Lake of the Woods Association, Inc.
Resolution 2017-19
A Policy Resolution

Amending the LOWA Regulations Section II, Admittance, and Sections of Regulations XVI, Environmental Control and Construction Procedures, Regulation I, General, and Regulation XV, Establishment of User Fees, Assessment Settlement, and Other Charges

WHEREAS, Article VIII of the Bylaws gives the Board of Directors the authority to amend and adopt association Rules and Regulations; and

WHEREAS, there is a need for clear, concise and consistent regulations on the matter of admittance to Lake of the Woods; and

WHEREAS, the Rules Committee modified language and the LOWA Attorney gave advice on the amendments.

THEREFORE, RESOLVED, the Board of Directors hereby approves the following amendment to Section II, Admittance, and Sections of Regulations XVI, Environmental Control and Construction Procedures, Regulation I, General, and Regulation XV, Establishment of User Fees, Assessment Settlement, and Other Charges.

II. ADMITTANCE TO LAKE OF THE WOODS

A. ACCESS TO LAKE OF THE WOODS

1. Introduction. Members, registered tenants and their households are provided access to Lake of the Woods through the Main Gate at Lake of the Woods Way at its intersection with Germanna Highway (Virginia Route 3) with proper identification. Entrance at the Main Gate is also provided for their nonregistered family, guests and contractors with the member’s or tenant’s authorization.

Members in good standing, registered tenants and their registered family members as well as registered contractors are also provided the convenience of using the barcode lanes at the appropriate gates.

2. General Requirements.

a. Personal Identification: All persons entering Lake of the Woods must be able to present appropriate personal identification, such as a picture ID, when requested by security or administration personnel.

b. Vehicle Identification: All vehicles entering LOWA must display a barcode or temporary vehicle pass, except as listed in Section D.3 of this regulation. For the purposes of this regulation, “Vehicle” is defined as a self-propelled motor vehicle that can be lawfully operated on the roads and highways of the Commonwealth of Virginia, and that has been properly registered with a state agency.
c. Member Responsibilities: Members may be assessed a charge for violations of the Restrictive Covenants and Rules and Regulations committed by themselves, their families, guests, and tenants, as well as guests of their tenant and/or of their contractors and the contractors of their tenants while the contractors are within LOWA (See Section 1.g).

d. Use of automated gates: The use of automated gates is a convenience provided by the LOWA and is subject to potential deactivation according to the Association's Collection Policy as described in LOWA regulations Section XV.

B. ADMITTANCE

For the purposes of this regulation:

An Immediate Family member is defined as father, mother, grandfather, grandmother, brother, sister, children, grandchildren and person married to same.

An Extended Family is defined as children not living at home or anyone related by blood or marriage (i.e., aunts, uncles, nieces, nephews and cousins).

A Household is defined as a member or registered tenant living in a single household in LOWA with his/her immediate family which may include a spouse, dependent children, legally adopted children, domestic partner, or one individual unrelated to the member or registered tenant by blood or marriage.

Admittance to LOW shall be limited to the following:

1. LOWA Members: LOWA Members and their Households are provided access through the visitor lane at the Main Gate and through automated gates when using vehicles with barcodes.

2. Registered Tenants: Registered tenants and their Households are provided access through the visitor lane at the Main Gate and through automated gates when using vehicles with barcodes.

3. Guests: Invited guests of LOWA Members and invited guests of registered tenants are provided access to LOWA in accordance with the following:

a. For purposes of admission to LOW and payment of guest fees for use of the various facilities, a guest is defined as anyone (other than a LOWA member) specifically invited by a LOWA member or registered tenant to visit him/her within LOW. No such person shall reside within LOW for a continuous period of more than fifteen (15) days, after which re-admittance to reside again within the same household during the same calendar year must be requested by the member or registered tenant by letter to the General Manager.

b. Guest access must be authorized by members and/or registered tenants. Authorizations may be electronic, telephone, or written means.

c. Minor dependents under age eighteen (18) may not authorize entry of guests.
d. Use of recreation facilities by guests is subject to the following restrictions:

1) Members in good standing or registered tenants shall accompany, or make proper arrangements for, guests to use recreation facilities where fees are charged.

2) No member or registered tenant may have more than eight (8) guests (limited to two (2) tee times) using the golf course at any one time without special permission of the General Manager and/or his/her designated representative.

3) No member or registered tenant may have more than ten (10) guests using the pools at any given time without the special permission of the General Manager.

4) No member or registered tenant may have more than twenty-five (25) guests using any other recreational facility at any given time without the special permission of the General Manager.

5) Admittance of unscheduled visitors will be prohibited. If a visitor arrives at the gate and Security has not been previously notified, they WILL NOT be admitted and Security will NOT notify the LOWA resident.

4. Contractors: Invited contractors of members and invited contractors of registered tenants are provided access to LOWA in accordance with the following:

a. Contractors are defined as persons or companies hired by members, tenants, or LOWA to perform work or furnish goods or services, including, but not limited to, professional services, public utilities, trades, repair, and personal services workers.

b. Contractors are admitted upon member authorization (electronic, written, or telephone) or upon presentation of a valid work order with the name and either lot and section number or street address of their destination.

c. Repair personnel, delivery trucks and companies such as appliance repair, furniture delivery, florists, etc. will be admitted to LOW so long as they are able to provide a work order with the name and either lot and section number or street address of their destination.

d. Construction and materials delivery vehicles will be admitted to LOW subject to the procedures set forth in LOWA Regulations XVI. Environmental Control and Construction Procedures, Section J. Access.

e. Contractors may purchase barcodes to enable use of automated gates in accordance with requirements in Section D (1) of this regulation.

f. Contractors may be required by Security to provide additional identification including their photographs to be retained in the LOWA visitor management system to assist with access control.
5. Others: Other persons are provided access to LOWA as follows:

a. Visitors to LOW when accompanied by a member or registered tenant.

b. Employees of LOWA and of LOWA contractors.

c. Federal, State, and County officials; and police, fire, rescue, and other emergency response personnel when on duty.

d. Employees of public utilities when on duty.

e. Orange County residents for the purpose of using the trash compactor and recycling center according to the Orange County-LOWA Compactor Agreement.

f. Attendees at scheduled events within LOWA, such as church services, soccer matches, and swim meets, for the purpose of attending an event. Attendees must comply with the vehicle identification procedures of Section D of this regulation.

g. Real estate sales persons and their clients in connection with viewing or purchasing property for sale within LOW.

6. Guests of LOWA: The General Manager may authorize:

a. One (1) day admittance for such special activities as horse shows, athletic contests, weddings, bazaars and similar activities. Authorizations may be subject to restrictions, such as obtaining a temporary vehicle pass, providing a list of visitors to Security at least two (2) business days prior to the event, etc.

b. Admittance to participants in special non-member social events at the Clubhouse which do not interfere with LOWA-scheduled events.

C. ISSUANCE OF MEMBERSHIP IDENTIFICATION AND PASSES

The General Manager, through the Member Services Front Desk of the Finance Department shall issue LOW ID cards and passes according to the Declaration of Restrictions, the Bylaws and subject to the following rules:

1. ID and Pass Ownership: Membership identifications (IDs) issued to LOWA members in good standing, registered tenants, and their family members and authorized Household and passes issued to guests of LOWA members and registered tenants are the property of LOWA and are for the exclusive use of the person to whom they are issued.

2. Misuse of IDs and Passes: Use of these LOWA IDs and passes by persons other than those to whom they are issued shall be considered a violation of this Regulation and such misused LOWA IDs and passes shall be subject to confiscation and citation by LOWA Security.
3. Expired, Lost or Stolen IDs and Passes: Lost or stolen LOWA IDs and passes must be reported immediately to Security. Expired LOWA IDs and passes are invalid and must be returned to the General Manager. Expired LOWA IDs and passes shall not be displayed.

4. ID Card and Family Guest Pass: LOWA ID card categories are established for use in identifying individuals at the security gate and at amenities. LOWA will issue cards upon request of a member in good standing and payment of assessment and applicable fees. LOWA will issue an Annual Family Guest Pass to the requesting Member in good standing or Registered Tenant according to the LOWA Fee Schedule.

a. Member: A WHITE ID card will be issued to a property owner (and spouse, if applicable) with a maximum of two cards. Members are afforded all the rights and privileges of an owner of property within LOWA as described in the Declarations and Bylaws. (See Declaration of Restrictions: Section 12.A, Lake of the Woods Association. See also Bylaws: Article III., Members of the Association.)

b. Tenant: A TAN ID card will be issued to a registered tenant. A tenant is a Non-Member occupying a home in LOWA, regardless of whether any money or in kind consideration is exchanged with the home owner. The exception is the homeowner’s parents, children, brothers and sisters (See C.4 above). The ID card expires upon the receipt of a Tenant Checkout Form. A tenant is afforded all the rights and privileges of a Tenant within LOWA as described in Regulation III, Registered Tenants.

c. Co-Habit: A BLUE ID card will be issued to one individual who is NOT AN IMMEDIATE FAMILY MEMBER of the LOWA Member but is residing with the member FULL TIME in LOWA. The card shall be labeled with “Co-Habit” on the front, shall expire April 30th of each year, and shall be renewable. This category includes those residents providing services to the LOWA Member requiring them to be full-time residents, such as a live-in nurse’s aide, child care provider, and other personal caregivers. The card allows a Co-Habit cardholder the ability to obtain a barcode as well as access to the amenities of LOWA. Only one such card will be issued per member. The General Manager may make exceptions upon written request of the member. A Co-Habit cardholder is not afforded any voting rights within LOWA.

d. Blood Relative: A BLUE ID card will be issued to an individual who is an IMMEDIATE FAMILY MEMBER who resides FULL TIME with a LOWA Member (examples: parent, grandparent or child not considered a Dependent). The card shall be labeled with “BR” on the front, shall expire April 30th, and shall be renewable. The card allows a Blood Relative cardholder the ability to obtain a barcode as well as access to the amenities of LOWA. A Blood Relative cardholder is not afforded any voting rights within LOWA.

e. Dependent: A BLUE ID card will be issued to an individual who is up to 22 years of age, and who is residing with a member FULL TIME in LOWA. The card shall be issued with “D” written on card, shall April 30th, and shall be renewable. The card allows a Dependent cardholder the ability to obtain a barcode, if of driving age, as well as access to the amenities of LOWA. A Dependent cardholder is not afforded any voting rights within LOWA.
f. Annual Family Guest Pass: A PAPER PASS, varying in color from year to year, will be issued to adult relatives of Members or Registered Tenants who may frequently visit said Member or Tenant but does not reside within LOW. Passes will be limited to Immediate Family Members. The pass shall expire April 30th. The pass allows a Family Guest Pass holder to obtain a barcode for access to LOWA. A Family Guest Pass holder is not afforded any voting rights within LOWA. The General Manager, in his discretion, may issue an Annual Family Guest Pass to an extended family member or an individual who generally fits this category. The requesting Member/Tenant is charged a pass fee according to the LOWA Fee Schedule.

D. ISSUANCE OF VEHICLE IDENTIFICATION

The General Manager, through the Member Services Front Desk of the Finance Department and the Security Office, shall issue vehicle IDs subject to the following rules:

1. Barcodes:

a. Members in good standing, registered tenants, and their family members and household members who have purchased a Guest Pass will be issued barcodes for vehicles registered in their name(s) upon completion and submission of the appropriate form.

b. Vehicles owned by government agencies, LOWA, LOWA security, and public utilities may be issued barcodes.

c. Employees of LOWA and of LOWA Security, who are NOT LOW residents, will be issued barcodes for their vehicles. The barcode authorizes entry only for the employee and NOT his/her family or guests.

d. Members of Lake of the Woods Fire & Rescue Company, who are not LOW residents, will be issued barcodes for their vehicles upon receipt of an annual letter of request from the Fire & Rescue President or Chief to the General Manager. The barcode authorizes entry only for the Fire & Rescue member and NOT his/her family or guests.

e. Officials of Lake of the Woods Church, who are not LOW residents, will be issued barcodes for their vehicles upon receipt of an annual letter of request from the Pastor or Administrator to the General Manager. The barcode authorizes entry only for the member and NOT his/her family or guests.

f. Contractors may purchase barcodes upon completion of applicable forms and payment of an annual barcode fee in accordance with procedures approved by the General Manager. Contractor barcodes only provide access between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday.

g. Barcodes issued to persons authorized access to all LOWA amenities, including Lakes, Parks, Golf Course, and Equestrian Center, will have white or black backgrounds. Barcodes issued to persons not authorized access to amenities, e.g. contractors, will have a colored background.
h. Handheld barcodes may be issued in special circumstances with the written permission of the General Manager, and are generally intended for use by law enforcement officers.

2. Temporary Passes

a. Vehicles not displaying a barcode, when on LOWA property, must display a temporary vehicle pass on the dashboard or hanging from rear view mirror.

b. Temporary vehicle passes may be prepared by manual or computerized methods. The passes may be black and white, colored, or combinations of colors. The passes are to show information about a vehicle’s authorization for entrance to LOWA including, but not limited to, dates of authorized entry, purpose of entry, locations to be visited, and expiration date. The specific format, colors, and details of the information displayed shall be standardized and approved by the General Manager.

c. Unless approved by the General Manager, temporary vehicle passes will be valid for no longer than thirty (30) days, after which they must be renewed.

d. Vehicles with valid temporary vehicle passes may enter LOWA through the visitor lane at the Main Gate.

e. Members, registered tenants, and guest pass holders who do not want a barcode on their vehicle will be issued a temporary vehicle pass according to procedures established by the General Manager.

f. Loss or misuse of vehicle passes will be subject to the same penalty as ID Cards, or family guest passes.

3. Exceptions:

Those excepted from the above vehicle identification procedures are the following:

a. Official government vehicles, e.g. USPS, police cars and school buses.

b. Clearly marked public utility (REC, RSA, Verizon), major parcel delivery (UPS, FEDEX), waste and recycling removal (County Waste), and fuel delivery during business hours.

c. Towed vehicles registered at the Security Gate upon entry by the owner of the vehicle and/or tow truck operator. Towed vehicles exiting LOW may be subject to clearance by Security personnel.

E. LOWA VISITOR MANAGEMENT SYSTEM

1. General: LOWA maintains a visitor management system to expedite visitor processing and track data regarding visitors on the premises. The primary source of data in the system is LOWA
members and registered tenants who must authorize LOWA security to admit their guests, vendors, contractors, and the like by one of the following methods:

a. Computerized notification (preferred method). Members and registered tenants log into the host website and complete the requested information. There is no limit to the number of guests that may be authorized entrance in this manner. Authorization may be made for single visits and multiple visits over a period up to one year.

b. Telephone (secondary method). Telephone calls can be made by members and registered tenants to Security. Each member and registered tenant is limited to authorizing three (3) individuals per day by telephone call.

c. Written lists. Written guest lists may be taken to Security. If a member needs to authorize more than three (3) persons to enter in a day and does not choose to use computerized notification, the written list method must be used.

2. Construction Workers and Service Providers:

Each construction worker and service worker, such as yard workers (other than LOW residents) entering LOW for the purpose of participating in construction or other work, who are not driving a vehicle displaying a barcode, will be required to obtain a Construction Worker/Service Workers temporary vehicle pass at the Main Gate upon entering LOW. Construction workers are required to follow procedures for obtaining and using passes set forth in LOWA Regulations XVI. Environmental Control and Construction Procedures, Section J. Access.

3. Real Estate Sales:

The following requirements apply to access for open houses and estate sales within LOW:

a. Real estate sales persons, other than LOWA members or registered tenants with current LOWA IDs, are required to show their business card at Security.

b. Real estate sales persons are required to make arrangements with Security for entry of clients driving in separate vehicles in advance of anticipated visits.

c. Real estate sales persons and estate sale auction brokers are required to make arrangements with the General Manager through the Security Office, prior to conducting an open house or auction. Authorizations are subject to limitations on method of admission of individuals to LOW, on-street parking at the property, and signs on LOWA and private property.
XVI. ENVIRONMENTAL CONTROL AND CONSTRUCTION PROCEDURES

J. ACCESS:
Contractors, sub-contractors, suppliers, and their employees may be admitted to LOWA under the following conditions:
1. Contractors, sub-contractors, suppliers, and their employees must comply with all applicable LOWA Regulations. The Lot Owner shall be held responsible for their actions.

2. At least twenty-four (24) hours prior to commencement of construction, the Lot Owner or their contractor MUST submit an access roster to LOWA Security. A separate roster must be submitted for each construction project.

The roster must list:

a. The name of each company or individual requesting access with the name of the company or the individual.

b. The contractor and any sub-contractors or other businesses requesting access for construction purposes.

c. The period of time on-site services will be required.

3. LOWA Security will issue employees a construction worker temporary vehicle pass for specific periods, not to exceed thirty (30) days.

4. Construction personnel will only be admitted to LOW between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday. (July 16, 2014)

5. Contractors may purchase and utilize vehicle barcodes in accordance with procedures established by the General Manager under authority of LOWA Regulations II. Admittance to Lake of the Woods, Section E. Vehicle Identification.

6. Dependents, family members and friends of contractors, sub-contractors, and their employees are NOT authorized entry to LOW. Such persons found within LOW will be escorted off the property and may be charged with trespassing. Temporary vehicle passes and barcodes of vehicles transporting such persons into LOW will be confiscated.

7. Overnight street parking of construction vehicles is not allowed.

8. Blocking of streets, roads or driveways is not allowed without prior permission of the General Manager. The General Manager may require temporary traffic control measures (signs, flaggers, detours, etc.) as a condition of authorization.

9. Parking or storing of construction equipment on LOWA property, including parking lots, is not allowed except with prior permission of the General Manager.
10. Construction sites must be kept free of unreasonable amounts of trash and debris. All trash must be disposed of daily in the required trash receptacles.

11. There may be no disposal of construction material in the Orange County Compactor Collection Center or on LOWA property.
12. Noise MUST be curtailed between the hours of 8:00 p.m. and 7:00 a.m. Loud playing of radios at construction sites is prohibited at all times.

13. No LOWA amenity, including the Pools, the Picnic Areas, the Lakes, the Campground Facilities, the Fareways Café, and its carry-out service, may be used by any contractor or their employees unless he or she is a LOWA member or registered tenant in good standing. (5/4/13)

14. Contractors and their employees who are LOWA members or registered tenants in good standing desiring to use the Fareways Café must be dressed in accordance with the Dress Code for sitting and eating in the café (shirt and shoes required) and present a reasonably clean appearance. Language used must be that which is generally acceptable in the LOW community. Those not adhering to this rule will NOT be served.

15. Random driving throughout LOW is prohibited. Independent contractors and employees must immediately proceed from a gate to the job site upon arrival at LOWA and must immediately proceed from the job to an exit gate upon completion of work.

16. Any owner who admits construction personnel as guests for the purpose of bypassing the access roster requirement is in violation of LOWA Regulations and will be cited for violation.

I. GENERAL

(Items A-F unchanged)

G. Proper decorum must be observed by all persons for any activity in the common areas of the community. Members may be assessed a charge for violations of the Restrictive Covenants and Rules and Regulations committed by themselves, their families, guests, and tenants, as well as guests of their tenant and/or their contractors and the contractors of their tenants while the contractors are within LOWA Persons who engage in conduct that causes member, tenant, or guests public inconvenience, annoyance, or alarm are subject to citation.

(Items H-K remain unchanged)
XV. ESTABLISHMENT OF USER FEES, ASSESSMENT SETTLEMENT AND OTHER CHARGES

(Items A.B.C. Unchanged)

D. LATE OR NONPAYMENT OF ASSESSMENTS, FEES, AND/OR FINES DUE THE ASSOCIATION

The Board hereby delegates and directs the General Manager to establish fair yet firm procedures necessary to collect assessments, fees and/or fines due the association. These procedures include any or all of the following:

(Items 1-3 unchanged)
4. Deactivating of Member Barcodes. The deactivation will extend to all family members, occupants, tenants or invitees of the delinquent member. After giving a member an opportunity for a hearing, the Board of Directors shall have the right to suspend a members’, tenants’ and their families’ use of the barcode lanes because of nonpayment of assessments, fees owed to the Association that are more than sixty (60) days past due. The member may, at his/her expense, be represented at the hearing by an attorney licensed in Virginia. Deactivation of the barcode shall not in any way prevent a member from entering Lake of the Woods by way of the visitor lane of the Main Gate upon presenting proper identification. A member for the purposes solely of this section shall include spouses and dependent children.

(Remaining items are unchanged.)

Effective: October 7, 2017

LAKE OF THE WOODS ASSOCIATION, INC.

By:  
Larry Morlan, President

ATTEST:

I, as Secretary for Lake of the Woods Association, Inc., hereby attest that the foregoing Policy Resolution 2017-19 was adopted by the Board of Directors at a duly-held and noticed Board of Directors meeting held on the 17 day of October 17.

Jennifer Zukowski, Secretary