

LAKE ELBO CLUB, INC.



RULES & REGULATIONS

Effective February 1, 2024

This publication cancels and supersedes all previous Lake Elbo Club Rules and Regulations and amendments thereof.

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The purpose of these Rules and Regulations is to preserve the beauty of Lake Elbo and enable all members in good standing to; (a) have equal rights and privileges and (b) to live in harmony for the betterment of the entire community.

SECTION A

ENFORCEMENT OF RULES

1. It shall be the responsibility of the general membership to abide by the Rules and Regulations of Lake Elbo Club, Inc. If you, as a member, observe a violation of the rules, it is your duty to inform the offender of the violation.
2. If you cannot resolve the problem yourself, the next step is to take the matter to a meeting of the Board of Directors. If the Board of Directors determines it necessary, they will summons the violating member or members to a Board of Directors meeting where the problem will be addressed.
3. If the member continues to break the Rules and Regulations of Lake Elbo Club, Inc. after being summoned to a board meeting, the Board of Directors may then suspend all privileges of that entire membership's use of Lake Elbo property with the exception of the access roads for ingress and egress. (*Membership as referred to in Section B, Rule 1*)
4. If the member, after being suspended, continues to use the lake and/or its facilities, the Board of Directors may take legal action against that membership.

SECTION B

MEMBERSHIP

1. Every owner of a lot/lots in the Lake Elbo subdivision will be considered to be a member of the Lake Elbo Club, Inc. Membership is mandatory and irrevocable.

A membership will be restricted to the following parameters:

- a. One single family and the immediate members of that family who are twenty-five (25) years old or younger.

(OR)

- b. A single owner and one (1) companion, both of whom reside in a common Lake Elbo residence, and the children twenty-five (25) years old or younger of either of the two primary members.

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Note: Only the owner of record has voting rights and only one vote per membership is permitted.

If relatives not covered above, or housekeepers, or medical caregivers reside in a Lake Elbo residence, they are required to pay annual dues of \$100 yearly and will then have all usage rights. The aforementioned persons must abide by the stipulations set forth in Section I of these Rules and Regulations. These persons have no voting rights.

2. It is ***the responsibility of the seller of a lot/lots to submit the proposed buyer to the Board of Directors***. It is then the responsibility of the prospective new member to obtain a membership application from the Secretary of the Lake Elbo Club, Inc. The prospective buyer must then present the completed application ***in person*** to the Board of Directors at a regularly scheduled meeting of the Board of Directors for approval prior to closing on the property.

These Rules and Regulations, their restrictions, terms and conditions, are assumed, adopted and agreed upon by the purchaser of any lot situated in the registered plat of which these Rules and Regulations are a part of and shall be effective at the time a lot is purchased.

3. Dues and Assessments for the current year are not transferable from the seller to the buyer. The new membership shall be assessed Dues and Assessments from the closing date until the end of the calendar year. The seller of the property will have his/her prepaid Dues and Assessments prorated and returned to him/her by the Treasurer as soon as the purchaser has met his/her payment obligation.

The owner of any lot, by acceptance of a deed therefore, whether or not it shall be so expressed in such deed, is obligated and agrees to pay to the Lake Elbo Club, Inc.

(a) annual lot assessments and (b) annual membership dues.

4. ***Membership Dues and Assessments shall become due February 1 of each year. If at least half of the total obligation is not received by March 1 of the same year, a \$25.00 late fee will be assessed to that membership and that membership will be considered delinquent.*** Such delinquency automatically suspends all persons represented by that membership (*See Rule 1 of this section*) from usage of the lake or any Lake Elbo property except for access roads for the purpose of ingress and egress only. This membership will be considered delinquent until such time as the account is brought up to date. Such a delinquent membership has no voting rights while this membership is in the state of default.

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If a member elects to divide his/her obligation in half, the second half will become due June 1 of that year. If this obligation is not met by June 15 of that same year, a \$25.00 late fee will be assessed to that membership and that membership will be considered delinquent.

5. If Dues and Assessments become delinquent, the Board of Directors shall take legal action to collect those Dues and Assessments. As well as demand for monies represented by the Dues and Assessments, the filing will also include a demand for monies represented by the filing fee, legal fees and compensation for wage loss of the person representing Lake Elbo Club, Inc. in such action.
6. A member who has met his/her Dues and Assessments obligation and is obedient of the Rules and Regulations, Bylaws, and Restrictive Covenants of Lake Elbo Club, Inc. is entitled to the use of Lake Elbo property to include the lake, the beach and the park areas. Such a member is also entitled to usage of the Clubhouse with the payment of usage charges.
7. Guests of members are welcome at Lake Elbo but must abide by all Rules and Regulations of the Lake Elbo Club, Inc. These guests are welcome to use Lake Elbo property ***but only if in the presence of their host-member and the host-member is a member in good standing.***

SECTION C

IN CASE OF EMERGENCY

1. **DIAL 911**
2. Be prepared to give as much information as possible, i.e., who is calling, the actual location of the emergency and on which side of the Lake.

Do not assume that a fire has been reported. The property may be unoccupied, or the fire may not have been reported for other reasons.

SECTION D

FISHING

1. Members in good standing may allow their guest(s) to fish at Lake Elbo, but only if the host-member is in the presence of the guest(s).

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2. Members and guest(s) must hold a valid State of Kansas fishing license, if required by State regulations. All Kansas fishing regulations will apply in addition to any special regulations adopted by the Lake Elbo Club, Inc. and further explained in the Rules and Regulations or posted in an obvious location near the lake.
3. Lake Elbo has in force a slot limit on all bass. All bass caught that are between 14 and 17 inches in length must be immediately released back into the lake unharmed. These fish are the most prolific breeding fish and the predators. Releasing these fish will ensure good bass fishing and improve bluegill and crappie fishing. Fisherpersons are also required to immediately release any channel catfish less than 10 inches in length.
4. Minnows will not be discarded into the lake. No live, rough fish such as goldfish, carp, buffalo, shad, etc. may be used as bait.
5. Fish heads, entrails, or carcasses are not allowed to be deposited in the lake or into any Lake Elbo Club trash receptacles.
6. Fisherpersons shall stay out of the main body of the lake during skiing and speed-boating hours unless the area is clear of skiing or speed-boating activity.
7. The use of ***any fishing equipment on the swimming dock at the clubhouse is prohibited and fishing is not allowed in the clubhouse swimming area.***
8. The use of trot lines or bank lines is prohibited in Lake Elbo waters to include, but not limited to, the main lake body, coves, the channel and the dredging area possessed by the Lake Elbo Club, Inc. situated North of the Lake Elbo Subdivision northern border.

SECTION E

USE OF WATERCRAFT

1. All State of Kansas boating regulations will apply at Lake Elbo.
2. Only watercraft (motorized or non-motorized) owned by Lake Elbo Club members will be allowed on the lake. Such watercraft must carry a "Lake Elbo" sticker on the right side, toward the stern section, and must be in place before the watercraft is allowed on the lake. The Secretary or Treasurer of the Lake Elbo Club, Inc. is responsible for assigning watercraft stickers. ***A one-time fee of \$10.00 will be assessed for each craft registered.*** Kayaks and watercraft smaller than a canoe do not require a sticker. (As amended August 2023.)

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3. ***Lake Elbo Club, Inc. is not responsible for watercraft accidents.*** It is the responsibility of the owner of a watercraft to carry his/her own liability insurance on the craft. Each watercraft owner shall be responsible for any negligent actions including those of any person, or persons, in the watercraft and those of any skier being towed by that craft at that particular time.

4. Skiing and speed-boating hours will be from 10:00 AM until 6:00 PM daily with the following exception:

Each year, commencing on the Saturday of the weekend on which Memorial Day is observed and concluding on the Monday evening of Labor Day weekend, the skiing and speed-boating hours will be from 10:00 AM to 8:00 PM daily.

5. Before and after skiing hours, watercraft will not generate a visible wake.
6. Watercraft shall not generate a visible wake when entering, boating in, or leaving the channel or cove areas.
7. Any watercraft that is towing skiers shall have two (2) persons in the boat at all times unless the craft has an approved ski mirror installed.
8. ***Watercraft (motorized or non-motorized) will not be allowed in the Lake Elbo Club swimming area.***
9. Sailboats and small watercraft shall stay out of the main body of the lake during skiing and speedboating hours unless the area is clear of skiing and speedboating activity.
10. Two gas-powered watercrafts participating in speedboating or skiing activity shall be the maximum allowed on the lake at the same time. If there are in excess of two such crafts, a rotation system shall be used.
11. During speedboating hours, all gas-powered watercraft shall run in a counterclockwise direction at all times.
12. During the time a gas-powered watercraft is creating a wake, that watercraft, as well as persons being towed by that watercraft, must stay at least 20 yards from the shoreline and any obstruction to include, but not limited to, docks and moored craft.
13. Any watercraft displaying negligent actions and the member holding title to said watercraft will be suspended from lake usage for two (2) weeks for the first offense. A second such offense will result in that watercraft and the owner of the craft being

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suspended from lake usage for the remainder of the boating season. Law enforcement personnel will be summoned to enforce State boating regulations on Lake Elbo.

SECTION F

SWIMMING

1. ***There is no lifeguard on duty at the club swimming area. Lake Elbo Club, Inc. is not liable for accidents and you do swim at your own risk.***
2. Swimming is permitted only in the following areas:
 - a. The club-maintained area north of the dock at the clubhouse (hereinafter referred to as “the swimming area”).
 - b. Within 35 feet of a private dock.
3. ***No swimming is permitted after dark at the swimming area.*** Swimming after dark will be restricted to within 25 feet of a lighted private dock.
4. Children should not be allowed to use the swimming area unless accompanied by an adult.
5. Guest/guests may not use the beach or swimming area unless in the presence of a member in good standing. This member must be present at the beach anytime the swimming area is in use by their guest/guests.
6. Scuba divers must be accompanied by a member on the shore and use buoy markers to identify the diving area being used.
7. ***Swimming in the main body of the lake or in the area of dredging easement is prohibited.***
8. Unfettered floatation devices must remain within twenty-five (25) feet of the shoreline.

SECTION G

LIVESTOCK AND PETS

1. Livestock shall not be bred, raised, trained or shown, or otherwise housed in the Lake Elbo Subdivision.
2. Operation of a kennel for breeding, boarding, or showing dogs or cats will not be permitted.

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3. Owners may keep normal household pets provided they do not constitute a nuisance, a danger, or a visual distraction to adjoining lot owners or the subdivision as a whole. *A leash is required anytime a member's dog is outside of that member's property.*
4. If the Board of Directors determines a dog to be of a vicious nature, the Board may require the dog be permanently removed from the Lake Elbo Subdivision.

SECTION H

PROPERTY UPKEEP

1. Property in the Lake Elbo Subdivision will not be allowed to become unsightly. "Unsightly" in the terms of these Rules and Regulations will include, but not be limited to, the following conditions:
 - a. Overgrown weeds and grass.
 - b. Excessive trash accumulations.
 - c. Run-down outbuildings.
 - d. Abandoned vehicles to include motor vehicles, boats, trailers, and campers.
2. No wrecked, decrepit, unserviceable or unused vehicles, or watercraft shall be parked on Lake Elbo streets, driveways, or lawn areas; nor shall these areas be used to make major repairs on automobiles, watercraft, or other vehicles.
3. The parking of trucks above the one-ton (1) category or construction equipment in driveways or on streets on a continuing basis shall be prohibited.
4. Trees, bushes, and other vegetation shall be trimmed so as not to obstruct the roadway, including line of sight around corners. Owners should be responsible for trimming their lots as well as the road easements adjacent to their lots.
5. Violations of the Rules and Regulations of this section shall be addressed as follows:
 - a. A petition signed by at least five (5) members in good standing must be presented to the Board of Directors.
 - b. The Board of Directors shall give written notice of the violation to the owner of the property specifying the nature of the violation and the remedy necessary to correct the violation.

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- c. If corrective action is not completed by the owner within a reasonable time, the Board of Directors, or its agent, may enter upon the owner's property and do whatever is necessary and proper to correct the violation. This will be done at the owner's expense. Costs and expenses necessary to correct violations shall become a debt of the owner to the Lake Elbo Club, Inc. and may become a lien upon the property in accordance with Kansas lien laws.

SECTION I

RENTAL PROPERTY

Members in good standing may be allowed to rent their Lake Elbo residence under the following conditions:

1. The name of the renter must be submitted to the Board of Directors at least 30 days prior to the time the renter moves into the premises. The renter must appear in person at a regularly scheduled meeting of the Board of Directors with his/her completed Membership Application and become an approved non-voting associate member of the Lake Elbo Club (entitled to all rights and responsibilities of membership excluding voting rights) at least 30 days prior to moving in.
2. The owners of each rental property must declare the property as a rental property by January 1st for the subsequent year, and the rental property will be assessed annual dues in the same amount as a voting member effective January 1, 2015; except for renters who are related to the owner of such rental property who shall pay membership dues in a lesser amount as determined yearly by the Board of Directors. The relative/relatives must reside in the same household or residence as does the property owner. Property owner is liable for the collection of renter's dues. No refunds of annual dues will be granted for months the rental house is vacant.
3. Landlord/owner shall continue to pay Dues and Assessments and maintain Lake Elbo Club membership.
4. Renter agrees to be personally responsible for the conduct of his/her guest(s) as pertaining to any infractions of the Rules and Regulations of Lake Elbo Club, Inc.
5. Renting Limitations
 - a. ***When the owner is also a resident of that property***, he/she is not permitted to house within that property any person/persons in exchange for money, favors, services, or as an act of good deed except for the following:

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- i. If housekeepers or medical caregivers reside in a Lake Elbo residence to pay annual dues in a lesser amount as determined yearly by the Board of Directors. The aforementioned person/persons must abide by the stipulations set forth in these Rules and Regulations.
 - b. *When the owner of the property is not a resident of said property*, that property may be rented out with the following limitations:
 - i. Residents of this rental property will not exceed one (1) renter and his/her spouse and their children twenty-five (25) years of age or younger.
- (OR)
- i. One (1) renter and one (1) companion as well as any of the renter's children twenty-five (25) years of age or younger.

SECTION J

CLUBHOUSE USAGE

1. Clubhouse rental is for only Lake Elbo members in good standing. Lake Elbo members can rent the clubhouse for family-oriented parties such as weddings, get togethers, baby showers, wedding showers/rehearsals, birthday parties, family reunions, etc. If the member renting the clubhouse expects more than 50 guests, they will need to notify and be approved by the Lake Elbo Board of Directors prior to the event to request approval. Additional fees may apply and/or a porta-potty rental fee may apply.
2. Deposit – a \$130 deposit is required for confirmation of the use of the Lake Elbo clubhouse. This may be cash or check made payable to Lake Elbo Club, Inc. and sent to, or given to, the clubhouse chairperson as soon as a date for usage is requested. This deposit will confirm your date of usage.
3. ***The Clubhouse is not available for rent on the following weekends:***
 - a. Memorial Weekend
 - b. 4th of July as well as the day before and day after
 - c. Labor Day Weekend
 - d. Or if conflicting with lake events

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4. Conditions of Deposit

- a. All trash must be removed from all trash containers and placed inside the enclosed trash dumpster.
- b. The clubhouse and grounds must be left as found or better. The member renting the clubhouse is responsible for any repairs necessary beyond the \$130 deposit if damage occurs during use. The renter's liability is not limited to the amount of the deposit.
- c. The deposit will be returned upon a complete and satisfactory inspection of the clubhouse and grounds after the function.

5. Rent – A fee (set by the Board of Directors) is due either prior to or on the date of usage in order to receive the key code for entry to the clubhouse.

6. Cleaning Fee – A fee (set by the Board of Directors) is due the person/persons having accepted the clubhouse cleaning responsibility for the current year. The revenue for the person/persons is withdrawn from the rental fee. If additional time is required for cleaning the clubhouse or grounds due to conditions not being met by the renter, then the extra fee will be deducted from the Deposit Fee.

7. Cancellation – A \$25 cancellation fee will be retained for events canceled with less than two (2) weeks' notice.

8. Only Lake Elbo members whose Dues and Assessments are current are eligible to rent the Clubhouse.

9. A Lake Elbo Club member must be present at every rental function.

10. The member renting the clubhouse is responsible for the actions of their guests and will be held liable for any loss or damage caused as a result of improper action of their guests.

11. Members with their guests have the exclusive use of the clubhouse including:

- a. The inside of the clubhouse, the inside restroom, and the outside porch area along with two picnic tables.

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- b. The lake, playground, fire pit, and outside restroom are open to all Lake Elbo members.
- 12. Lake Elbo clubhouse rental guests must use the parking designated for the clubhouse. ***Do not block the drive to the boat ramp.***
- 13. All guests using Lake Elbo must abide by the Lake Elbo Club rules or will be asked to leave by a member of the Board of Directors. ***It is the responsibility of the member to assure that the guests understand the boating, fishing, and swimming rules.***
- 14. Per Section E, no boats or any other watercraft or any member's guests are allowed on the lake unless they have an official Lake Elbo sticker. If a member, or ANY of member's guests, have a non-registered watercraft of any kind on the lake. The member may lose watercraft privileges as determined by the Board. (As amended August 2023)
- 15. Smoking is prohibited in the clubhouse.
- 16. All music must be kept at a reasonable volume. After 11:00PM, all music must be restricted to inside the clubhouse. *(Remember – Sound carries across the water.)*
- 17. Please do not use any type of scotch tape, duct tape, masking tape, or any other type of adhesive on any painted areas, especially the ductwork on the ceiling.
- 18. Remove all food items brought in for the function.
- 19. Wash and put away all kitchenware.
- 20. Fold and put away tables and chairs. (As amended August 2023.)
- 21. Fireplace and Outdoor Grills – Be sure the fireplace is safe before closing the clubhouse. Extinguish all outdoor fires in the grill and fire pit.
- 22. Do not shut off the furnace during winter months.
- 23. Alcohol – The Lake Elbo member renting the clubhouse shall assume all liability for the consumption of alcoholic beverages and any negligent actions taken by themselves or their guests as a result of this consumption. As mandated by Kansas law, no alcoholic beverages are to be served to minors in attendance of any function held on Lake Elbo Club, Inc. property.

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SECTION K

MAINTENANCE BUILDING / EQUIPMENT

The maintenance building located in the northwest corner of the Lake Elbo Subdivision is primarily for the purpose of storing Lake Elbo Club equipment and materials used in the upkeep and maintenance of that subdivision.

1. Outside storage of trailers may be arranged with the maintenance building chairperson. the cost for such rental shall be set by the Board. (Amended November 2023)
2. Outside storage requires that a rental agreement be executed between the member and the maintenance building chairperson so describing the usage of the area. This rental agreement will then become a permanent record of the secretary of the Lake Elbo Club, Inc. (As amended August 2023.)
3. In the event any items are found stored for which there is no rental agreement on file, the Board of Directors may request the items be removed. If the items are not removed by the owner in a timely manner, the board may have such items removed at the owner's expense. *This area is not to be used for the purpose of disposing of inoperative vehicles or equipment.* (As amended August 2023.)
4. The Board may determine particular members to have some discretion and authority on the use of equipment. Use of equipment is a privilege not a right. (Amended November 2023)

SECTION L

SCOUTING

1. Camping by Scout groups is to be confined to the area below the dam.
2. Scouting organizations wishing to camp in the camping area will first make reservations through the clubhouse chairperson prior to the campout. That chairperson will then advise the Board of Directors of such reservations.
3. Reservations must be made by a member of the Lake Elbo Club. That member must be responsible for the Scouting group and must always be in the accompaniment of the group.

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4. Swimming by the Scout group will be confined to the swimming area by the clubhouse only.
5. Fishing by the Scout group will be allowed but only on the dam and in the spillway area. All fishing rules and regulations will apply.
6. The camping area must be left clean and all trash removed to the trash receptacle at the clubhouse area.

SECTION M

CAMPING

1. Any Lake Elbo member may camp on his or her own lots; if that member is a member in good standing, he/she will be permitted to utilize one of the two Lake Elbo Club camping areas for this purpose.
2. Lake Elbo Club camping areas are defined as:
 - a. The area below the dam
 - b. The area on the point

These two areas are restricted to tent-camping only.

3. Members are permitted to use campers, portable dwelling units, or tents for overnight or weekend camping on their own property. Weekends are defined as Friday evening through Sunday evening, except when Friday or Monday is a holiday; then the weekend begins on Thursday evening or ends on Monday evening, respectively.
4. A permit must be obtained through the Board of Directors for any camping periods not described above. Permits must be obtained prior to the intended use.

SECTION N

LAKE ELBO BUILDING CODE

Architectural considerations and preservation of natural amenities are major planning objectives in the further development of the Lake Elbo Subdivision. The items outlined herein are not intended to be unduly restrictive or inflexible but rather to be used as a minimum standard to attain and maintain a desirable level of consistency and quality in community appearance and generally maintain property values throughout the subdivision.

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There shall not at any time hereafter be erected upon any lot or upon part of it, any building or structure other than for residential purposes. No businesses of any nature shall be permitted, maintained, or conducted thereon. Not more than one residence at a time shall be placed or kept thereon and no such residence shall be designated or converted for the use of more than one family.

1. Plans Approval – No building structure, or improvement including, but not limited to excavation, grading, walls, fences, etc., shall be commenced, constructed, or maintained on any lot, nor shall any exterior addition, change, or alteration thereto be made until proposed improvement plans have been submitted to and approved in writing by the Lake Elbo Board of Directors. Procedure for obtaining such approval is as follows:
 - a. The applicant must present to the Board of Directors, at a regularly scheduled meeting, the completed building application and one (1) copy of the building plans to be retained by the Lake Elbo Club as a permanent record.
 - b. The applicant shall submit payment of building fees at this meeting. Fees shall be determined by the Board of Directors but will not be less than the following:
 - i. Homes, additions, garages, or storage structures - \$1.00 per square foot to include all interior space and including unfinished areas.
 - ii. Excavated soil and rock to be removed from site - \$1.00 per cubic yard. The applicant must submit a contractor's estimate for this volume.
 - iii. Garden/storage structures 200 square feet or under may be exempt from fees if the board determines that it is unlikely that road damage will occur due to this construction.
 - iv. Fees may be refunded if the permit is denied or if no construction occurs and a request is submitted to the board prior to the expiration of the permit. All fees collected under this section shall be deposited in the "Perpetual Road Fund" to be used only for the repair and improvement of the Lake Elbo roads.
 - c. The Board of Directors has until its next regularly scheduled meeting to review the plans to assure that the plans conform to the Lake Elbo building code and fee structure. Action on such a request will be an agenda item for this meeting. A site visit shall be done by the Board of Directors, or at least two members of the board, before approval of any plans. The Board of Directors may reject a plan, request

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changes, or find additional fees are necessary. If the plans are resubmitted and additional fees paid, the board has ten (10) days to act on the resubmitted plans.

- d. Once the signed building permit is received from the Board of Directors, the applicant must then obtain a building permit from Pottawatomie County.
- e. The applicant must obtain a permit from Pottawatomie County for construction or alteration of any septic system.
- f. The applicant shall allow such access to the property as necessary for the Board of Directors, or a designated representative, to confirm that all restrictions, requirements, and fees are in compliance with these rules.

2. Building Restrictions

- a. Construction of a new home will be permitted if that home is constructed upon a minimum of three adjoining lots; all titled to the member having the home constructed. In the event that an existing home is rebuilt or remodeled, this minimum will not apply.
- b. All dwelling structures within the Lake Elbo Subdivision shall have a minimum of 1,000 square feet of floor space, exclusive of porches, garages, or unfinished basements.
- c. No basement wall or foundation is to extend more than two (2) feet above existing ground level or high point of the existing lot.

If a member intends to construct any building taller than one story above basement (except on back lots) or build on lots where other's view would be obstructed, the Board of Directors must be advised while the project is in the *design stage*.

- d. Tar paper or metals are not allowed as roof materials unless covered by gravel, slate, or shingles. The board may approve a ribbed or other architectural-style metal roof with G-90 galvanized roofing material on a case by case basis. This material must meet or exceed 29 gauge with an 82,000-psi tensile strength. Colored screw fasteners must be used and the material must have a factory applied paint finish with a 30-year guarantee. Metal roof color must also be approved by the Board of Directors.
- e. No camping or mobile home trailers of any kind shall be allowed to be moved in or upon any lot in the Lake Elbo Subdivision as permanent residences.

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- f. Manufactured homes are not allowed to be moved into and/or constructed in the Lake Elbo Subdivision. All manufactured homes that existed in the Lake Elbo subdivision prior to January 1st, 2019, will be grandfathered in and permitted to remain.

A manufactured home is as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, as a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation.

- g. Any structure for which a permit has been granted must be completed within 12 months from the date permit is issued or permit may be withdrawn and the structure ordered removed. Consideration for renewal may be given if satisfactory progress has been made.
- h. After due notice and hearing has been given to any violator of the building and sanitary rules, the Board of Directors may order said violation to be corrected to a point where, in its opinion, no hazard, unsightly appearance, or unsanitary conditions exist. Costs will be charged against the property of the violator.

3. Set Back Requirements

- a. No structure shall be less than twenty-five (25) feet or 25% of the length of the lot, whichever is the least, from a property line along any street, walkway, or parkway or less than six (6) feet or 10% of the width of the lot, whichever is the least, from any adjoining property line.
- b. No structure shall be erected upon any walkway or parkway surrounding the Lake or on the Lake Elbo dredging easement situated north of the platted subdivision.
- c. Garages, carports, and storage sheds may be erected after approval of the Board of Directors. All setback requirements apply to these buildings as well as homes. Metal buildings will not be permitted unless approved by the board. Design and construction materials should be complementary to the home design. (Amended November 2023)

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4. Other Construction Restrictions

- a. Driveway culverts of 18 inches in diameter will be required under the entrance to any lot. The Board of Directors must approve any deviation from this. The culvert shall be of galvanized steel, concrete, or PVC Schedule 80-pipe construction.
- b. No board fences, walls, hedges or dense growth that may obstruct the view of the lake for others shall be more than four (4) feet in height.
- c. No ditch or excavation shall be made on or across roadways, driveways, or walkways without approval of the Board of Directors.

SECTION O

MOTORCYCLES, ATVs, DUNE BUGGIES, GO-KARTS, GOLF CARTS, SNOWMOBILES AND OTHER MOTORIZED VEHICLES

1. All the above vehicles must be equipped with headlights and taillights if operated after sundown and before sunup.
2. All the above vehicles must be equipped with functional mufflers with the exception of battery-powered vehicles.
3. All riding in the Lake Elbo Subdivision will be confined to the Lake Elbo Club roadways and silt pond area, West of the dam. Trail riding in the silt pond area is allowed; however, riders must limit noise and speed to respectful and safe levels at all times. Use of lake property for off road activities is a privilege not a right. Destructive behavior and members' complaints could result in the loss of privilege. In entering this area, one dismisses the grantor of the easement and Lake Elbo Club, Inc. from any liability resulting from personal loss or injury. (Amended November 2023)
4. All riders, both licensed and non-licensed, will comply with the Kansas laws regarding helmets and eye protection.
5. All riders must abide by the speed limit of 20 mph.
6. Operation of motorcycles, ATVs, dune buggies, go-karts, golf carts, snowmobiles, and other such motorized vehicles will be permitted in the Lake Elbo Subdivision only between sunup and sundown unless the operator holds a valid driver's license or driving permit issued by the State of Kansas.

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7. Violations of this Section will be dealt with the following procedures as outlined in Section A, "Enforcement of Rules", and will apply to all members of the violator's household.

SECTION P BOAT DOCKS

1. Boat dock plans must be submitted to and approved by the Board of Directors prior to construction.
2. Floating docks are permitted on Lake Elbo. No hollow metal drums, barrels, or styrofoam shall be used for the purposes of supporting a floating dock. Appropriate measures must be taken to ensure the dock is effectively secured to the shoreline. (Amended May 2020.)
3. Docks may not be constructed on the dam or spillway area or in the area of the dredging easement north of the platted subdivision.
4. Docks may not be constructed nearer than 100 feet from the nearest existing dock, swimming area, or boat launching area. Docks are limited to 16 feet from shoreline in the north channel. (Amended January 2021.)
5. The property owner must properly maintain docks. If the owner fails to properly maintain their dock after three (3) warnings from the Board of Directors, the property will revert to club ownership and control.
6. Construction of boathouses will not be permitted.

SECTION Q DREDGING EASEMENT

1. Foot traffic is allowed in this area for the purpose of nature walking or fishing. Please be aware that this area will be shared with grazing cattle. In entering this area, one dismisses the grantor of the easement and Lake Elbo Club, Inc. from any liability resulting from personal loss or injury.
2. It is the responsibility of the Lake Elbo Club, Inc. to ensure that livestock in this area is not permitted to exit the fenced area due to negligence on the part of any Lake Elbo member or his/her accompanied guest(s).
3. Overnight camping is not permitted in this area.

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SECTION R MISCELLANEOUS

1. Lake Elbo is a “no hunting” area. Firearms are not to be discharged within the Lake Elbo Subdivision.
2. The dumping of burnable tree trimmings, branches less than six (6) inches in diameter, brush, and leaves will be allowed in the designated area below the dam. Any materials with metal fasteners, nails, screws, staples, etc. are not allowed.
3. The dumping of burnable building materials to include, but not limited to dirt, rock, brick, concrete blocks, gravel, metal, and concrete is not permitted in this area. A member responsible for a violation of this rule may be asked by the Board of Directors to remove the illegal material from the area. If after a reasonable time the member does not address the problem, the Board of Directors may hire the material removed at the expense of the violating member.
4. Woodcutting on Lake Elbo Club property is prohibited. Trees, other than on personal property, may be cut and removed only with the approval from the Board of Directors.
5. The speed limit on all Lake Elbo roads is 20 miles per hour.
6. Automobile parking is not permitted on the dam or in the spillway area.
7. Anyone operating an automobile in the Lake Elbo Subdivision must hold a driver’s license, farm permit, or a learner’s permit.
8. Motor vehicle operators must respect the property of others and stay on designated driveways or roadways.
9. Automobiles, pickups, or trucks are not permitted on the lake while it is frozen over.
10. Signs of business, personal nature, or political nature will not be erected or displayed on property owned by the Lake Elbo Club, Inc.
11. The trash receptacles and dumpster situated on the clubhouse lawn are for the use of those members and guests using the clubhouse or swimming area. *These receptacles are not to be used for personal trash transported from your home.*