

GROVELAND HOMEOWNERS ASSOCIATION

WWW.GrovelandMN.Com
RULES AND REGULATIONS -REVISED May 2, 2021

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1. AUTHORITY FOR RULES

The Groveland Homeowners Association Amended and Restated By Laws (last updated and filed Oct 1, 2015) outlines the powers of the Board of Directors. Please refer to the GHA Bylaws, Section 5, Board of Directors, subsection 5.1 Powers. This section empowers the Board to adopt and amend Rules and Regulations covering a wide area of GHA operations.

The Bylaws, in Section 7, also cover Assessments, Payments, Defaults, Foreclosures, and Enforcement of Obligations.

2. GENERAL RULES AND REGULATIONS

The Groveland Homeowners Association is a place designed to promote family and community life. Experience has shown that this spirit can best be preserved by adherence to a set of rules. All residents, whether owners or renters, are expected to obey the following rules and ensure that they are observed by their guests.

SUMMER SUNDAY WORSHIP: During the hours of Sunday worship at the Auditorium (approximately 10-11:30 a.m.) there shall be no lakefront activities such as boating and swimming, or other activities of a distracting nature such as home repair, yard work, outdoor sports, etc.

NOISE ABATEMENT: Quiet should be maintained Sunday through Thursday between the hours of 11 p.m. and 7 a.m. daily and between midnight and 8 a.m. Friday and Saturday. Tennis court lights will be turned off by 10:30 p.m.

ALCOHOLIC BEVERAGES: The keeping and consumption of alcoholic beverages on GHA Common Grounds is not permitted.

PROPERTY MAINTENANCE, DUMPING: Homeowners and occupants shall make every reasonable effort to maintain their homes and grounds in good repair and appearance. Dumping of refuse on the Grounds is prohibited. No dumping is permitted in the swamp area.

ROADS & PARKING: Stop and speed signs must be obeyed. The speed limit is 15 miles per hour.

Vehicles that are not in usable condition may not be parked outside. Violation of this Woodland ordinance will be reported to local police for tagging and towing.

Boats, trailers, campers, or work trailers may not be parked on roads, parking areas, or on private driveways and yards for more than 3 days. Storage for this type of item may be available on the property south of Breezy Point Road, space permitting. Violators will be notified and if not remedied, vehicles mentioned will be tagged and towed at the owner's expense.

Any exception to the parking rules requires pre-approval by the Board.

MOTORIZED BIKES / GO-CARTS: Adoption of Minnesota Public Safety Regulations and Rules for our needs with specific reference to:

1. No one under 15 years of age can operate motorized bikes or go-carts.
2. No one can carry a passenger on motorized bikes or go-carts.
3. Every driver must have liability insurance.
4. If the driver is 15 years of age, he or she must have taken a motorized bicycle safety course and obtained a motorized bicycle permit.
5. If the driver is 16 years of age or older, he or she must have either a regular driver's license or a motorized bicycle permit.
6. Motorized vehicles shall be parked only in designated parking areas. Such vehicles are prohibited from using the improved walking pathways and the lawn areas of the common property. Excluded are use of vehicles for repair and maintenance of the lakefront.

GOLF CARTS: To assure the safety of cart owners, residents and guests, and to protect the common property:

- 1 Golf carts shall be operated in compliance with the Minnesota law governing motorized vehicles and operators must have a driver's permit.
- 2 All carts must carry adequate insurance to protect the owner and the Association from liability

damages.

- 3 Only four-wheel electric golf carts shall be permitted on the Groveland Grounds.
- 4 Reflective tape or other acceptable reflectors shall be installed on the front and rear of each cart. A light shall be required if the cart is used after dark.
- 5 Parking is a major concern. Off-street parking is required of the owner.
- 6 All carts must be operated and maintained in a safe and reasonable manner at all times.
- 7 Owners must have a recreations vehicle insurance binder and supply a copy of this contract to the Secretary of the GHA Board.

COMMON PROPERTY USE:

The common property is maintained for the pleasure and use of homeowners and their families. To avoid conflict, the following general rules apply:

- 1. Use of the Auditorium and picnic areas can be scheduled with the Board representative for social activities.
- 2. Family and non-family groups of 25 persons or more must have Board approval.
- 3. All non-family gatherings on the lakefront must be hosted and attended by a GHA member.
- 4. Homeowner(s) must provide all kitchen supplies.
- 5. The Association member hosting a group is responsible for informing their group of the Ground's Rules and insure, by their presence, that normal activities of residents are not impacted
- 6. Common property must be returned to its proper condition by member after use by the group.
- 7. The weekend **-Friday evening through Sunday evening -** is the time when most of the Homeowners and their families have time to enjoy the Common Properties of Groveland. Members wishing to invite groups to the Grounds are encouraged to have such groups during the week. The weekend is defined as Friday after 5 p.m. and all day Saturday and Sunday. When a period of the weekend is desired, the following limitations apply:

Use of Common Property by groups of 25 or more persons are limited to six weekends per season.

RESERVATION FEE RULES.

Changes approved by Board 7/1/2019

Definition: Non-Family Group is when less than half of all attendees are member's family.

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	Usage Fees as Stated			
		Auditorium		PicnicAreas at Lakefront *
Family Group of 24 or fewer	No fee	Reservations with Social Chair required	No Fee	Reservations with Social Chair required
Non-Family Group of 24 or fewer	\$50	Reservations with Social Chair required	No Fee	Reservations with Social Chair required
Non-Family Group of 25 or more	\$100	Board Approval Req'd *	\$50	Board Approval Req'd *
Family Group of 50 or more	\$100	Board Approval Req'd *	\$100	Board Approval Req'd *
Family Group of 25-49	\$50	Board Approval Req'd *	\$50	Board Approval Req'd *

Note * All above auditorium and picnic area use requires reservations with Social Chair.

ASSESSMENTS

Assessments or installments are due by the 1st day of the month. If the assessments or installments are not received by the 15th day of the month in which they are due, a \$10 penalty will be assessed and due immediately in addition to any unpaid balance. All payments upon account will first be applied to late charges, penalties, attorney fees, interest and then to the assessment first due.

Reference: "Declaration of Covenants and Restrictions of Groveland Homeowners Association," Paragraph 9d. "Interest; Application of Payments."

GHA RESALE DISCLOSURE CERTIFICATE

GHA charges a \$75 fee to produce home sale closing documents for sales of houses within the GHA community.

Each document is different, depending on the specific closing.

3. RULES ENFORCEMENT

RULES ENFORCEMENT RESOLUTION

WHEREAS Section 4.2 (i) of the By-laws grants the Board of Directors with the power to levy reasonable fines for violations of the declaration, bylaws, and rules and regulations of the association.

IT IS RESOLVED THAT the following rules enforcement procedures will be followed:

1. The Board of Directors is authorized to enforce the Rules as outlined in the Rules and Regulations.
2. Rules violations are to be reported to the Board of Directors in writing and signed by the complainant. The complaint will be investigated as soon as possible.
3. If the report of violation is accurate, written notice will be sent to the Owner. The first notice of the violation will be regarded as a warning, unless otherwise stipulated in the Association Rules.
4. If, after 10 days, a second written complaint is received, or if the violation is not cleared or is repeated, a second notice will be sent notifying the Owner that serious action will be taken if the violation is not cleared immediately.
5. If, after another 10 days, a third written complaint is received, or if the violation is not yet cleared or is repeated, a Rules Enforcement Fee of \$100 per day, or per occurrence, may be levied against the Owner until the violation is cleared. Once the Rules Enforcement Fee remains unpaid for a period of 60 days, a lien may be filed against the residence of the Owner who is in violation. The Owner will then be responsible for the costs of filing the lien, costs of foreclosing on the lien, and attorney's fees.

Appeal Process Any Owner receiving a Rules Violation Notice who believes no violation occurred, may submit a written explanation to the Board of Directors. The owner will be given an opportunity for a hearing and no enforcement fee will be imposed until after the hearing.

4. RESIDENCE LEASING

Owner occupancy is the purpose of all residential homes within the Groveland Homeowners Association community. This policy is to foster and promote stability, a safe and well-maintained neighborhood, and relationships that can only be developed through occupancy by owners of the property. At times, owners may deem it is necessary to lease a residence. Following are restrictions on the use of property.

POLICY

The policy is pursuant to the "Amended and Restated Declaration of Easements, Covenants, Conditions and Restrictions for Groveland Homeowners Association" effective December 11, 2015, Article VII "Restrictions on Use of Property." The following rules apply to the lease of residential units:

1. Owners who desire to lease a residence must notify the Groveland Homeowners Association Board of Directors and provide a copy of the final lease agreement at least 30 days prior to the commencement of the term of the lease so that the Board may confirm the lease provisions.
 - a. The lease must be in writing including the names of the tenants.
 - b. The lease shall not be for a term longer than twelve (12) consecutive months.
2. The residential owner is required to check the Registered Sex Offenders List regarding the proposed lessee(s).
3. Lessees shall not be entitled to the use of a boat slip, either independent of the owner or in conjunction with the owners.
4. The residential owner is required to assign the rent to the Association if the owner is delinquent in the payment of his/her common charges.
5. No lease will be granted for less than the entire unit.
6. No lease will be granted for less than one (1) month.
7. Lessees shall abide by all rules and regulations of the Groveland Homeowners Association and attest to having read and understand the Rules and Regulations upon the execution and delivery of the lease.
8. Owners who have leased their property shall not be entitled to use any of the common areas and common facilities, including, but not limited to, boat slips, buoys and beach area during the term of the lease.
9. Owners who have leased their property shall pay a fee to the Association in the amount of \$250 per month for each month during the term of the lease, in addition to the regular Association dues, any special assessments or other fees, in recognition of the additional wear and tear and lack of owner participation in maintaining the Association common areas.

5. HOME OCCUPATION RULES

Purpose:

The purpose of this section is to more clearly define the City of Woodland's Chapter 9. Zoning: Subd. 18: Home Occupation by the establishment of guidelines by which home occupations can be conducted in Groveland Homeowners Association without jeopardizing the health, safety and general welfare of the surrounding neighborhood. Groveland residents, with home occupations that do not comply with one or more of these guidelines, should request, in writing, a variance from Groveland Homeowners Association Home Occupation subcommittee, which will make recommendations to the Groveland Homeowners Association Board of Directors and / or to the City of Woodland.

General Provisions:

1. All home occupations shall comply with the provisions of the City of Woodland ordinances and Groveland Homeowners Association By-Laws.
2. No home occupation shall produce light glaze, noise, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
3. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.
4. Any home occupation shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.
5. No home occupations shall require external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
6. There shall be no exterior storage of equipment or materials used in the home occupation, except personal automobiles used in the home occupation may be parked on the site. The home occupation shall meet all applicable fire and building codes.
7. The home occupation shall meet all applicable fire and building codes.
8. There shall be no exterior display or exterior signs or interior display or interior signs which are visible from outside the dwelling.
9. No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m. unless said occupation is contained entirely within the principal building and will not require any on street parking facilities.
10. Home occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway.
11. Examples of home occupations that meet the guidelines include: art studio, dressmaking, secretarial service, professional offices and teaching with musical, dancing and other instructions, which customarily consist of no more than one (1) pupil at a time. None of the above shall service more than one person at a given time.
12. The home occupations that do not meet the guidelines include: repair service or manufacturing which requires equipment other than found in a dwelling and over the counter sale of merchandise.
13. No person other than a resident shall conduct the home occupation, except where the resident can satisfactorily prove unusual or unique conditions or need for non-residential assistance.

Comment [B1]: Let's consider making this as a #1

6. PET AND ANIMAL REGULATIONS – 4/11/08

Pet Regulations

- 1.1 No animal, bird or reptile of any kind shall be raised, bred or kept by any owner or lessee (“Resident”) in any residence within the area described as the Methodist Lakeside Assembly, (the “Property”) a.k.a., Groveland Homeowners Association except the following may be allowed (“Permitted Pets”) unless the Board of Directors of Groveland Homeowners Association finds a violation of these rules and orders removal.
 - a. Birds and fish kept in cages or aquaria, small indoor animals including, cats, but excluding all dogs.
- 1.2 Permitted Pets as described above and all regulations and enforcements also apply to any pets of relatives or guests of Residents which may occasionally be brought on the Property.
- 1.3 No Permitted Pet shall be allowed on any of the common property at any time. Permitted Pets may be transported across common property (including roads) only if restrained by leash or enclosed container, and then carried.
- 1.4 All Permitted Pets shall be kept indoors.
- 1.5 No Permitted Pet shall cause or create an unreasonable disturbance or unreasonable noise.
- 1.6 Dog Guides are exempt from these guidelines.

Dogs of Guests

- 2.1 Dogs of guests (limited to two dogs per Resident household) may be brought to the Property or Resident home. The dog must be in the custody of the guest and the guest must be present when the dog is at the Resident home. The Board may require the homeowner to provide evidence of the ownership of the dog.
- 2.2 “Dog sitting” or Resident caring for a dog in the absence of the dog owner is prohibited and subject to the fines set forth in Section “Enforcement of Regulations.”
- 2.3 Guest’s dog must be kept on a leash, under direct supervision, and is not to be outside without an attendant.
- 2.4 Guest’s dog is to be kept mainly in the Resident’s yard. When taken for a walk, the dog is not allowed in the Lakefront areas or on the docks, except when going to or from a boat. The Lakefront area is that area of the Common Grounds (Common Property) bounded by Front Street, the lake shore, and the GHA East & West boundaries.
- 2.5 Dog waste must be picked up immediately and disposed of appropriately. A \$100 fine will be levied against the Resident for non-compliance of Section 2.5, Dogs of Guests.
- 2.6 Guest’s dog may be at the Resident property no longer than 7 days in any one month, unless there is prior board approval.
- 2.7 Any guest’s dog that is deemed to be a nuisance by the Board can be forbidden from the Property. If the dog is deemed a nuisance because of biting or threatening actions, the Woodland Police will be called to remove the pet at the Resident’s expense.

Enforcement of Regulations, Appeal

3.1 Residents are responsible for assuring that their guests understand and adhere to these regulations. Residents are further responsible for all actions of the pets of their guests.

3.2 The Board will take action only on pet guideline infractions that are submitted in writing and signed.

3.3 Damage caused by any Permitted Pet or visiting dog/pet to any part of the common property shall be the responsibility of the Resident, and the Resident shall promptly pay all costs involved in restoring the damaged property to the condition before such damage occurred. Said costs, until paid, shall be an unpaid assessment and shall constitute a lien on the residential unit under Section 9 of the Declaration of Covenants and Restrictions.

3.4 Any Resident whose Permitted Pet or visiting dog/pet is in violation of any of these rules may be required to remove the Permitted Pet or visiting dog/pet at his or her expense after the Board of Directors has provided notice of the violation, the opportunity to be heard, and a decision finding cause for removal.

3.5 Residents or guests who do not follow the above guidelines will be given one (1) written notice and then fined \$100 at the next infraction. All fines will be assessed against the Resident homeowner. If not paid within 10 days, a lien will be sought and placed on the Resident homeowner property. For a second infraction of this rule, the Resident will be fined \$200. For a third infraction of this rule, the Resident will be fined \$500 and for each subsequent infraction at the same residence. The Resident has the right to be heard and to make an appeal to the board.

Appeal Process Any Resident receiving a Rules Violation Notice who believes no violation occurred, may submit a written explanation to the Board of Directors. The Resident will be given an opportunity for a hearing and no enforcement fee will be imposed until after the hearing.

3.6 In any proceedings arising out of an alleged failure of an individual residential unit owner, occupant or lessee to comply with the terms of the Pet Regulations, as amended from time to time, the Corporation shall be entitled to recover the costs of filing the lien, costs of foreclosing on the lien, reasonable attorney's fees and any other costs associated with the proceedings.

7. GHA SERVICE AND SUPPORT ANIMAL GUIDELINES ..Moved 1/4/21

1. A potential GHA property owner and/or existing resident must request and obtain a reasonable accommodation from the board prior to bringing a service or support animal onto the property.
2. Required documentation may include a prescription or letter from a qualified medical or mental health professional which identifies the person as disabled and describes how the service and/or support animal assists that person with his/her disability (if not obvious). If the Board deems the documentation to be insufficient, the Board may request additional documentation to support the request for an accommodation.
3. Support and service animals must be properly restrained on a leash or in a pet carrier at all times when outside of the resident's dwelling. Animals are not allowed to be tethered unattended anywhere within the Groveland community.
4. Invisible fencing is prohibited. Other quarters such as dog runs or doghouses outside the home are prohibited.
5. All service and support animals must be registered with the Association. Registration shall include proof that the animal is licensed or registered with the City of Woodland if required for that type of animal, along with proof that the animal is current on all appropriate vaccinations.
6. The City of Woodland ordinances limit dogs to no more than 2 per household. The Association will follow and uphold this ordinance and will not permit more than 2 service or support dogs per household without proof that the person has obtained a special permit from the City.
7. Animal waste must be removed immediately and properly disposed of. If the resident fails to clean up after the animal, the Association reserves the right to do so and to assess the cost thereof back to the resident's property.
8. If any damage is caused to common property and/or landscaping by a permitted animal, the cost to repair the same will be assessed by the Association against the applicable resident's property.
9. Support and service animals must not become a nuisance to the GHA homeowners. Nuisance laws in the City of Woodland must be adhered to.
10. Any violation of the above guidelines (#3-9) is considered a nuisance and is prohibited. Additionally, aggressive and or threatening behavior of a support or service animal is also considered a nuisance and is prohibited.
- 10.1. All nuisance violations start with a fine of \$50 per instance. Subsequent violations will incur an additional \$50 per instance during a rolling 12-month period (2nd violation is \$100, 3rd violation is \$150, and so forth).
- 10.2. The Association also reserves the right to assess against the applicable resident's property any legal fees or costs incurred in connection with the enforcement of the rules.

8. ARCHITECTURAL CONTROL RULES

Reviewed/Approved March, 2018

MISSION STATEMENT of Rules and Regulations and AC Committee:

To provide information to current, new and prospective residents intending to do exterior repairs or remodeling of an existing dwelling or total re-development of a Groveland Homeowner's Association (GHA) lot.

To establish contact with the owner(s) or prospective homeowner(s) of a GHA lot as soon as possible to review the Architectural Control (AC) Guidelines before concepts or plans evolve which are not compatible with GHA (Le. smaller lots, closeness of dwellings, cottage/resort atmosphere).

To recommend approval or disapproval of an application to the GHA Board of Directors (Board).

I. Architectural Control Rules and Regulations

A. Purpose:

1. To help ensure that structural alterations to a member's property conform to the architectural Rules and Regulations that have been established by the GHA.
2. To help ensure that the project is carried out in accordance with the approved plan.
3. To help ensure proper maintenance of each residential unit by recommending repair or maintenance items required for health, safety, property value and general welfare of all GHA members. This will be completed via an annual walk through each spring.

B. Authority:

City of Woodland ordinances and Groveland Homeowner's Association By-Laws, Declarations and Covenants and other rules that are from time to time promulgated by the Board or GHA membership are the legal authority under which these Rules and Regulations are governed.

C. Governance:

The Architectural Control Committee (ACC):

1. Is established as a standing committee appointed by the Board.
2. Consists of not less than three or more than five members of the Corporation, of which at least one member shall be a Director of the Corporation.
3. Acts in an advisory capacity to the Board of Directors.

D. Duties of ACC:

1. Advise current and prospective association members of all Rules and Regulations and procedures for exterior structural alterations and construction.
2. Review any plan requiring a Building Permit for repair, replacement, alteration, rebuilding, restoration or improvement to the exterior of a residential unit, or projects that increase impervious cover.
3. Annual walk through the neighborhood performed in the spring.
4. Report to the Board any needed exterior maintenance of residential units by recommending repair or maintenance of items needed to ensure health, safety, property value and general welfare of all members of the Association. Proper maintenance includes but is not limited to, exterior appearance; siding and paint, roof, soffit and fascia, sidewalk, curbs and driveway in good repair, and a neat, orderly and well-tended yard.
5. Report to the Board with recommendations for disposition on all matters and any

violations regarding the Rules and Regulations.

II. Approval Process and Responsibilities

A. Owner of the Residential Unit

1. Contact the City of Woodland to determine if a survey, variance, permit for non-conforming structure and/or building permits for exterior work are needed. Obtain and review a copy of the City of Woodland's Zoning Ordinances. (Ordinances can be found at www.cityofwoodlandmn.org)
2. Meet with the ACC to review the Rules and Regulations and approval process. Discuss basic concept and/or provide sketches of proposed alteration or construction.
3. It is recommended that homeowners or prospective homeowners work with an AIA architect who is familiar with smaller, unique community projects such as the GHA in order to design for the specific lot and its location within the community.
4. At least thirty (30) days prior to the next regularly scheduled Board meeting, submit to the ACC Chair a written application that includes:
 - a) Name and address of homeowner
 - b) A description of the proposed structural alteration that includes exterior materials, paint/stain/finish colors and measurements for height, width and depth of structure, and any required City variances.
 - c) Proposed start and completion dates. (Maximum of twelve months from start to finish.)
 - d) Plans and elevation drawings done in a professional, drawn-to-scale manner. One additional copy on 8.5x11 paper.
 - e) For structural changes, demonstrate elevation and size relationship of proposed structure by placing corner stakes and an accurate height flag on property, either on existing structure or a nearby tree or pole.
 - f) Completed Woodland Hardcover Calculation Worksheet. (Blank worksheets are available from the City of Woodland.)
 - g) Surveyor other evidence of lot lines, setbacks and adjacent buildings indicating compliance with City ordinances. (Survey requirement fact sheets are available at City Hall.) All required City variances must be shown. (See II. 9. and III. H. for procedures for structural tear down or demolition of existing home.)
 - h) Evidence of ownership or Purchase Agreement for the subject property.
5. If a variance is involved, present required information to the City of Woodland Council after the application is approved by the Board.
6. Obtain a building permit from the City of Woodland prior to the construction start date.
7. Any changes made to the plans after Board approval that require either a revision to the City of Woodland building permit or that affects the exterior structural appearance or elevation of the project, irrespective of a building permit, will require review by the Board to determine if re-approval is needed. Some of the items that would trigger re-approval are:
 - a) Dimension change of greater than 1 foot
 - b) Grade elevation change of more than 2 feet
 - c) Site placement change of more than 1 foot

- d) An increase or decrease of glazing of 10% overall OR a change of more than 10 square feet of any prior approved single opening
 - e) Addition or deletion of any entrance
 - f) Change of specified exterior wall covering type which would exceed 10% of overall exterior wall surfaces.
8. The ACC must be notified in writing before work begins on any structure removal (complete teardown, removal of deck, out building, etc.) or exterior repairs that do not alter the structure but require a building permit. This includes but is not limited to replacement of roofing material, replacement of same size windows or doors, siding repairs or replacement. Compliance with II. A. 1-7 will be waived. If notification is not received before work begins, homeowner is subject to the Remedies for Violations of ACC Rules and Regulations (section IV).
9. *****Specific to complete demolition or structure tear down***.**
- A survey must be submitted to the ACC showing all hardcover calculations of the existing property before any demolition of property begins. This survey will be utilized for the maximum allowable hardcover total outlined in III. H.**

B. Architectural Control Committee

1. Within 3 days of receipt of an application, the ACC Chair (or ACC designate in Chair's absence) will notify all GHA homeowners of the proposed structural alteration or construction being considered by the ACC. All homeowners will be encouraged to review the plans for the alteration by contacting the ACC Chair or designate. Homeowner feedback on the proposed plan will be considered by the ACC only if the plans have been reviewed and feedback is submitted in writing or email within seven (7) days of application/notification.
2. Meet with the applicant within fourteen (14) days after the Chair receives the application to discuss feedback.
3. Present a recommendation at the next regularly scheduled Board meeting.
4. Inform the applicant of the Board's action within (2) days following the Board meeting if the applicant was not in attendance during Board vote.
5. Maintain and have available to all GHA homeowners a file of all approved applications.

C. Board of Directors

1. The Board will approve, reject, or table an application at the Board meeting in which the ACC recommendation is presented.
2. The Board retains the sole authority to approve or reject applications even if some criteria or procedures are not met or the application is or is not recommended by the ACC.

III. Architectural Rules and Regulations

- A. Approval according to these Rules and Regulations is required for all construction or improvements that:
 - 1. Require a City of Woodland building permit for exterior repairs or alterations.
 - 2. Increases impervious surface cover as defined in Zoning Ordinance 000.02. SUbd. 20
- B. No residential unit owner shall do or cause to be done any work affecting his individual residential unit or of a neighboring property, which would jeopardize the architectural soundness or safety of the property, reduce the value thereof or impair any easement therein.
 - C. These Rules and Regulations are intended to provide adherence to the architectural heritage of the Association. All actions shall be governed by the principal belief that all homes should be compatible with other buildings in the Association in terms of architectural style, quality of construction, principal material employed in construction and size.

In addition, in approving or denying the application, the ACC and the GHA Board must consider the "Matters Considered" found in Woodland's code 900.06, Subd. 3: These include, among other items:

- a) Whether the alteration maintains or enhances the general character and welfare of the community.
 - b) The magnitude and extent of the proposed alteration
 - c) The resulting impact on the use and enjoyment of surrounding properties and other properties in the community.
 - d) The proximity of the proposed alteration to any structure on the adjoining property
 - e) The effect on the property values of the subject property and the surrounding properties
 - f) Any other matters which may be relevant to the alteration being requested.
- D. Structures are limited to two (2) stories above grade with a maximum height of thirty (30) feet measured from the lowest point to the highest point. Structures with a walk -out basement or tuck-under garage are limited to a maximum height of thirty-five (35) feet measured from the lowest to the highest point but the uphill side must conform to the maximum two (2) story height limit.
 - E. The ACC will not recommend applications for structural alterations for these types of construction: A-frame, Dome, Earthen, Mobile Homes, Log or Concrete Block other than used as foundations.
 - F. The ACC may maintain, for referral purposes, a portfolio of designs of architectural styles as well as a portfolio of local AIA architects.
 - G. Projects must be completed within twelve months of starting date, unless an extension is granted by the Board.

H. In addition to the Architectural Rules and Regulations listed in Section III. A-G, the following structural rules apply to new construction and rebuilt structures from homes that have been approved for tear down/removal:

1. New structure total hardcover (total of home structure, decks, driveway, and any out buildings, sidewalks, stepping stones, retaining walls, and miscellaneous impervious cover) cannot exceed the following specifications: (1) the previous hardcover footprint of the home (total of home structure, decks, driveway, out buildings, sidewalks, stepping stones, retaining walls, and miscellaneous impervious cover as documented through a survey) or (2) 40% of the total impervious surface of the lot. (See III.H.2. for hardship variance rule.)
2. Due to the small size of Groveland lots, a hardship variance can be requested for an additional 5% of hardcover, up to a total of 45% hardcover.
3. Total finished hardcover including structures, decks, driveway, out buildings, sidewalks, stepping stones, retaining walls, and miscellaneous impervious cover as defined by the City of Woodland cannot exceed the previous total hardcover, as defined in the required survey. (See II. 9.)
4. Groveland Homeowners Association enforces hardcover and height restrictions for new construction as tools to prevent the building of oversized homes on undersized lots. In some cases, existing impervious coverage will be higher than the allowed 40% plus 5% conditional use permit. When rebuilding a torn down structure on a property, the previously existing property impervious allowance prior to tear down will not automatically be approved or grandfathered into the new structure and property. For those properties over 40% hardcover, the city process will be required regardless of existing conditions. If under 45%, the conditional use permit process will be used. If over 45%, the City of Woodland variance process will be used.
5. Homeowners are encouraged to position new construction towards the center of the lot. Homeowners also need to adhere to the City of Woodland rules and regulations regarding setbacks. Setbacks are important because they provide separation between homes for safety reasons, such as fire, drainage, flooding and visibility. The ACC will not support creative design that encroaches into required setback allowances.

IV. Remedies for Violations of Architectural Control Rules and Regulations

If a required application or plan has not been received and approved by the Board, or an approved plan is not followed, the Board may undertake any measures, legal or administrative, to enforce compliance and shall be entitled to recover from the homeowner causing or permitting the violation all attorney fees and costs of enforcement, whether or not legal action is started.

Such attorney's fees and costs shall be a lien against the homeowner's property and a personal obligation of the homeowner. Administrative action may include but is not limited to removal of such additions, alterations or changes that were in process or completed. The Board may also impose a fine of \$100 per day for each day after the homeowner has been notified by the Board in writing of the non-compliance until correction of non-compliance and/or deny the homeowner certain privileges such as boat slip or storage assignment, reservations for use of common facilities or other privileges as may be deemed appropriate by the Board.

9. GHA BOATING & LAKE FRONT RULES

AMENDED AND BOARD APPROVED OCTOBER 2, 2000, Revised November 7, 2005

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The Groveland Homeowners Association Board of Directors acknowledges that the 476 feet of Lake Minnetonka shoreline is a beautiful and valuable asset for the enjoyment of all residents, not renting or leasing, of the Grounds. Encouraging a spirit of community participation and cooperation, the Board establishes the following rules for use of the lakefront and the Boat Storage Unit (BSU) Permits issued to the Groveland Homeowners Association by the Lake Minnetonka Conservation District (LMCD).

I. DEFINITIONS:

The following definitions apply to these guidelines:

1. APPLICANT Member requesting a BSU. Only one Member for each residence shall make application for a BSU

2. BOAT STORAGE UNIT (BSU) Maximum lift width of 120 inches (outside clearance Dimension). Maximum lift capacity of 7,000 pounds. Free standing. Adjustable for water depth of 6 feet. Maximum length of boat is 24 feet from very front of bow or bowsprit to back of motor or swim platform. This is NOT the manufacturer's boat length.

3. BOATING SEASON Generally May 15 through October 15.

4. BSU ASSIGNMENT: Configuration and location determined annually.

5. DOCK DIRECTOR: Member assigned to docks by the GHA Board.

6. IMMEDIATE PAST BSU USER: An owner of a boat assigned a BSU the prior boating Season.

- 7 MEMBER: Each adult fee owner of the Residence in which the owner Resides and whose Residence is not rented or leased at the time of the application.

8. MULTIPLE OWNER ARRANGEMENT: Two or more Members who together are the Owner of Boat for one boat.

9. OWNER OF BOAT: Owner of record on the Title Card issued by the State of Minnesota for a boat. Residence assigned a BSU must have ownership of boat only in the name of one or more Members of the residence, unless Members are in Multiple Owner Arrangement under section III.6, in which case, owner of boat may be one or more Members. Proof of ownership is required by producing a copy of the Certificate of Title from the State of Minnesota each year at the time of application.

10. RESIDENCE A home within GHA that is not leased or rented.

11. WAIT LIST: List of applicants for BSU assignment as compiled by the Dock Director

II. ASSIGNMENT OF BOAT STORAGE UNITS

1. APPLICATION PROCESS:

- a. Beginning February first each year the Dock Director will provide to each Residence a Board approved application for a BSU
- b. All applicants must complete the application and submit to the Dock Director all required information together with required Fee not later than March 15. Failure to file an application by March 15 shall cause new applicants, immediate past BSU holders and wait list applicants alike, to lose priority in BSU assignment. Only one application for each Residence shall be allowed, except as provided in Section 111.5. Subject to timely and complete applications, the Dock Director will make BSU assignment for immediate past BSU Users. Any open BSU will be assigned in accordance with priority established by wait list, or by Section 111.5.
- c. New applicants are required to pay a one-time \$500 assessment fee prior to BSU assignment commencing January 1, 2004. This one-time assessment will continue in effect if applicant drops out and returns while a member.
- d. Decisions by the Dock Director, with GHA Board approval at the April Board Meeting, relating to prioritization of applications and the assignments for BSUs will be final.
- e. Members who did not own a Residence until after March 15 may apply for a BSU anytime after that date of ownership and establish priority on the wait list, in accordance with these Rules.
- f. Members who do not apply until after March 15 may apply for a BSU assignment to establish priority on the wait list, in accordance with these rules.

2. ASSIGNMENT OF BSUs:

BSUs will be assigned under the following guidelines. Each year the Dock Director will publish a chart and description of BSU assignments and seniority.

- a. Boats 18 feet and larger in length will have priority to assignments on the outside slips. Once the 18 feet threshold is met, that boat owner will maintain such status, (access to outside slip) until they withdraw, possess a boat under 18 feet or violate any Lakefront Boating use or general guidelines/regulations.
- b. When available on a year-to-year basis boats under 18 feet will be assigned to outside slips on a seniority basis.
- c. In the event new applicants or current BSU holders wish to purchase a boat larger than 18 feet and space is not available on the outside, a wait list will be established. Date application is received will determine priority on the wait list (applications may be made at anytime of the year). When awarded space at time of annual assignments (4/15) that applicant must occupy the assigned space with lift and larger than 18 feet boat by the 1st of June. When award takes place after 4/15 applicant must occupy space the later of June 15 or 20 days after award. Failure to meet this date will result in revocation of the assignment and BSU will be offered to the next applicant on the wait list. The

applicant having the assignment revoked must reapply the following year as a new applicant.

- d. All costs associated with movement of lifts after initial placement shall be borne by the individuals requesting service.
- e. Seniority for Large Dock Outside BSUs. Movements from east to west on large dock outside slips will take place in domino fashion dependent on lift size and placement of wheel. (Example: If slip #2 opens, it will be offered to the holder of #3, if #3 declines, it will be offered to #4, etc.) If a Member with seniority desires to stay at his/her location, seniority of the Member is maintained for subsequent year assignments and assignment to outside slips.
- f. Seniority for All Other BSUs. Movement up among slips 19-32 will be established by seniority from the date of assignment. The first assignment will be to the open BSU. Subsequent season assignment will be determined by seniority. If a Member with seniority desires to stay at his/her location, seniority of the Member is maintained for subsequent year assignments and assignment to outside slips.

3. WAIT LIST:

- a. Applicants requesting a BSU assignment will be placed on the wait list according to the order in which their first completed application was received by the Dock Director. Beginning in February each year the Dock Director will give written notice to all persons on the wait list that unless they confirm their desire to remain on the wait list on or before March 15 each year, except as provided in Section 11.3.e and f.
- b. Priority on the wait list is not assignable or transferable with the sale or other transfer of property.
- c. The wait list, including date of first application, and the list of current BSU users will be filed with the Board secretary and posted in the auditorium by the Dock Director as soon as assignments have been made and the wait list has been confirmed, not later than May 15 each year, except as provided in Section II.3. e and f.
- d. Any open BSU will be assigned in accordance with priority established by the wait list. Applicant with the highest priority has first right of refusal, moving sequentially through the list until the BSU is assigned. Priority on the wait list for remaining applicants does not change.
- e. An applicant on the wait list shall have ten (10) days after notification of a BSU assignment to either confirm or reject assignment for the current season. Required fees shall be paid with the ten (10) days.
- f. After March 15 when applicant receives notice and accepts BSU, lift and boat must be in place the later of June 15 or 20 days of assignment or BSU shall be forfeited.

4. RENEWAL AND REQUEST GUIDELINES:

An applicant renewing or requesting a BSU Assignment shall:

- a. Be a Member(s) of the Groveland Homeowners Association.
- b. Be current in all payments of GHA assessments and/or fees.
- c. Complete the application form and pay in advance the required fees.
- d. Provide a complete description of the boat including make, model, length, beam, license number, and name of insurance carrier.
- e. Submit a photocopy of the boat Certificate of Title with the application indicating owner of boat.
- f. Know and agree to abide by Boating and Lakefront Rules.

5. USE GUIDELINES:

- a. If the BSU assigned is not used for the keeping of a boat prior to June 15 of the boating season for which the permit was issued, the GHA Board may revoke the assignment by mailed, written notice to the BSU User. The Dock Director with Board approval may reassign the BSU to the next person on the wait list upon payment of the full fee for the assignment.
- b. If the BSU assigned is not used 30 days or more for the keeping or mooring of the resident owner/s boat described, the GHA Board may reassign and/or refuse to renew the assignment.
- c. An appeal for a variance from the 3--day provision or the June 15 provision may be addressed to the GHA Board. The appeal shall be in writing and shall specify reasons for non-compliance. It shall be made prior to the expiration of the 30 days allowance, or within 10 days after mailing of the notice of the June 15 revocation. The BSU User requesting the variance will be notified in writing within three days after a Board decision has been made regarding the appeal.

6. EXPIRATION OF BSU ASSIGNMENT.

All BSU Assignments shall expire on October 20 of each boating season.

7. WATERCRAFT ON LAKE FRONT:

All watercraft shall be removed from lakefront by December 1.

III. GENERAL REGULATIONS:

1. All applicants requesting a BSU Assignment must be a Member of the Groveland Homeowners Association.
2. BSU Users and Applicants shall cooperate with the Dock Director in all inquiries, verifications, or directions the Dock Director makes to the BSU User or applicant.
3. By accepting a BSU Assignment, Members agree to be responsible for any and all damages caused by their boat to the dock itself, or neighboring boats which may arise as a result of storm, vandalism, or negligence.
4. Members agree to resolve directly with contractor any claim of personal property damage for services provided at member/s request (lift installation and/or removal damage).

5. A BSU Assignment is not assignable or transferable with the sale or other transfer of property.

A BSU Assignment is not assignable between individuals or boats. BSU Users who wish to change the authorized boat in mid-season shall provide to the Dock Director all required information on the new boat. (Refer to Section II.3 c. & d.)

In the event the boat is sold mid-season, the BSU Assignment is not transferable to the boat purchaser.

Exception A BSU assignment shall not change for current BSU holder moving to another GHA Residence.

6. No more than one BSU shall be assigned per Residence per season.
 - a. Multiple Assignment Exception: Current Assignee of a BSU may petition the Board for an exception for current season if a BSU is unassigned and no person on the waiting list exercises his/her priority option. As long as the multiple assignees adhere to all BSU rules, this multiple assignment is for the entire current boating season and will not have to be relinquished during the current boating season.
 - b. Selection for Multiple Assignments: If there are more applications for a multiple assignment than there are BSUs available, the Dock Director shall select Applicants for a BSU assignment by a blind random drawing.

6. Members in Multiple Owner Arrangement may request a BSU. Only Members may form Multiple Owner Arrangements for BSU assignment.

If the Multiple Owner Arrangement dissolves, the unassigned Member or Members, as determined by the partners, shall be considered a new applicant subject to the rules established for an Assignment of a Boat Storage Unit. (Refer to Rule II.) Members cannot enter into Multiple Owner Arrangements, for the purpose, or the effect, of obtaining seniority in BSU assignment. For example, Owner of a boat with BSU assignment #4 may enter into a Multiple Owner Arrangement with a Member who does not have a BSU assignment, but if original assignee of BSU #4 leaves the Multiple Owner Arrangement, the remaining Member will take his or her seniority status from date of the Multiple Owner Arrangement. Multiple Owner Arrangement must be submitted to the Dock Director with each renewal application to establish ownership and seniority.

7. Fees in conjunction with the assignment of a BSU:
 - a. Are non-refundable.
 - b. Shall be paid directly to the Dock Director: with a check payable to Groveland Homeowners Association.
 - c. Shall be established by the Board.
 - d. Shall be sufficient to cover LMCD permit fees, dock maintenance, installation and removal, lift installation and removal, and miscellaneous expenses directly related to the use of BSUs.

Any overage shall be used exclusively for maintaining or improving the boat docks, lake bottom, or lake front. No new assignment will be made and no existing assignment will be considered renewed until fees are paid.

8. **No boat longer than 24 feet shall be assigned to a BSU.**

We are bound by the LMCD (Lake Minnetonka Conservation District) Rules and regulations regarding boat length. Please see LMCD Code of Ordinances Rules and Regulations Sec 2.001 Chapter II subd 9. Watercraft Length Limitation.

If you were to cover your boat with a box so everything on the boat was fully covered by that box, the LMCD definition of length overall would be the inside lengthwise measurement of that box.

9. BSU assignments may be revoked or denied by the GHA Board for failure to use the BSU or for non-payment of fees or non-payment of assessments, or other violation of these Rules.
10. Boats used or licensed for commercial purposes shall not be assigned a BSU.
11. All decision of the Dock Director with Board approval, consistent with these Rules, relating to the issuance or non-issuance of a BSU shall be final.
12. VISITOR'S DOCK: This dock is to be used for temporary loading and unloading of passengers. According to LMCD Rules, the visitors dock is not considered to be a BSU (Boat Storage Unit), and therefore we cannot have overnight docking. All of our BSU assignments require the presence and use of boatlifts. Exceptions to this policy (i.e. extenuating circumstances) will be left to the discretion of the Dock Director.

V. DOCK INSTALLATION & REMOVAL:

All BSU Assignees and lakefront users are expected to participate in the dock installation and removal. A non-participation fee established by the Board shall be paid by any user not participating in installation and/or removal at scheduled time and date.

The Dock Director with Board approval may hire a contractor to provide this service with cost shared by BSU Assignees and the Groveland Homeowners Association.

V. LAUNCHING AND REMOVAL:

No person shall launch or remove from the water any boat requiring or utilizing a trailer or similar conveyance for the transportation over or through property owned by GHA.

VI. MOORING

Moorings of any boat of any kind on GHA swim docks is for temporary purposes only.

VII. PRIVATE PROPERTY:

- a. Any / all watercraft stored on the lakefront shall be personal property owned by a GHA member.
- b. No privately owned dock shall be placed on the lakefront nor used in the layout for boat or swim docks.
- c. Lifts shall be well maintained and marked with name of owner.
- d. Boats shall be identified by registration number as required by law.
- e. Personal property shall not be stored or left unattended on the docks or lakefront.

VIII. STORAGE:

Winter storage for boats is available at the owners risk in the auditorium under supervision of The Board Member assigned to the auditorium. Beginning and ending dates shall be determined by The Board Member assigned to the auditorium with Board approval.

Boats have priority for storage on a first come basis with the following requirements:

- a. Portable gas tanks shall be removed.
- b. Battery shall be removed.
- c. A piece of 16 inch by 48 inch plywood shall be placed under the wheels and tongue of trailer.
- d. A completed and signed copy of the storage agreement shall be filed with The Board Member assigned to the auditorium prior to storage of boat.

Smaller boats shall be stored on their transoms, if practical.

No motorized vehicles shall be used for positioning boats inside the auditorium.

IX. SWIMMING & FISHING:

1. Swimming shall be permitted only in the designated swim area marked by the ropes and buoys.
2. Parents shall provide appropriate and adequate supervision of their child/children.
3. Fishing shall not be permitted in the swim area or from the swim dock.

X. SAFETY:

1. The safety of each child shall be the responsibility of the parents of the child.
2. Boat operators and water skiers shall allow a wide margin of safety between their activities and the swimming area.
3. Children shall not play in boats, nor throw rocks.
4. Bottles, glasses, breakable items shall not be used at the beach or in the lakefront area.

XI. LITTERING:

No person shall deposit, throw, or leave refuse, cans, paper, or other discarded material on the docks, in the gazebo, or along the lakefront area. Receptacles are no longer available for proper disposal of litter, so please dispose of any litter elsewhere.

XII. ALCOHOLIC BEVERAGES:

Consumption of alcoholic beverages is not permitted on GHA common property at any time.