

Edgewater Park Property Owners Association

Administrative Policy Regarding **COMMON PROPERTY USAGE**

Issue Date: April 21, 2002

Revised: December 1, 2007

Revised: July 15, 2022

The following rules set forth supersede any previous waterfront rules (*now referred to as Common Property Usage rules*) previously distributed either in writing or verbal on behalf of the Edgewater Park Property Owners Association (“EPPOA”) both of current or previous administrations.

1. DEFINITION OF TERMS:

1. **Homeowner:** The names as legally described on the title of the property.
2. **Short-term Rental:** Any rental agreement between a homeowner and a lessee for a term of less than six months.
3. **Immediate Relative:** Son, daughter, mother, and father.
4. **Water Craft:** Speedboat, Pontoon Boat, Sailboat, Wave Runner, Jet Ski, Rowboat, or Small Vessel defined as Canoe, Kayak or Paddle board.
5. **Submittal of Documents:** We can send documents by mail, UPS Letter, Fed-X Letter, and e-mail or personally delivered to an EPPOA Board member only.
6. **Bye verses waiver**
 1. A bye is when a slip becomes available and the recipient on the waiting list takes a bye for a season. This is no longer an option available.
 2. A Waiver is a pass on a slip position thus giving it up for one season and then retaining the slip privilege with the following guidelines. When a slip position is initially designated to a homeowner they are eligible to exercise their waiver after one season of use. However, after a waiver has been exercised there will be a minimum of five years until the homeowner would be eligible for another waiver.

2. WATERFRONT, PAVILION & PIER:

1. **(Location)** The waterfront located adjacent to 1219 Valley Road, Twin Lakes, Wisconsin 53181, is intended for the use of homeowners, children of homeowners and guests of homeowners only.
2. **(Touch & Go)** The Touch & Go located on the northwest corner of the pier is a watercraft area where a watercraft, excluding wave runners, can drop off or pick up.
3. **(Wave runners)** Wave runners shall be loaded and unloaded north of the pier only.
4. General Rules for association property:
 1. There shall be no glass containers allowed under any circumstances on or around the pier. Glass containers are allowed on the pavilion.
 2. Fireworks are banned on the waterfront as well as association property.
 3. No small children are allowed without supervision of somebody sixteen years of age or older within close proximity.
 4. No motorized vehicles either gas or electric, skateboards, bicycles or roller blades are allowed on the pavilion or pier.

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2. WATERFRONT, PAVILION & PIER: (CONTINUED)

4. General Rules for association property: (continued)
 5. Dog Friendly Beach hours - Early morning hours (6:00AM to 9:00AM) is only time that dogs are allowed on the beach and in water. No dogs allowed at waterfront at any other time, unless owner is taking dog on a leash to their boat. It was agreed by the members at the September 5, 2021 meeting (see minutes on website) to trial an extension of the dog hours by allowing dogs from 6-9am and 5-7pm at the lakefront/pavilion from Memorial Day to Labor Day, with no restricted hours from Labor Day to Memorial Day, however a final vote was not taken on the matter. All other rules remain the same: members dogs only, always leashed and dogs not allowed on the pier except while being transported to a boat.
 6. Property owners are responsible for their children and guests.
 7. Edgewater Park is a family friendly community. Any unsafe or obscene behavior or obscene language of any kind on the pavilion, waterfront, pier or any association property will not be tolerated. Violation of the Common Property Usage rules at the discretion of the EPPOA Board can result in loss of waterfront privileges, slip, fine or all of the previous mentioned.
 8. It is a no wake zone from the shoreline to 100 feet past the end of the pier.
 9. The use of the waterfront, pier, pavilion and associated property adjacent to 1219 Valley Road, is for members that have paid their dues in full by the due date. Failure to have paid dues in full will result in immediate forfeiture of waterfront, pier, pavilion and associated property adjacent to 1219 Valley Road privileges for homeowner, immediate relatives or guests of homeowners.
 10. A homeowner can make a request to reserve the pavilion with EPPOA Board approval. See separate Pavilion Reservation Agreement and Conditions on the EPPOA website which are incorporated and included in this Administrative Policy Regarding Common Property Usage.
 11. See 5. below regarding policies for Small Vessels defined as Canoe, Kayak or Paddle board.
 12. Due to the close proximity of neighbors we ask that you are respectful in keeping noise levels down after 10:30pm.
 13. All row boats, canoes, kayaks and paddle boards located on the south side of the pavilion require approval from the EPPOA Board. The pavilion may be used for storage of personal items only i.e., floats, chairs, rafts and fishing gear. The EPPOA Association takes no responsibility for anything left in the pavilion. All personal items must be removed from the pavilion by October 1 for winter storage of the pier. Any items left after this time may be disposed. It is the recommendation of the EPPOA Board that you use only the items that belong to you.

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3. ALL WATER CRAFT IN ANY SLIP POSITION:

1. There shall be one slip per eligible homeowner/occupied property. Multiple properties or co-ownership do not allow for additional slip positions.
2. There shall be a list maintained by the EPPOA Board indicating the position on the waiting list.
3. Boats MUST be in the water no later than June 15 of any given season
4. All fees for slips must be paid no later than the due date of any given season unless there are other provisions approved by the EPPOA Board. Failure to pay association or slip fee dues by the *due date* will result in the homeowner's name being removed from the waiting list and forfeiture at the discretion of the EPPOA Board of a slip position.
5. Only a homeowner is eligible to be on the waiting list
6. Properties that are rented are not eligible for a slip. If a slip is designated to a homeowner and then the homeowner elects to rent their property for the period of one year or greater the slip shall be immediately forfeited without refund, which could include the middle of a season.
7. There is no guarantee of waiting time as slips are allotted, as they become available.
8. The watercraft in any slip position is intended for use and not storage. Therefore if the watercraft owner fails to use their watercraft throughout the season the EPPOA Board can revoke the homeowners slip privileges
9. The width of any boat lift shall not exceed 110" (inches) as measured from the inside of the vertical posts.
10. Boat canopies, which are part of the boat lifts may not exceed five feet in height as measured from the top of the pier.
11. No boat lift or boat-anchoring device may be attached to the pier.
12. Individual members are not to install or remove their watercraft lifts unless specifically directed by the chairman of the waterfront committee.
13. Boat lifts are inspected annually at the end of the season. Owners of boat lifts that are deemed not to be safe nor in good repair will be notified. Un-repaired boat lifts will not be permitted back in the water.
14. Boat lifts will not be installed which do not meet all requirements specified in this Administrative Policy.
15. No boat lifts, powerboats or rowboats are permitted to be stored on waterfront property while the pier is still in the water.
16. Maximum length of any watercraft is twenty-two feet.
17. All motorized watercraft must be safe, operable, and have a current registration.
18. If a slip becomes available there will be "NO BYES" allowed. If the homeowner has failed to meet the required criteria or is not ready for the slip they will lose their position on the waiting list and have to resubmit for a next available position.
19. There will be a one-season waiver allowed to an existing slip holder. The waiver is relative to one season for a single slip.
20. When a position is available the homeowner will have ten days after being contacted to decide if they want the slip. The communication will be by phone, therefore it is the responsibility of the homeowner to have contact information on an annually basis submitted. It is acceptable to pre-accept a slip of an up-coming season. This would be typical of the top two or three homeowners on the waiting list.

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3. ALL WATER CRAFT IN ANY SLIP POSITION: (CONTINUED)

21. If a slip becomes available payment in full must be made within ten business days of acceptance.
22. A certificate of insurance must be submitted within five business days of acceptance. There is exception of this in the case the home owner is purchasing a boat. Under these circumstances the deviation with a deadline must be in writing to the EPPOA Board.
23. The waterfront chairperson shall determine the position of the slip with input from the EPPOA Board. It is typical however, not exclusive, that a new slip be designated shallow and as deeper slips become available the slip would move deeper accordingly.
24. At the discretion of the EPPOA Board, slip positions can be assigned on an annual basis. An example of this would be to put pontoon boats shallow, as they do not require the same draft of a deep "V" hull.
25. There shall be no trading of slips without the consent of the EPPOA Board.
26. A homeowner can be on multiple waiting lists at one time.
27. There shall be no steel lifts allowed in either the water or stored on association property.
28. Watercraft and lifts must be in good working condition. If either is determined not safe it will be the responsibility of the homeowner to repair the watercraft/lift in a timely fashion or risk forfeiture of the slip position.

4. OFF SEASON STORAGE:

1. Only lifts authorized by the EPPOA Board can be stored on association property.
2. All lifts must be in good working mechanical condition.

5. SMALL VESSELS ON SHORE (CANOE, KAYAK, PADDLE BOARD):

1. ELIGIBILITY

EPPOA homeowners can store small vessels in the EPPOA racks, subject to availability. This right does not extend to renters or non-homeowners, nor transferable outside of the eligibility and wait list under the EPPOA Waterfront Chair. As of May 2022 no more than one rack spot may be assigned to any property owner if anyone else is on the waitlist.

2. WAIT LIST

1. An eligible homeowner may be added to the wait list by completing the appropriate form or by notifying the EPPOA Waterfront Chair via email at EPPOA851@gmail.com. No other method will be actionable for a position on the rack waitlist.
2. The following information must be provided to be added to the wait list
 1. Name, address phone number, email address and type of vessel (if known)
3. Contact information must be kept updated by the homeowner, so that the Waterfront Chair can contact eligible members regarding updates in eligibility and wait lists.
4. Wait list membership must be renewed every year by May 1.

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5. SMALL VESSELS ON SHORE (CANOE, KAYAK, PADDLE BOARD): (CONTINUED)

2. WAIT LIST (CONTINUED)

5. EPPOA membership dues must be paid in full annually to maintain position on the waitlist.
6. Positions on the waitlist are not transferable.
7. If EPPOA dues are not paid by June 1, the position on the wait list is forfeited. To be placed on the waitlist again, the eligible member must contact the Waterfront Chair and resubmit interest via email to EPPOA851@gmail.com.

3. RACK ASSIGNMENT

1. Vacancies will be identified, and assignments offered by June 1 annually, and throughout the season should spots become available.
2. An appointee of the Waterfront Chair will contact members on the waitlist to fill any vacancies.
3. Wait list position, rack location, and type of vessel will influence which spot is offered to the wait list member and to which member the spot is offered.
4. Assignment offers (via email or phone) will specify the rack location and the spot number.
5. Acceptance of the offer must be received (via email or phone) within 14 days or the offer is declined.
6. Declining a rack assignment offer maintains position on the waitlist.

4. RACK ASSIGNMENT ACCEPTANCE AND RENEWAL

1. At the time a rack assignment offer is accepted by an eligible member, the eligible member must have a small vessel to store. A rack may not be assigned to an eligible member who does not have anything to store.
2. Rack assignment offers are accepted by replying to the email or phone offer within 14 days, confirming the rack location, spot number and the type of vessel to be stored.
3. Payment for newly accepted rack assignment offers must be received by EPPOA within 14 days of accepting the offer
4. If payment is not received by EPPOA by the above deadline, the spot is forfeited and the EPPOA member will be removed from the waitlist.
5. The summer rack rental period is from May 1 to September 30.
6. Residents must continue to store a small vessel to maintain a current rack position. To allow as many homeowners as possible with small vessels to enjoy the racks, rented racks should not be kept empty.
7. All vessels on racks must be turned upside down so retained water will not overload the racks. No more than one vessel may be stored on one rack section, unless registered and approved on rack position built for two vessels.
8. All small boats should be secured to prevent overturning or displacement in storms.

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9. Locks may be added by the owner if desired.
10. EPPOA is not liable for any theft and/or damages.

5. SMALL VESSELS ON SHORE (CANOE, KAYAK, PADDLE BOARD): (CONTINUED)

4. RACK ASSIGNMENT ACCEPTANCE AND RENEWAL (CONTINUED)

11. Stored items on racks must not be in an advanced state of disrepair. Upon notice from the Waterfront Chair that the small vessel is in a non-working condition or in an advanced state of disrepair, the homeowner will have 30 days from the date of the notice to correct the condition or the small vessel may be removed at homeowners' risk and expense and without further notice.
12. All small vessels must be secured to the rack to avoid damage to the rack or other vessels. Unsecured vessels may be removed, at the discretion of the Waterfront Chair or the Waterfront Chair's appointee. The cost of removing and securing the vessel shall be billed to the owner. Failure to pay or multiple violations will result in forfeiture of the rack space.
13. Current rack assignments can be renewed yearly so long as the homeowner maintains eligibility. Current rack assignments must be renewed yearly with payment of the annual rack rental fee received by EPPOA by June 1. If the homeowner has not notified the Waterfront Chair of the intent to renew or if the annual rack rental fee is not received by June 1, then the spot is forfeited.
14. All small vessels, including paddle boats, at the waterfront must be registered with the Waterfront Chair, regardless of on an assigned rack or not.

5. RACK RENTAL FEES

1. The annual rack rental fee shall be \$50.00 per rack for one (1) vessel and \$75.00 for two (2) vessels, in addition to EPPOA membership fees.
2. Annual rack rental fees must be paid by June 1 by those renewing a current rack rental.
3. The annual rack rental fee is subject to adjustments by the EPPOA Board with final approval from the waterfront chair.
4. Notice shall be provided to the email address provided to the EPPOA Board if adjustments in fees take place.
5. In the case of newly assigned racks, annual rack rental fees must be paid within 30 days from the date of acceptance.

6. INSURANCE REQUIREMENTS:

1. All motorized watercraft must carry liability insurance with a minimum of \$ 50,000 of liability insurance.
2. All non-motorized watercraft must have a special line in their homeowner's policy to extend liability coverage to their watercraft.

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3. In lieu of a certificate of insurance, a letter from your insurance company or authorized broker will be acceptable.

6. INSURANCE REQUIREMENTS: (CONTINUED)

4. Certificate of insurance and or letter must be submitted no later than May 1 of the current season, failure to submit documentation will result in the loss of the slip privilege.

7. REGISTRATION REQUIRMENTS:

1. All slip positions assigned or re-assigned after January 1, 2006 must be titled to a homeowner only.
2. There can be co-owners of a watercraft as long as all names are homeowners; co-owners are not eligible for any additional slip positions.

8. GENERAL:

1. Non-licensed motorized vehicles (including scooters and ATV's) are not allowed on Association Property or Roads.

9. PROHIBITION OF SHORT-TERM RENTALS

Whereas, Edgewater Park Property Owners Association, Inc. ("EPPOA") was duly incorporated under the laws of the State of Wisconsin on September 2, 1946; and

Whereas, the business and purpose of the corporation is to promote the development, improvement, protection, and preservation of property and real estate holdings within the subdivision called Edgewater Park located in the Village of Twin Lakes, Wisconsin; and

Whereas, further the business and purpose of EPPOA is to promote the general welfare of its members; and
Whereas, in furtherance of its corporate purpose to protect the general welfare of its members, the EPPOA hereby adopts the following Administrative Policy.

1. For purposes of this section, short term rental is defined as any rental agreement between a homeowner and a lessee for a term of less than six months.
2. The short term rental of property in EPPOA is prohibited.
3. Homeowners in EPPOA may rent their dwelling units provided that any rental must be for a term of six months or longer.
4. Short term vacation type rentals using internet rental sites, including but not limited to Airbnb or VRBO, used to advertise, solicit, or book rentals are strictly prohibited.
5. No homeowner may permit a lessee to sublease any dwelling unit.
6. No homeowner shall advertise, directly or indirectly his/her dwelling unit as a short-term rental.
7. Any homeowner who violates any provision of this Administrative Policy shall be subject to a fine of \$150.00 per violation per day.

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9. APPROVALS:

Approved: Rick Breden Signature on file Date: February 17, 2002
President EPPOA

Approved: Ed Vardon Signature on file Date: February 17, 2002
Chairman Waterfront Committee

CHANGE HISTORY

Revision 1, November 27, 2003:

Section 5.2, Waterfront Positions, Amended point one by changing "Property Owner to member family" and removed "per dwelling". Added points two and three to Qualifications.
Approved by the EPPOA Board on November 15, 2003

Revision 2, December 14, 2005 Approved by the EPPOA Board

Revision 1 Approved: Jack McGuire Signature on file Date: November 27, 2003
President EPPOA

Revision 2 Approved: Tom Wiesenmayer Signature on file Date: January 14, 2006
President EPPOA

Revision 3 Approved: Karen Sutterlin Signature on file Date: December 1, 2007
President EPPOA

Revision 4

Section 2.4.12 & 13 Incorporated from December 2019 revision from the EPPOA Board prior to the Board installed in September 2020.

Revision 5 March 15, 2022

Section 3.16 Maximum length of any watercraft increased from twenty-one feet to twenty-two feet
Approved: EPPOA Board March 15, 2022

Revision 6 July 15, 2022

Section 1.3. added under DEFINITION OF TERMS: Watercraft: "Small Vessel defined as Canoe, Kayak or Paddle board"

Section 2.4.10 Incorporated into this policy the Pavilion Reservation Agreement and Conditions document on the EPPOA website used for reserving the Pavilion for private party use.

Section 2.4.11 deleted previous wording regarding Small Vessels and references new Section 5 for rules regarding Small Vessels.

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Section 5 added for rules regarding storage for Small Vessels on Shore

Revision 6 Approved: *Jack Hill*
 Waterfront Chair

Date: *July 15, 2022*

Revision 7

Section 9. PROHIBITION OF SHORT-TERM RENTALS added

Revision 7 approved by EPPOA members at Annual Meeting July 10, 2022.