

BYLAWS  
OF  
LAKE CHAWEVA CLUB

REV: June 1, 2025

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.” For this document “Lake Chaweva Club” will be displayed as L.C.C. (Amended June 1, 2025)

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 L.C.C. (Amended June 1, 2025)

ARTICLE 3 – PRINCIPAL OFFICE

The principal office of this corporation shall be kept and maintained at L.C.C. in the county of Kanawha and State of West Virginia. (Amended June 1, 2025)

“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 E 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 a Sunday in June 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. (Amended June 1, 2025)

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 proxy statement.

#### 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. No Director shall be eligible for re-election until the 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. (Amended June 1, 2025)
- G. In the event that Lake members are unwilling to serve as Directors, Board members whose terms have expired may serve on the board without sitting out a year. (Updated July 28, 2024)

## ARTICLE 9 – BOARD OF DIRECTORS

- A. The Board of Directors (BOD) shall consist of seven or nine members of the Club, any four (or six for a 9-member board) 5 of them shall constitute a quorum for the transaction of business. (Updated July 28, 2024)
- 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. For a 7-member board: there are four (4) 3-year terms, and three (3) 2-year terms. For a 9-member board: there are five (5) 3-year terms, and four (4) 2-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. (Updated July 28, 2024)
- C. 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, an electronic device 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 electronic device, present the issue and proposed resolution, and ask for a yea or nay vote on the action. (Amended June 1, 2025)
  - 1. 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 electronic device survey, and the remediation implemented. The summary will be presented at the following BOD meeting and recorded in the meeting minutes. (Amended June 1, 2025)
- 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 agreement 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. (Amended June 1, 2025)

- 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. 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)
- I. 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 as 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 L.C.C., and a copy of the minutes of the Board meetings shall be posted by the Secretary on the office bulletin board no later than two (2) weeks-from the date of the Board meeting as soon as they are approved by the Board of Directors. 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. (Amended June 1, 2025)

#### 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, and shall affix the seal to all documents requiring it. (Amended June 1, 2025)
- 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, Secretary and Treasurer are 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, Vice President or Secretary. (Amended June 1, 2025)
- 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.
- J. 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. (Amended June 1, 2025)
- K. 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. (Amended June 1, 2025)
- L. Interest earned from the checking account goes into the Capital Improvement Account. (Amended June 1, 2025)
- M. Each year the budget shall contain \$4,000 to be placed in a special fund for future dredging. (Amended June 1, 2025)
- N. Membership Manager: The board of directors is authorized to appoint and hire as an independent contractor, a Membership Manager, to perform the following duties and responsibilities:
  - 1. Maintain current membership database
  - 2. Generate and File liens, releases, and judgements
  - 3. Generate invoices and receive payments

4. Collections of delinquent dues
5. Notary for the lake
6. Research deeds and taxes for LCC properties  
(Amended June 1, 2025)

## ARTICLE 12 – COMMITTEES

- A. 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. (Amended June 1, 2025)
- 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 appoint 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 appoint a Collection Committee which will supervise and be responsible for the collection of delinquent dues. (Amended June 1, 2025)
- G. A list of committee chairpersons shall be posted on the bulletin board.
- H. All members in good standing can volunteer to serve on committees. If more than two members are on a committee, members vote for the chair of the committee. Chair does not have to be on the board. All committee members are to be informed of committee meetings. (As amended June 26, 2022)

## 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.
1. Lots are for single family homes only, not for multifamily dwellings such as a duplex or apartment style buildings with tenants. No mobile homes or similar are allowed. (Amended July 28, 2024)
  2. Any business operated out of an owner-occupied primary residence must carry insurance. Insurance must be secured to cover any liabilities that may fall upon Lake Chaweva Club. (Amended July 28, 2024)
- 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:
1. 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.
  2. 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.
  3. 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.
  4. Lots B-30, C, D, E and H, conveyed by metes and bounds description and not shown on a record map.
  5. 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.
  6. 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 accept the conditions of the Bylaws and Rules of Lake Chaweva Club. 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. (Amended June 1, 2025)
- D. All membership fees and dues are to be paid with a check, money order, PayPal, or the current online payment processing app used by Lake Chaweva Club. No cash is accepted. All fees and dues are to be given and/or addressed to the treasurer only. Exception: Gate cards can be paid with cash. For new member meetings, the membership fee and dues owed will be given to the treasurer after the new member meeting. (Amended June 1, 2025)
- E. 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).
- F. 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 cast 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.
- G. Two (2) memberships 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. All new members will pay a one-time new member fee and receive one vote; single members shall get an additional vote for each lot they own with a house. No member shall receive more than two votes. (As amended April 29, 2007; Updated June 25, 2023)
- H. 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 membership lot or lots at Lake Chaweva. In such case the said extra lot shall become the members primary lot which will be assessed the current full annual membership lot dues amount. (Amended June 1, 2025)
- I. When selling a lot or lots, past and current membership dues owed become the responsibility of the new owner, per West Virginia state law. (Amended June 1, 2025)
- J. 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.

K. Inheritance Clause (Added June 9, 2019)

1. When property on Lake Chawevea is bequeathed, the heir will not be charged a new membership fee. The inheriting person becomes the new owner by virtue of inheritance.
2. The heir is responsible for all past, current, and future lake dues of the deceased property owner.
3. The heir will provide the BOD proof of new ownership within a reasonable amount of time after inheriting property on Lake Chawevea.
4. 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.
5. Upon final disposition, the new owner will be responsible for all membership fees.

L. Sale of Property to a Family Member (Added June 9, 2019)

1. When property on Lake Chawevea 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 Chawevea.

M. Members who are current on dues who intend to rent their property, must notify the BOD. Renters must meet with the membership Committee to fill out a Tenant's Application and pay a one- time Tenant's fee which will go to the Capitol Improvement Funds account. At which time they will be covered by L.C.C. Bylaws, Rules and Regulations and they must agree to abide by and uphold these Bylaws and Rules. Renters must pay for gate cards before being allowed on L.C.C. property. Failure to follow these guidelines can and will result in renters not being allowed on L.C.C. property and they can and will be considered trespassers. (Amended June 1, 2025)

N. Air BNB (bed and breakfast) (Added June 9, 2019; Updated June 25, 2023) 'Air BNB' as used herein, includes all methods of short-term rental (less than thirty days) and the listing of property to rent short-term. (Amended June 1, 2025)

O. The establishment of short-term vacation rentals (residence or lot) will not be permitted after the June 2022 Annual meeting, via any vacation rental platform, including but not limited to AirBNB, VRBO, Flip Key, owner solicited, peer-to-peer home sharing and Bed and Breakfasts. Short-term vacation rentals established prior to the June 2022 Annual meeting will be grandfathered in under the following terms and conditions:

1. When the property owner sells the property, it will no longer qualify as a short-term vacation rental.
2. Membership dues and annual prescribed short-term vacation rental fee/fees must be kept current or the property will no longer qualify as a short-term vacation rental. There will be no payment plans for fees owed for the short-term vacation rentals; fees must be paid when due. (Amended June 1, 2025)
3. Property owners must show proof of insurance that protects the lake, and a current business license is to be kept on file yearly when-membership dues are due. (Amended June 1, 2025)
4. In addition to the above, each house or unit rented with Air BNB (or comparable provider) will be charged the annual Air BNB fee if member has more than one house, or unit rented. Houses with units (possible multi renters per house), will be charged as per units rented out. Example, if a member has two places available to be rented as an Air BNB (or comparable provider), there will be a \$400.00 charge per year in addition to all other fees. If member does not live at Lake Chawevea, additional annual fee is \$500.00 per unit rented. (Amended June 1, 2025)

#### P. Rental of Clubhouse

1. Any Lake Chawevea Club member (in good standing) desiring to rent the Club House may do so with the payment of a deposit and rental fee. (Amended June 1 2025)
2. Money taken in for clubhouse activities is to be used on clubhouse maintenance (Amended June 1, 2025)
3. 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. (Amended June 1, 2025)

## 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.** 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.
- C.** ~~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 nighttime 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. Members failing to properly control their dogs will be reported to Kanawha Animal Control. Owners must clean up after their dogs and other animals. (Amended June 1, 2025). (Content modified and moved from Rules: Decorum, section F)~~

*Members, guests, and renters are responsible for the actions of any dogs in their care. Dogs must be supervised to prevent unnecessary barking, especially at night, and to prevent them from harassing members or guests on Lake Chaweva or any member's property. For dogs kept by renters, both the property owner and renters are responsible for the actions of the animal.*

1. *Dogs are to be kept on a leash when not on member's own property.*
2. *Dogs are prohibited from harassing members and guests including; biting or otherwise injuring a person, demonstrating aggressive or threatening behaviors, initiating a fight with another dog or attacking another animal.*
3. *Owners must clean up after their dogs and/or other animals.*

*Members or guests failing to properly control their dogs or fail to adhere to the Lake Chawevea by-laws will be reported to Kanawha Animal Control and be subject to a fine. Any member who witnesses violations to the Article 14 Section C by-law should complete a written incident report and/or take a photo or video of the violation and submit to the BOD. Incident report forms are available on the Lake Chawevea website, gatehouse, or from any board member.*

***Penalties for Violations:***

1. ***Warnings:*** *a formal written warning for a first-time offense.*
2. ***Fines:*** *If the violation continues, LCC can issue fines which will escalate with subsequent offenses depending on the severity of the offense LLC BOD.*
  - a. *Violations after initial written warning will be \$100.00 per violation.*
3. *The BOD may suspend the lake privileges.*
4. ***Legal Action:*** *For persistent non-compliance or if the pet poses a threat to community safety, the LLC can file a lawsuit for injunctive relief.*
5. *Unpaid fines are subject to the same penalties as delinquent dues.*  
*(proposed; Amended June 28, 2026 if passed)*

**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 without Lake Chawevea Permit (Amended June 1, 2025)*
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 any 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 following the annual meeting of each calendar year. The dues must be paid in full by May 15<sup>TH</sup> of that calendar year for a member to be eligible to vote at the Annual Meeting. (Amended June 1, 2025)
- B. All members are eligible to pay dues monthly or in one full payment. Payments may be submitted by Check, PayPal or Lake Chaweva invoice and payment service “Wave.” Dues will be classified as current if the full amount is paid by May 15<sup>th</sup> of the current year. Monthly Payments for dues must be made in consecutive monthly payments. Failure to abide to the payment plan will result in cancelation of the payment plan and balance will be due in full. (Amended June 1, 2025)

#### ARTICLE 16 – DELINQUENCIES

(as amended May 26,2009 via special Membership Meeting)

- A. Membership dues and fees are due after the annual meeting of each calendar year. After May 15<sup>th</sup>, L.C.C. will consider any membership dues and fees not yet paid to be past due. At that time, L.C.C. will begin collection action, which will 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 and include 10% interests plus filing fees. Members may avoid liens being placed on their property if they have entered into a payment plan with L.C.C. (Amended June 1, 2025)
- B. After a member has not paid current years dues for one full fiscal year or is delinquent on an assessment, the following loss of privileges goes into effect immediately: (Amended June 1, 2025)

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 said member
4. Loss of use of guest list at the Gatehouse
5. Loss of privileges for fishing, swimming, boating, and all lake *activities*
6. Loss of all but one gate card
7. Loss of key code (Amended June 1, 2025)
8. Loss of renter's gate card privileges
9. Loss of dock space privilege on L.L.C. property (Amended June 1, 2025)

C. Lake Chaweve Club 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 Chaweve 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 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 at 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. (Amended June 1, 2025)
  1. Maximum length for hardship shall not exceed two (2) years. The Board of Directors may reevaluate on a case-by-case basis. (Amended June 1, 2025)

D. Payment plans for those members two or more years delinquent will be allowed only under the following conditions:

1. Interest on any outstanding balance shall accrue at ten percent (10%) per annum.
2. Current year membership dues must be paid in full
3. 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. Any items submitted for the annual meeting must be submitted at least 10 days in advance to be considered for the official agenda. However, any items may be brought during new business. (Amended June 1, 2025)
  8. New or miscellaneous business for consideration
- 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 Chaweva as herein defined. Any conveyance or restriction requiring the ownership of a share of stock at Lake Chaweva 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 Chaweva.
- B.** No motor vehicle of any kind or description, except conventional stock automobiles and trucks not exceeding a ton capacity, properly licensed as 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.-ATVs may be used by licensed drivers for moving wood and materials, etc. as needed, but may not be used for joy riding around the lake. Permits will be issued by the board. This will be on a two-year trial basis. (Updated July 28, 2024)

- C. Absolutely no vehicles are permitted off the road on any section of the area around the dam due to safety considerations (see laws regarding Overburden, Structural Integrity, etc.) over Reservoir dams. (Amended June 1, 2025).
- D. 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)
- E. Operation of off-road vehicles for recreational use such as 4-wheelers is forbidden on lake owned roads, property, and right-of-ways. (Amended June 1, 2025)
- F. Any person violating the rules and regulations of traffic 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. (Amended June 1, 2025)
- G. No Recreational Vehicles, Trailers, Motorized Boats, or Equipment may be parked on lake property such that they are an obstacle or impediment to traffic on the single lane road. (As amended June 25, 2023). All turnarounds, including Killen Hollow, Chaweva Heights, CedarView (A Section), & Ridge drive (B Section), must be clear of cars, equipment, and any item that restricts the use by residents, especially during inclement weather. Items are subject to be towed or removed at owner's expense. Turnarounds and pull off areas are lake property and no cars, building materials, or other debris can obstruct the use of the turnarounds. (Amended July 28, 2024)

## 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.

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 considered 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.

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. Unaccompanied guests are to wear a wrist band issued by the member they are visiting. (As amended June 1, 2025)
- 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 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 skateboards and bicycles off the road.
  5. Excessive noise, or other actions unbecoming a member of the Club.
- D.** All guests of members who are participating in lake activities such as fishing, swimming, and boating must be accompanied by the member after 9:00 pm or must leave the lake. (As amended June 25, 2023)

Currently posted at the beach is:

“NO LIFEGUARD ON DUTY – SWIM AT YOUR OWN RISK”

### 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. (Exception: UTV with approval and permit issued by BOD). (Amended June 1, 2025)
- 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 nighttime 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. Members failing to properly control their dogs will be reported to Kanawha Animal Control. Owners must~~

~~clean up after their dogs and other animals. (Amended June 1, 2025).~~ (Content modified and moved to Article 14, section C)

## 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. 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. Members failing to correct said issues will be fined and/or reported to the Kanawha Planning and Zoning Commission. (Amended June 1, 2025)
- D.** House numbers shall be displayed in obvious locations to aid emergency vehicles in finding individual homes.
- E.** Vehicles parked anywhere on Lake Chaweva property must have a current license plate, a current inspection sticker and registered to a Lake Chaweva property owner or resident. The only exception would be a temporary visitor to a property member. After being properly notified by letter and a sticker placed on the vehicle, the vehicle should be moved within two weeks. Vehicles in violation after that may be removed at the owner's expense. (Amended June 1, 2025)
- F.** Members shall not park an abandoned or junk vehicle anywhere on Lake Chaweva property OR on their own property if it is in view of the roads around Lake Chaweva. After being properly notified, vehicles will be removed at the owner's expense. (Amended June 1, 2025)
- G.** Garbage Cans: Trash cans are to be kept at least 5 feet from Lake roads and cannot obstruct any ditches or drains. (Amended June 1, 2025)

**H. Quality Environment:** Lake Chaweva Members are expected to properly and responsibly maintain their property and premises to enhance the value of the entire community. This is also addressed in the Lake Chaweva building codes. Property owners that allow their property to become unsightly, such as outdoor storage of junk, rubbish, clutter, equipment, yard debris either on their property, yard or dock, will not be able to serve on the Lake Chaweva Board of Directors who otherwise help make decisions and rules for our community. Property owners are expected to take pride in our community at Lake Chaweva.

### 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.** 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 Chaweva 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 sideline 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 drainpipes 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.
  - 1.** Docks are the property of the lake member and as such the dock transfers with the sale of the member's house (property). Dock owners assume the responsibility of keeping it in good repair, insured, and monitor its use by others. The dock is for the private use of the member and their guests.
  - 2.** A dock application must be filled out and approved by the building committee before the dock can be constructed. A member must be in good standing with all dues, fees, and assessments paid before a dock permit will be approved. All docks must have the owners lot number affixed.
  - 3.** If a dock is not maintained and becomes unsafe, the owner will be notified to repair or remove the dock. If the dock remains unsafe, the lake shall have the right to bill the owner for the demolition and removal of the dock. (As amended June 25, 2023)
- 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):

1. No building or creating a personal fire pit on Lake property.
2. 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.
3. No wood, cardboard or any items for burning can be stored on Lake property and must be stored on the member's property.
4. A spot will be designated at the beach area for a community bonfire pit, as long as it is not abused.
5. Fire pits created prior to April 26, 2009, shall be grandfathered under these guidelines.
6. 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 Chaweva 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 potholes. 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 drainpipe 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 drainpipe 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 Chaweva; 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.** No animals of any kind other than customary domesticated household pets belonging to the homeowner shall be kept or maintained on any part of the lot/lots. No horses, cows, pigs, or goats shall be kept in Lake Chaweva. A few chickens and beehives are fine if kept behind the members house and are controlled by the member. Exceptions for members with two or more adjacent lots where a limited number of animals would not affect other members by smell or waste. (As amended June 25, 2023)

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.lakechawevea.com](http://www.lakechawevea.com).  
Contact Us: [lakechawevea@aol.com](mailto:lakechawevea@aol.com)