

Message from the C&R Committee Chair:

We very much appreciate the input received from members this past Fall. The 23-24 C&R Committee and I were able to incorporate these comments and present to the Board of Directors a final version for their approval. Following are the major changes:

- Article III – White Birch Lakes Recreational Association
 - Section 3.01: Added appeal rights for suspension of membership and clarifies applicability for owners of multiple lots.

- Article IV – Environmental Protection Committee
 - Section 4.01: Requires a Board of Directors liaison to the EPC.
 - Section 4.02: Exempts general maintenance from requirements for EPC approval.
 - Section 4.02: Changes the requirement for EPC approval for removal of trees from “over three inches in diameter, dead or alive” to “standing trees over three inches in diameter” and added this definition: Standing tree means a tree, living or dead, that is self-supporting and leaning less than 45 degrees.

- Article V – Requirements for Construction of Permanent Structures
 - Section 5.02: Changes the minimum outside dimensions for a house from 24’ x 30’ to 720 square feet, and did not change the minimum total square footage requirement of 1,000 square feet.

- Article VI – Requirements for Camping and Temporary Structures on Privately Owned Lots
 - Section 6.01: For lots used for camping: Clarifies that two campers can be on located on one lot as long as the total acreage owned (in one lot or adjacent lots) is at or more than 1.5 acres as required by Lincoln Township.
 - Section 6.02: Allows security cameras to remain on vacant lots all year.
 - Section 6.06: For lots with residential structures, clarifies that storage is allowed for one recreational vehicle per assessment paid, up to a maximum of two RVs. (Recreational vehicles are defined in Definitions.)

- Article VII – General Prohibitions
 - Section 7.01: Removed the section about private solid waste hauling.

- Article XI – Enforcement, Liens, Fines and Collection
 - Section 11.02: Removed time requirements for imposition of Liens to allow the Association more flexibility and to align with current practices for notification.
 - Section 11.04: Changes the fines from a fixed amount of 2.5% of annual assessment per day for general violations and 25% of annual assessment per tree to a maximum of 2.5% of annual assessment per day for general fines and a maximum of 25% of annual assessment per tree.
 - Section 11.04: Requires the Board of Directors to annually adopt a schedule of fines.
 - Section 11.04: Requires Board approval prior to issuance of fines by the EPC, and states that fines will be deposited into the general fund of the association.

- Section 11.06: Clarifies that fines will not be imposed while a violation is under appeal.
- Article XIII – Titles, Remedies, Severability and Duration
 - Section 12.01: Clarifies that there must be an absolute majority of members in good standing in voting in the affirmative to change the C&Rs.
 - Section 12.01: Clarifies (per Association attorney), that for amendment of C&Rs, members in good standing are entitled to one vote per assessment paid.
- Added definitions for Absolute Majority, Member in Good Standing, and Standing Tree.

Next Steps

For now, we are keeping the draft from last Fall on the website until we receive approval for this final version from the Association attorney. Once we receive it back from him. We will upload it to the website.

The C&R Committee will be researching companies that provide services that incorporate voting by both electronic and traditional methods, with the goal of making a recommendation to the Board of Directors at their April meeting on how to proceed with the vote. We want to make voting as easy and available as possible – we need maximum participation! – while keeping controls in place. At this time, I cannot say when the vote will occur, but I can say that the goal is to have the voting completed before or at the Annual Meeting.

Thank you for your patience with this process!