



# EMA Rules

## Rules

### A. Rules For Temporary Members and Guests.

1. No Member can extend any rights or privileges to use the properties or facilities of the Association. This is the sole prerogative of the Association. Temporary Member or Guest rights and privileges will be extended by the Association only when requested to do so by a Member or Temporary Member in good standing. Such extension will be evidenced by the registration of the person as a guest of the Association.

a. Rental agencies and any members who are privately renting their house(s) must submit a list via email to the EMA office requesting Temporary Membership privileges for their renters and any renter's guests, including the cottage name, names of all renters and guests, and rental dates. This must be provided no later than 3 days before each rental begins. If the member does not request Temporary member privileges for their renters, the EMA will not be able to register them as Temporary Members and they will not have access to the beach, the lake or any EMA facilities.

2. As stated in sections 3.01 and 3.04 of the Bylaws, "Temporary Members" are persons (including Inn guests) who are renting for twelve weeks or less a residence or cottage, located in the Eagles Mere Area, owned by a member in good standing who has paid the Lake Protection Fees and Basic Annual Fees at the seasonal rates for the property being rented. Members owning more than one cottage or residence who desire Temporary Member privileges and/or Member privileges for more than one facility at the same time shall pay an additional Basic Annual Fee and applicable Lake Protection Fees for each additional family.

3. It is the Member's responsibility to assure that Temporary Members and guests sponsored by them know and follow Association rules. This is particularly important for Temporary Members who are Inn guests and guests of renters. Temporary Members must register at the Beach Office at the beginning of their stay during the summer season.

4. In every case the Member requesting the extension of Temporary Member privileges shall be responsible for the conduct and all financial obligations to the Association incurred by such guests.

5. A Temporary Member family shall consist of only the husband, wife and their own children.

6. There are two types of "Guests"

(a) "Personal Guests" are persons who are non-paying day or overnight residence or cottage guests of a Member or Temporary Member (who is renting a house) in good standing.

(b) "Association Guests" are persons who are invited to use the properties and facilities of the Association for participation in activities or sports. Groups who are approved by the EMA Board, or Association Manager, for periodic visits such as sailing clubs, camps, etc. also fall

within this classification. Also, the children under twenty-two (22) years of age of year-round residents of the Eagles Mere Area and the employees under twenty-two (22) years of age of a commercial enterprises in Eagles Mere who desire to use the beach facilities and who are approved by the Association Manager shall be included in this classification, upon registration and payment of any required fees.

7. The Association may refuse to extend privileges to any person if in the judgment of an officer of the Association or his/her delegate such registration is not in the best interests of the members of the Association.

8. Temporary membership fees shall be charged based on the number of people (age 8 and up) renting the cottage. The privileges covered by the payment of a single Temporary Membership fee will be for the rental period only, and will extend to the immediate family of the Temporary Member listed on the application, and guests who are staying in the cottage while the Temporary Member is in residence.

9. Personal guest privileges do not require the payment of additional Basic Annual Fees or Lake Protection Fees.

10. Personal guest privileges will not be extended to the following persons and members of their immediate families:

- (a) Persons who are in arrears in the payment of dues, fees, or other charges.
- (b) Persons who are renting a cottage or residence in the Eagles Mere Area for which the current dues, fees and charges of the Association have not been paid.
- (c) Persons who have been suspended by the Association for cause.
- (d) Any other persons who qualify for Active Membership in the Association and who would be using the Personal Guest privileges to avoid payment of properly chargeable dues, fees or other charges of the Association.
- (e) Notwithstanding the foregoing, any person may be extended personal guest privileges for not more than a total of five (5) days in any calendar year if he or she is duly registered and vouched for by a member in good standing.

## **B. Rules For Use Of Association Properties And Facilities.**

1. All applicable local, state and Federal laws shall be complied with completely. No action or lack of action by the Association shall be deemed to prevent the enforcement or application of any such laws.

2. All persons using any of the properties or facilities of the Association shall comport themselves in an acceptable manner. When using EMA facilities and property, Members and their guests are expected to respect the personal rights of their fellow Members and guests and not create or contribute to any undue noises or other actions or behaviors that are an annoyance to Members and guests in nearby cottages, or that interfere with the ability of other

Members and guests to enjoy the properties and facilities of the Association without undue disturbance, harassment, intimidation, or threat to their safety and well being.

3. The path around the lake (the Laurel Path) is maintained for the enjoyment of all and considerable effort and money is expended to maintain this path. All motor vehicles are prohibited from using this path. Horseback or bicycle riding is not permitted on this path. Snowmobiles and all-terrain vehicles are prohibited from using the Laurel Path or the lake.

4. None of the properties or facilities of the Association may be used for camping, cookouts or other events without prior written permission from an officer or delegate, and this only for the period and under the conditions of such permission.

5. Member Events – Members in good standing may reserve EMA property for events on a first-come, first served basis during the in-season (with certain restrictions, or the off season. An “event” is a wedding, party, or other planned gathering of at least 15 people for one hour or more. Informal gatherings (eg, after-hours groups at the Beach, or recreational activities at the Field of Dreams) will not require registration, even if they meet the size and length thresholds. Contact the EMA office for the full Events Policy when reserving your event.

6. The Eagles Mere Association is dedicated to preserving its property in as natural a state as possible, while still providing members and guests access to its’ woodlands and lake for recreational activities. The shoreline of the lake and the 100 ft. reserve, including the Laurel Path, will be maintained as a natural watershed and preserve in which;

(a). The harvesting of plants and hunting or trapping of animals is prohibited, unless necessary to control invasive or endemic species that pose a threat to the natural environment.

(b). The storage of any materials, dock sections, furniture, boats, construction materials or debris, etc, is prohibited on Association property, unless approved by the Association.

(c). The creation or placement of any type of structure on EMA property, or the landscaping or modification of EMA property, is prohibited unless approved by the EMA Board.

7. The possession and use of alcoholic beverages on the properties and facilities of the Association must conform to the rules and regulations of the Commonwealth of Pennsylvania Liquor Control Board and any other applicable laws and regulations. Alcohol may be consumed by Members (including Temporary members) on EMA property as long as Members are 21 years of age or older and are acting in accordance with all other EMA Rules, including Rules governing generally acceptable behavior on EMA property. Alcoholic beverages are not permitted during beach hours.

8. No cutting, trimming, or damaging of any trees and shrubs shall occur on Association property, including the one hundred (100) foot reserve around the Lake, except with the prior authorization of the Chair of the Property Committee or the Board.

9. Privately owned Boat Houses & Boat Docks - Owner shall keep the Property in good order, condition & appearance. Property shall be used lawfully in accordance with all applicable federal, state & borough regulations as well as general EMA rules of conduct.

a. Owner shall supervise & conduct activities in such a manner as to insure no disruption to the enjoyment and possession of other occupants on and around the Lake.

b. Owners shall not place any lettering, signs or objects on doors, windows or outside walls without written approval of the EMA; no signs shall be visible through or on windows.

c. Owner shall not keep flammable or explosive material in or near the Property & will not allow any equipment or practice that might injure, contaminate or in any way harm the lake or surrounding area. Specifically, Owner shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the Property without the prior written approval of the EMA. "Hazardous Material" shall be considered any substance that could reasonably foreseeably harm or contaminate the Lake or surrounding area, including but not limited to: gasoline, oil, flammable explosives, asbestos, urea formaldehyde, chlorine, radioactive materials or waste, or other hazardous, toxic, contaminated or polluting materials, substances or wastes, including, without limitation, any "hazardous substances," "hazardous wastes," or "toxic substances".

d. All improvements or modifications including but not limited to structural & exterior modifications or additions shall be subject to prior written approval of the EMA. Owners will submit plans & specifications for prior review to the EMA; written approval of such improvements or modifications will not be unreasonably delayed or denied.

e. Personal property of the Owner (including guests, invitees, contractors, etc.), its agents, family members, guests shall be and remain at the sole risk of the Owner, and the EMA shall not be liable to them for any damage to, or loss of, such personal property arising from any act of any other persons. The EMA shall not be liable for any personal injury to the Owner or Owner Users injured arising from the use, occupancy, maintenance &/or condition of the property.

f. Owner agrees to indemnify and hold harmless the EMA, its officers, agents and all employees, members and volunteers from any and all claims for property damage, death, bodily injuries and personal injuries, including cost of investigation, all expenses of litigation, including reasonable attorney fees and the cost of appeals arising out of any claims or suits arising out of Owners use, occupancy & maintenance.

## **The Beach**

1. Roughhousing, fighting, and rowdiness, and the use of profanity, foul, abusive or obscene language will not be tolerated and could result in loss of membership.

2. Sports that might interfere with the enjoyment of the beach by others shall be carried out on the athletic field and other areas remote from the beach. Only beach type balls, tennis balls and nerf-type balls are allowed on the beach. Activities involving bats, sticks, clubs or hard balls are prohibited in the beach and beach lawn areas.
3. No child under nine (9) years of age shall be permitted in the beach area unless accompanied by a person at least fourteen (14) years of age who shall take full responsibility for the supervision and safety as well as the conduct of the younger child.
4. The safety rules as posted on the beach house by the Beach and Lake Director shall be applicable to all persons using the beach. The directions of the life guards and the Beach and Lake Director and Assistant Director are final.
5. Any person authorized to use the beach may be evicted from the beach area by the Association Manager, Beach and Lake Director or his or her delegate, but any suspension or termination of beach privileges or other privileges for more than a twenty-four (24) hour period shall be subject to affirmation by the Operations Committee Chair or an officer of the Association. Any person not authorized to use the facilities of the Association shall be evicted from the properties of the Association by any officer, trustee or employee of the Association.
6. Any person wishing to swim across the lake or some shorter distance outside the roped off area must obtain the permission of the lifeguards or Beach and Lake Director or Assistant Director, and must be accompanied by a "safety boat", a row boat or canoe containing at least two (2) persons.
7. During the summer season, when lifeguards are on duty, swimming in the lake is authorized only in the designated roped off area at the beach. At any other time any swimming is done solely at the risk and responsibility of the person doing so.
8. Naked bathing or swimming in the lake at any time is prohibited.
9. No dogs or other pets will be permitted in the beach area at any time, except that persons walking the Laurel Path may take dogs on leashes through the beach area provided that the dogs are not permitted to delay in the beach area and are not permitted in or near the sandy part of the beach. Dogs on the Laurel Path or other Association property must be on leashes during the season and on weekends from Memorial Day to Columbus Day. Dogs are permitted in the lake from Gypsy's Landing south around the lake to Bailey's dock.
10. The use of diving boards or any other water apparatus or toys, and conduct on the docks and in the water will be policed by the lifeguards and their orders are final. Socializing with lifeguards to a degree which interferes with performance of their duties is prohibited.
11. Beach umbrellas are not allowed in the sand part of the beach area. They are to be used only on the lawn areas. Beach type inflatable watercraft are not allowed in the lake beyond the roped off swimming area.

12. The washing of persons or pets in the lake is prohibited.

13. The Beach and lawn, and all associated areas and buildings are no smoking areas, as are the Hardly Able Launch and all EMA boat houses and docks.

### **Boating and Fishing**

1. All watercraft (including paddle boards) using the lake, stored on Association property, or on private docks, must be registered with the Association and carry the current annual Association sticker affixed to the craft, starboard and port sides.

a. If a current registration sticker is not adhered to a boat on EMA property by the July 4th weekend, that boat will be removed from the dock and a fine will be imposed, in addition to sticker purchase, in order to have the boat released. Boats permanently stored in private boathouses do not need to display a registration sticker unless they are on the dock or in the water.

b. Boats need to be removed from the public dock spaces at the Beach and Edgemere by Columbus Day weekend through mid-April of following year. Exceptions must be cleared with the Boat Dock staff. If boats are left on EMA property in cradles, rails or on docks, a \$100 winter storage fee will be billed on your annual EMA invoice. It is preferable that all boats be removed over the off season.

2. The Association may refuse to register any boat. Boaters are required to obey Pennsylvania Fish and Boat Commission rules and regulations regarding the use of watercraft, including having on board a life vest for each occupant.

3. Only boats owned by members of the Eagles Mere Association are allowed on Eagles Mere lake or property. Renters and guests are prohibited from using their personal boats on the lake or pond. Members are prohibited from registering boats owned by non-members. (With the approval of the EMA Board of Trustees, non-member boats may be allowed access to the lake for special events or occasions).

4. Only Traditional Watercraft such sailboats, canoes, kayaks, rowboats, windsurfers, and stand-up paddle boards that do not exceed 19 feet in length or 4.5 feet in width, are allowed on EMA waters. Pontoon boats, catamarans, party boats, jet-skis, rafts, or float tubes of any type, are prohibited from being used on the lake or pond, except that beach type inflatables and tubes are allowed in the swimming area. On a case-by-case basis, members may petition the Board for an exception to register other types of "novelty" boats that do not conform to the definition of a traditional watercraft. Those boats that do not conform (such as paddle boats and rowing shells), but had been registered prior to January 1, 2012, will be "grandfathered".

5. An EMA Boat Co-op has been established for members to use the EMA watercraft fleet at no additional at charge once they have joined the Co-op. Members can opt to pay an annual fee

to join the Boat Co-op, and all family members and member guests may use the EMA Co-op watercraft for no additional charge.

6. Mooring and docking spaces shall be allocated by the person in charge of the boat dock. Generally, space will be allocated on a first-come/first-serve basis, with preference being given to boats for which storage charges have been paid. Boats may be rigged on the main beach house boat dock, but may not remain there. The “visitors’ dock” which is to the immediate right (west) of the beach is where visitors may pull up their boats. No boats with the exception of canoes, sailboats and row boats may be permanently moored at this dock.

7. No internal combustion motors are permitted in any boat on the lake except for the “Launch” and the lifeguard boat owned by the Association. Electric “outboard” motors are allowed, but they must be registered with the Association and must have affixed to the control housing a current annual Association sticker.

8. No boat of any kind shall be operated in a way that is dangerous to the occupants of that boat, to other persons, or to any other boat or its occupants. The orders of the Beach and Lake Director, lifeguards or the operator of the launch shall be followed at all times and any of them can order any boat off the lake, if in their opinion it is being operated in an unsafe manner or by a person not competent to operate it.

9. When sailing races are being conducted, entrants in these races are to be given right of way. All other craft must stay clear of the course and avoid any interference with the races.

10. Unauthorized use of any boat or any vandalism to a boat will make the culprit liable to suspension or termination.

11. It is strongly recommended that no person take a boat, particularly a sailboat, out on the lake unless there are other boats on the lake. This is particularly important before or after the season, since at these times most boats are stored and, in event of an accident, make a rescue difficult.

12. The Association accepts no responsibility, and does not provide insurance coverage, for boats moored, docked or stored on Association property. The Association will not rent privately owned boats.

13. Boats, except for “safety boats” accompanying swimmers, will not be operated on the lake during the July and August lake swims.

14. All laws and regulations of the Pennsylvania Fish Commission apply to everyone fishing in the lake. Fishing in the lake is limited to Members of the Association and their Registered Guests, except that non-member year round residents (as defined in the EMA By-Laws) living in the Eagles Mere Area are also permitted to fish in the lake, provided they fish from the shore and comply with the Pennsylvania Fish Commission laws and regulations and these rules and



regulations. Such non-member persons may not extend this privilege to any guests. No ice fishing is permitted at any time by any person.

15. Since the lake is stocked with trout through the generosity of some of the members, it is requested that persons over twelve (12) years of age refrain from killing and keeping any trout less than twelve (12) inches long.

16. While not a requirement, the Association encourages the use of artificial lures and catch and release practices when fishing for trout.

17. The use of aquatic organisms for bait that are native to northeastern lakes and streams is prohibited in the lake and pond.

### **Windsurfers.**

(a) A vest-type personal flotation device must be worn while on a windsurfer.

(b) Windsurfers should be used only when lifeguards are on duty.

(c) Windsurfers should not be used during scheduled sailing races.

### **C. Fees**

1. The fees set forth in the annual Fee Schedule are designed to raise funds to enable the Eagles Mere Association to operate on a “break even” basis.

2. The Basic Annual Fee represents the cost of preserving and maintaining the properties and facilities of the Association, as separate from the cost of operating those facilities. Since this is a “basic charge” applicable to all members, its payment is a requirement of membership.

3. The Lake Protection Fee covers costs of the Association’s operations. This charge must be paid by all of those who use the lake or the beach.

4. The other fees attempt to allocate the financial load equitably among those who make use of the Association’s various facilities.

5. All Association bills shall be paid within sixty (60) days from the date of the invoice. A penalty of 10 percent (10%) will be assessed on late payments. If late fees are not paid, membership privileges will be suspended until all bills are paid. In the event it is necessary to suspend or terminate the privileges of a person or persons, the Association will refund fees or other charges as appropriate. In the event a share of stock is not redeemed by a shareholder who is in arrears in any amount owed the Association, the arrears amount will be deducted from the redemption price.