



## **Twin Lakes Owners' Association Lakes & Dams Rules and Regulations**

(Last updated: 4/17/2023)

### 1. FINES

As of August 2017, all rules and regulations listed under this committee shall carry a fine when violated, as defined by the nature of the violation.

### 2. FENCES

No fences shall be constructed less than 15 feet from a lake shoreline.

### 3. COMMON LOTS

The common lots are for the use of Twin Lakes residents, guests, and other authorized persons. Non-authorized persons will be charged with trespassing unless accompanied by an association member.

### 4. LOTS WITH LAKE FRONTAGE

#### a) Filling In

No lot or parcel shall be increased in size by filling the waters on which it abuts.

#### b) Boat Anchorage

Boat landings, docks, piers, and mooring posts shall be constructed only in accordance with the plans and specifications approved in writing by the Committee. Docks, piers, and mooring posts shall not be constructed to extend beyond a distance of eight (8) feet from the normal water level, not closer than ten (10) feet to either side of the lot line. A special exception may be granted by the Committee to property owners whose lots have extremely limited water frontage and/or un-navigable water. All boating structures within the subdivision must be firmly secured and/or anchored.

No boat shall be anchored in such a manner that would interfere with normal navigation on the lake or create a safety hazard.

Gas-powered boats are not permitted.

c) Shore Walls

Shore walls on waterfront lots shall be constructed only in accordance with the plans and specifications approved in writing by the Committee. Shore walls may not be constructed beyond the waterfront lot line; however, if the present shoreline is beyond the waterfront lot line, the shore wall may be constructed at the water's edge to prevent further erosion.

Railroad ties or any other creosote lumber are not authorized for shore wall construction.

5. FISHING

Residents in good standing who desire to fish on the lakes in Twin Lakes shall, at all times, carry with them a valid Virginia State fishing license as well as a Twin Lakes fishing permit.

Those authorized to fish on the lakes in Twin Lakes shall comply with any and all size and catch limitations imposed by the Committee and/or governmental authorities.

No gas motors are allowed on the Lakes.

6. GENERAL USE

Camping and outdoor fires in common areas, on dams, and in spillways are prohibited.

Exercise respect for your neighbors by avoiding excessive noise (noise that can be heard over 50 yards away) and use the trash receptacles provided.

Littering on common lots and roadways is strictly prohibited.

ATVs, motorcycles, or other powered vehicles are strictly prohibited from being driven on or near any dams in Twin Lakes.

7. NON-CONFORMING USE, VIOLATIONS, AND APPEALS

a) Pre-existing Structures

Any pre-existing structure built prior to January 1990 that does not conform to these Rules and Regulations may be continued as a non-conforming structure until the owner desires to improve, replace, change, and/or modify the structure. At this time, the improvements, replacements, changes, and/or modifications must conform to the Rules and Regulations contained herein.

#### b) Violations

Violation of or failure to comply with any of these Rules and Regulations by any member, or their family members, tenants, guests, or other invitees, may result in legal action taken against such member by the Board of Directors on behalf of the Twin Lakes Owners' Association. These Rules and Regulations may be enforced by any method normally available to the owner of private property in Virginia, including, but not limited to, application for injunctive relief or damages, during which the court may award to the Association court costs and reasonable attorney's fees as provided in Va. Code Section 55-513, as amended.

#### c) Sanctions for Violations

In the event that any member, or their family members, tenants, guests, or other invitees, shall violate or fail to comply with these Rules and Regulations, such member shall be liable for the following described charges and subject to the following described suspension of such member's right to use facilities provided that such member shall have been sent prior written notification of the violation as provided in paragraph D below. The amount of any charges so assessed shall not be limited to the expense or damage to the Association caused by the violation, but shall not exceed \$50.00 for a single offense or \$10.00 per day for any offense of a continuing nature, and shall be treated as an assessment against the member's lot for the purposes of Va. Code Section 55-516, as amended. However, the total charge for any offense of a continuing nature shall not be assessed for a period exceeding ninety (90) days. If a lawsuit is filed challenging any such charges, no additional charges shall accrue after the date of such filing. If the court rules in favor of the Association, it shall be entitled to collect such charges from the date the action was filed, as well as all other charges assessed pursuant to these Rules and Regulations against the lot owner prior to the action. A member's right to use facilities or services, including, without limitation, utility services, provided directly through the Association, shall be suspended if such members have failed to pay any assessments and such assessments are more than sixty (60) days past due. However, a member's access to their lot through the common areas shall not be precluded, and such suspension shall not endanger the health, safety, or property of any lot owner, tenant, or occupant.

#### d) Notice of Violation and Hearing

The Association, or its agent, employee, or attorney, shall deliver written notice of a member's violation by mail (and email if possible) to the member at the member's lot address or the member's last known address on file with the Association. Notices will be sent out at a time interval based on the severity of the violation and include instructions on how to resolve the issue. The member is permitted to request a hearing, at which time the member has the opportunity to be heard and to be represented by counsel before the Board of Directors prior to the imposition of any charges or punitive actions. Hearings are carried out at the end of our monthly Board meetings and must be requested in advance at least fourteen (14) days prior to the meeting. Written notice of the hearing result shall be mailed within three (3) days of the hearing to the member at the lot address or the member's last known address on file with the Association.

e) Appeals

The property owner has the right to appeal decisions rendered by the Board pertaining to rule violations. Appeals must be made directly to the DPOR (Virginia Department of Professional and Occupational Regulation) within thirty (30) days from the date of the disapproval notice. The DPOR will attempt to handle the request and work with the Board and the member to seek a resolution.

f) Invalidation

The invalidation by judgment or court order of any one or more of the Rules and Regulations contained herein shall in no way affect the validity and enforceability of the remaining provisions hereof.