

# Section 16 - Enforcement and Fines (Addendum)

## Schedule of Fines and Penalties for the Amended and Restated Lake Latonka Restrictions dated 8/11/2024 This schedule supersedes and replaces any prior schedule(s)

Revised: 3/19/2025<sup>1</sup>

Lake Latonka is a small, private lake community zoned an L-1 Lake Residential District in West Township, Marshall County, Indiana. It spans two municipalities - the City of Plymouth and the Town of Culver. The Lake Latonka Property Owners Association (LLPOA) is made up of ~200 members that own ~330 parcels of land. The fines and penalties laid out below should be considered after all attempts to be a good neighbor have been exhausted. An event that appears to be a violation of our rules and restrictions, should be first considered an opportunity to educate or remind fellow members of our community that what is or has happened is considered a violation and needs to be resolved. In addition, these fines and penalties are to be specifically designed to encourage the correct behavior and to avoid behaviors that are unsafe and detrimental to the common pursuit of peace and freedom within our community. The relevant section and paragraph of the restrictions are summarized below; for a complete description, please refer to the current restrictions document. These fines and penalties do not relieve anyone from the responsibility to abide by the laws and rules of the city, town, county, and state we live in or any other regulatory bodies governing us.

The Restrictions document delineates the processes for notification and appeals, consequences and fines for noncompliance by the LLPOA. Clarification of each restriction with greater detail may be found in the text of the Restrictions. Property liens may be established if fines are not paid within Section 16 timeframes.

**The following steps** are to be taken by LLPOA members who believe a violation has been identified and a fine should be levied:

### SERIOUS VIOLATION with imminent danger

When a violation is identified and requires immediate attention (a safety issue), a lot owner may identify the issue to the violator, and/or call an LLPOA Board member to address the issue.

### OTHER VIOLATIONS

- a.) Within reason, has everything been done to resolve the issue privately?
- b.) If you believe the behavior can only be fixed by a fine, send an email to [LLPOA2013@gmail.com](mailto:LLPOA2013@gmail.com) documenting the issue, factually and with evidence, if possible.

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<sup>1</sup> If not reapproved annually, this Schedule remains in force until revised and reapproved. The fines may increase annually to coincide with the annual Consumer Price Index for All Items (<https://www.bls.gov/cpi/>)

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c.) Upon notification of potential Restrictions violation, the LLPOA Board, at its discretion, will review the submission and decide the next steps, which may include further investigation and an attempt to resolve privately. If, at that time, the Board believes a fine notification is necessary, they will issue a documented notice and the steps written in Section 16 of the Restrictions will begin. The notice may be delivered in various methods (e.g., email, mail, hand delivery). Receipt should be confirmed, but is not necessary since current emails, phone numbers and mailing addresses should be on-file with the LLPOA.

### TYPE 1 RESTRICTIONS

The following restrictions are to be considered most significant and a violation is a very serious offense. The fine is **\$250**.

- 1.02 Abandoned vehicles and watercraft
- 1.03 Racing infraction
- 1.04 Lease infraction
- 2.01 Minimum Residence Size -  
not approved by Building Control Committee (BCC) or LLPOA Board
- 2.02 Height Restriction of residence infraction
- 2.04 Garages/Carport not approved by BCC or LLPOA Board
- 2.05 Septic not approved by BCC
- 3.0 Setback infraction
- 6.0 Easement infraction
- 11.02 Only property owner watercraft on the lake, registered and stickered
- 11.03 Maximum watercraft per property owner (3), proof of ownership, proper sticker infraction
- 11.07 Qualified driver and observer infraction
- 11.09 Improper position in moving watercraft
- 11.10 Approved life jacket on watersporter infraction
- 11.12 Motorized boat not properly lit after dark
- 11.13 No personal watercraft (e.g., jet skies, wave runners)
- 11.14 No wake surfing
- 11.16 No fires on ice
- 11.17 No motorized vehicles on ice
- 12.0 Building Control Committee (BCC) process infraction
- 15.04 Exceeding 15 MPH on all LLPOA roads
- 15.05 The dam is a restricted area - all access is prohibited
- 15.06 Golf cart, ATV, and snowmobile infraction

### TYPE 2 RESTRICTIONS

The following restrictions are considered very important. A violation is a serious offense. The fine is **\$100**.

- 1.01 Property use by other than property owner
- 1.05 Parking on common areas infraction
- 2.03 Exterior construction completed within 6 months,

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- unless LLPOA Board approves alternate terms
- 2.06 Seawalls not made of glacier stone or field stone
  - 2.07 Docks-not approved by BCC or not maintained in good repair or condition
  - 2.08 Solar panels not approved by BCC; drone use without LLPOA Board approval prohibited.
  - 2.09 Fence not approved by BCC
  - 2.10 Commercial Vehicles/Trailers - parked on property without LLPOA Board approval
  - 2.11 Construction period infraction
  - 2.12 Lot maintenance not performed - reimburse LLPOA for cost to get into compliance
  - 2.13 Vacant lot maintenance not performed - reimburse LLPOA for cost to get into compliance
  - 9.0 Animal/pet infraction
  - 11.04 Watercraft movement not counterclockwise
  - 11.05 "Wake hours", speed, distance from shore infraction
  - 11.06 "No wake hours" and speed infraction
  - 11.08 Watersporters behind watercraft - maximum 2 -infraction
  - 11.11 Children under 13 not wearing an approved life jacket
  - 11.15 Ice fishing infraction
  - 11.19 Home aerator/bubbler infraction
  - 13.03 Glass on beach infraction
  - 13.04 Beach closure at sunset (unless LLPOA event) infraction
  - 13.06 No fires on beach except in grills
  - 14.04 Property owner responsibility for guests at park infraction
  - 15.03 Discharging firearms infraction
  - 15.07 Construction times and cleanliness infraction

### **TYPE 3 RESTRICTIONS**

The following restrictions are considered important. The violation is considered a significant offence. The fine is **\$25**.

Type 3 restrictions include all other rules and restrictions not specifically defined above as Type 1 or Type 2.

### **SECTION 5 - MAINTENANCE FUND**

In addition, Section 5, Maintenance Fund, has been clarified.

- May 15 - deadline to send in the per lot fee used to maintain the community.
- May 16 - the fee is considered late and a 10% charge will be added to the account.
- June 1 and the first of every month thereafter until paid in full - the account will be assessed a 5% per month late fee on the remaining principal balance, in perpetuity, until such time as determined by the Board and the collections/lien process is begun.

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# LLPOA Restriction Violation Notification

Lot: \_\_\_\_\_ Name: \_\_\_\_\_ Date: \_\_\_\_\_

The Lake Latonka Property Owners Association (LLPOA) takes great pride in the safety and aesthetics of our community. As a lot owner, we must always strive to behave and maintain our community so that we can all be safe and proud.

The lot owners and LLPOA Board members also have the responsibility to enforce the LLPOA Restrictions in accordance with the Section 16's Enforcement and Fines' current Addendum. There are four tiers of Restriction violations based on severity and impact to safety and the LLPOA with an associated fine.

Unfortunately, it has been identified that there is a/are compliance issue(s) identified. This process does not bring anyone satisfaction. The following violation(s) have been identified and associated with your lot and/or individuals from your lot.

- TYPE 1 Restriction Violation-\$250  
Restriction Section: \_\_\_\_\_  
Summary: \_\_\_\_\_
- TYPE 2 Restriction Violation-\$100  
Restriction Section: \_\_\_\_\_  
Summary: \_\_\_\_\_
- TYPE 3 Restriction Violation-\$25  
Restriction Section: \_\_\_\_\_  
Summary: \_\_\_\_\_
- SECTION 5 - Maintenance Fund  
Deadline Missed: \_\_\_\_\_  
Impact: \_\_\_\_\_

**FINE TOTAL: \$** \_\_\_\_\_

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### Lot Owner Actions to take now:

Please notify the LLPOA at [LLPOA2013@gmail.com](mailto:LLPOA2013@gmail.com) or call the LLPOA Board that you have been:

- 1- Notified of the violation(s),
- 2- Your plans to address violation(s), and
- 3- Timeframe to completely resolve violation.

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### LLPOA ONLY:

- 1-Lot Owner contacted LLPOA at [LLPOA2013@gmail.com](mailto:LLPOA2013@gmail.com) or called the LLPOA Board  
President acknowledging receipt of Violation Notification: yes / no (circle one)
- 2-Lot Owner plans to address violation(s): yes / no (circle one)
- 3-Lot Owner Timeframe to completely resolve violation: \_\_\_\_\_
- 4-Identify and perform follow up actions to ensure 100% resolution of issue(s). Document resolution actions (dates and actions) with this document.