County and State Emergency Responders, including Law Enforcement, have access to club property at all times and are called if needed.

YOUR COOPERATION IS APPRECIATED IN THE INTEREST OF A BETTER LAKE CHAWEVA CLUB

## BUILDING AND GROUNDS CODE

- A. In order to assure structures of attractive appearance, comparable to other houses on adjacent lots in the immediate neighborhood, property owners must submit plans and specifications for any and all structures to the Building Committee before construction begins. Given a majority approval by the Building Committee, said committee shall forward a properly executed building permit to the property owner who shall post it in a conspicuous place at the construction site. County, state and head department permits, as required by law, shall be posted as well.
- B. Any house to be used as a residence or camp shall be located not less than thirty (30) feet from the front property line and not less than five feet from the side line of the lot. The establishment of property lines shall remain the responsibility of the property owners.
- C. Any structure to be used as a garage, pump house, tool house, etc., shall be located not less than five (5) feet from any property line of the lot.
- D. All septic tanks and disposal fields (or any type of septic type system not part of the public sewer system) shall be installed according to specifications set up by the Kanawha County-Charleston Health Department. No septic tank (or system) or disposal field shall be back-filled until inspection is made and approval given by a representative of the Kanawha County-Charleston Health Department. This approval must be in written form and filed with the Building Committee.
- E. Any and all drain pipes to be laid in ditches running parallel to Lake Shore Drive shall be not less than 12 inches in diameter. Approval must be granted by the Roads and Drains Committee before any pipes or drains are laid in a ditch on the lot side of Lake Shore Drive.
- F. The Dock Committee is responsible for assigning dock sites and providing members with standard dock specifications (now included on the Building/Dock Permit form). Members are responsible for the maintenance and beautification of the assigned property running from Lake Shore Drive to the lake.
- G. The plans and recommendations for any major project shall receive approval from the Board of Directors and/or the membership, before said project can start.
- H. A building permit (from the Lake) is required before any work, as referenced above, is done. Also, any building permits required by the county or state must be acquired by the owner of the property. It is the responsibility of the property owner to attain the required permits for work done on their property or structure. The Lake Chaweva Club will not be held liable for accidents, or damage done to property or persons. (as amended June 10, 2018)
- I. During construction of any nature by a member on their property, if damage to Lake Property or another member's property is caused by the members construction, or construction company and its workers, that member will be held liable, and responsible to

make amends to the Lake Property or resident who suffered the loss or damage. (as amended June 10, 2018)

- J. Fire Pits (as amended June 10, 2018):
  - a. No building or creating a personal fire pit on Lake property
  - b. Portable above ground fire pits will be permitted on Lake property but shall not be permanent and need to be removed within 72 hours of use.
  - c. No wood, cardboard or any items for burning can be stored on Lake property and must be stored on the member's property.
  - d. A spot will be designated at the beach area for a community bonfire pit, as long as it is not abused.
  - e. Fire pits created prior to April 26, 2009, shall be grandfathered under these guidelines.
  - f. Last, but not least, we must always remember the Fire Season and not burn except between the hours that are permissible by Law.
  
- K. Canoes and Approved Boats: Approved boats and canoes are permitted to be stored on Lake Property, however, these items should have your name and/or lot number for identification purposes if a boat or canoe should get loose. Please keep the canoes and boats secure and store them in a manner that does not impede grass cutting. The owner is responsible for the security of their property. (as amended June 10, 2018)
  
- L. Ditch Lines: The ditch lines are part of Lake Chawevea property, however assistance in keeping all ditch lines free from debris is appreciated to help with drainage. Please do not rake leaves or other debris into ditch lines and leave them. Water that cannot flow freely will seep into the ground and under the roadways, and during winter will freeze and create pot holes. To reduce maintenance costs on our roads, please help keep the ditch line in front of your property clear. If there is a drainage issue that needs addressed, please contact a member of the BOD's so we can assess the situation. (as amended June 10, 2018)
  
- M. Please keep the drains clear from rubbish and debris. Even though the lake is responsible for keeping the main drains clear and functioning, debris will clog the drains, creating additional problems. If you have a drain pipe at the entrance to your property, and it is damaged by negligence from the property owner or one of your guests, it is your responsibility to repair it. If a drain pipe repair must be done by the lake to keep drainage flowing, the property owner may be assessed the cost of repair. (as amended June 10, 2018)
  
- N. Picnic Tables: Picnic tables will fall under the same guidelines as docks. They will become the property of Lake Chawevea; however, you will be responsible for maintaining the picnic

tables. If they become unsafe or unsightly, the Lake has the right to remove at the owner's expense. Lot numbers need to be on the table. Only one picnic table per member will be allowed. Having a picnic table creates picnic trash. Please keep the area clean. (as amended November 2008)

- O. Chairs: Due to the fact that the grass mowers have to mow around chairs, they must not be left on Lake property when not in use or become permanent. (as amended November 2008)  
Tents: Tents will be permitted for 48 hours. If more time is needed, permission must be approved by the Board of Directors. (as amended November 2008)
- P. Miscellaneous Items (as amended November 2008): The following are not permitted to be left on Lake property:
1. Hammocks, gliders or swings;
  2. Children's play equipment unless it is in use at the beach; or
  3. Storage buildings or anything of that nature.
- Q. The BOD is authorized to coordinate and directly hire uninsured workers for purposes of doing minor projects and general maintenance in the interest of the care and upkeep of Lake Property, when that work will not exceed \$500 per instance, and the nature of the work does not require a license, certification, or insurance to be performed. These projects include small tree/limb and debris removal, burning of brush, culvert and ditch clearing, and general maintenance and upkeep performed on lake owned structures and areas. **(Added June 9, 2019)**
- R. Work that requires the expertise of a specific discipline (i.e., paving of roads), or that is dangerous in nature (i.e., large tree removal), will be subject to the bidding process in order to ensure such work is awarded to and performed by a licensed, certified, and insured contractor, skilled in the subject of the work to be performed. **(Added June 9, 2019)**

IN AN EFFORT TO KEEP LAKE CHAWEVA BEAUTIFUL, WE THANK YOU FOR UNDERSTANDING  
AND COMPLYING WITH OUR EFFORTS FOR THE ENTIRE COMMUNITY

Bylaws are available at [www.lakechaweva.com](http://www.lakechaweva.com).  
Contact Us: [lakechaweva@aol.com](mailto:lakechaweva@aol.com)