

PARADISE FALLS LUTHERAN ASSOCIATION

MANUAL

**CHARTER
CONSTITUTION AND BY-LAWS
PARADISE FALLS FUND
PFLA OFFICERS, COMMITTEE FUNCTIONS AND RESPONSIBILITIES
RULES AND REGULATIONS**

Revised 9/2019

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PREFACE

The **PFLA MANUAL** was first published in June 1982, when the Board of Directors, following the recommendation of the Long-Range Policy Committee, voted to publish a manual that would contain all important documents, policies and job descriptions, rules and regulations of Paradise Falls Lutheran Association.

The Manual, of which this is the sixth revision, is intended to serve as a handbook for dealing with the various aspects of PFLA life. It is intended to clarify how the Association functions, as well as to state our purpose clearly.

PFLA members are expected to share in the responsibilities of governing and implementing the leadership of the Association. For that reason, the **PFLA MANUAL** benefits both members of the Board of Directors and committee chairpersons, as well as the membership in general.

This **2016 Revised Manual** contains revisions adopted at the June 2016 PFLA Annual Meeting, including changes to the Constitution, which were approved in principle at the 2015 Annual Meeting, in keeping with the procedure for amendments spelled out in the Constitution.

The most recent changes published in **September 2019** contains changes approved by the Board in July 2019 to the **Rules and Regulations** related to rentals and the guidelines for when members have unaccompanied guests in a section titled GENERAL RULES ABOUT NON-MEMBERS' OCCUPANCY OF COTTAGES.

**THE CHARTER OF THE
PARADISE FALLS LUTHERAN
ASSOCIATION**

**PARADISE FALLS, CRESCO, PENNSYLVANIA
18326, USA**

THE CHARTER

CHARTER OF PARADISE FALLS LUTHERAN
ASSOCIATION APPROVED AND GRANTED BY
THE COURT OF COMMON PLEAS OF MONROE COUNTY OF
PENNSYLVANIA ON THE SIXTH DAY OF APRIL A.D. 1925

BE IT KNOWN, that the subscribers, three of whom are citizens of the Commonwealth of Pennsylvania, having associated themselves together for the purpose of organizing the "Paradise Falls Lutheran Association", and being desirous of becoming incorporated agreeably to the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An Act to provide for the incorporation and regulation of certain corporations", approve the twenty ninth day of April, A.D. 1874, and the supplements thereto, do hereby declare that the following are the purposes and conditions for and upon which they desire to be incorporated.

First. The name of the corporation shall be "Paradise Falls Lutheran Association".

Second. The purpose for which the corporation is formed is to offer healthful retreat and recreation for Lutheran people, the encouragement of social enjoyment, and athletic sports.

Third. The place where the business of the corporation is to be transacted is at Paradise Falls, Paradise Township, Monroe County, Pennsylvania.

Fourth. The corporation is to exist perpetually.

Fifth. The corporation shall have no capital stock. The names and residences of the incorporators are:

[NAMES OMITTED.]

Sixth. The number of the directors shall be fifteen, and the names and residences of those who are chosen directors for the first year are:

[NAMES OMITTED.]

Seventh. Admission to membership and the requirements thereof shall be a prescribed by the Constitution and By-Laws, subject to the provisions of the Constitution and Laws of the United States and of the Commonwealth of Pennsylvania.

Witness our hands and seals this 5th day of February, Anno Domini, one thousand nine hundred and twenty five (1925).

[NAMES & NOTARY AFFIDAVIT OMITTED.]

* * * * *

In the Court of Common Pleas of Monroe County,
Pennsylvania.

In the Matter of the Application for Incorporation of "Paradise Falls Lutheran Association".

And now, this sixth day of April A.D. 1925, the certificate of incorporation of "Paradise Falls Lutheran Association", a corporation of the first class, having been presented for approval to me, a law judge of said County, accompanied by proof of the publication of the notice of such application as required by law.

I do hereby certify that I have perused and examined the said instrument and that I find the same to be in the proper form and within the purposes named in the first class of corporations specified in the second section of the Act of the General Assembly of the Commonwealth of Pennsylvania entitled "An Act to provide for the Incorporation and Regulation of Certain Corporations," approved the twenty ninth day of April, A.D. 1874 and the supplements thereto; and that the purposes of the proposed corporation appear to be lawful and not injurious to the community. It is therefore ordered and decreed, that the charter of "Paradise Falls Lutheran Association" be and the same is hereby approved and that upon the recording of the said Charter and this Order, the subscribers thereto and their associates and successors shall be a corporation for the purposes, upon the terms and under the name therein stated.

Witness my hand and the seal of the said Court.

(Official Seal)

Samuel E. Shull

P.J. Filed April 15, 1925.

**THE CONSTITUTION AND BY-LAWS OF THE
PARADISE FALLS LUTHERAN ASSOCIATION**

**PARADISE FALLS, CRESCO, PENNSYLVANIA
18326**

THE CONSTITUTION

ARTICLE I - TITLE AND INCORPORATION

- A. The name of this organization is Paradise Falls Lutheran Association (sometimes referred to in this Constitution as the "Association").
- B. The Association is incorporated under a Charter issued by the Court of Common Pleas of Monroe County, Pennsylvania, on April 6, 1925 and is a non-profit organization operating under the laws of the Commonwealth of Pennsylvania.

ARTICLE II - PURPOSE AND OFFICE

- A. The purpose of the Association is to provide healthful retreat and recreation under its auspices for Membership holders, their friends and guests.
- B. While membership is open to all, the Association strives to reflect its Lutheran history, heritage and values in its community life. Being based on Christian values, the Association is a community of inclusiveness, without distinction with respect to race, nationality, social status, age, sex, lifestyle, or any other characteristic which may cause discrimination among people.
- C. The principal office of the Association shall be on the grounds of the Association in Paradise Township, Monroe County, Pennsylvania.

ARTICLE III - MEMBERSHIP

- A. A Membership in the Association is comprised of the holder or holders of a Certificate of Membership for a lot on which a dwelling has been erected or on which the erection of a dwelling has been approved. All Membership holders shall be individuals who are 18 years or over.
- B. Application for Membership shall be made on forms provided by the Association. The applicant shall secure the written endorsement of at least three holders of different Memberships in good standing (none of whom, in the case of the sale of a Membership, shall be the seller), who are personally acquainted with the applicant and who shall certify that in their opinion the Applicant would be an appropriate member of the community. Final approval shall be by two-thirds vote of the Board of Directors.
- C. Fees for the transfer of Membership shall be determined from time to time by the Board of Directors, subject to the approval of the Association.

ARTICLE IV - VOTING MEMBERSHIP

- A. Any Membership in good standing in the Association shall be eligible to vote.
- B. Each Membership shall be entitled to one vote, and no Membership shall have more than one vote, irrespective of the number of Certificates of Membership held by the Membership.
- C. Proxy statements are acceptable for the establishment of a quorum or other issues as stated in the proxy.
- D. A Membership not in good standing shall have no vote at any Meeting of the Association. For purposes of this Constitution, a Membership not in good standing is one that is delinquent in any Association bills, charges, and/or assessment for any preceding year or years.

ARTICLE V - CERTIFICATES OF MEMBERSHIP

- A. Upon approval of an applicant to Membership, and upon the payment of the fees as approved by the Association, a Certificate of Membership, signed by the President, Secretary and

Treasurer, with the corporate seal attached, shall be issued to the newly approved Membership. This Certificate of Membership shall entitle the new Membership to perpetual use, subject to the provisions of this Constitution, of a particular lot, or parcel, of the Association's grounds, for the purpose of habitation, provided, however, that the fee-simple title of all Lots, assigned to the Membership by the Certificate of Membership, shall remain at all times in the Association.

- B. All Certificates of Membership shall be numbered serially, and shall designate the Lot therein assigned, by Lot number, and Section number, in accordance with the Plan of Lots of the Association, as recorded in the Office of the Recorder of Deeds of Monroe County, Pennsylvania, and such Certificate of Membership shall contain the Name of the Membership holder or holders to whom issued.
- C. A Certificate of Membership may be issued to one or more members of a family, but not to any other group or organization. If the only individuals listed on the Certificate of Membership are married to each other, they shall be deemed to hold as tenants by the entireties. Otherwise, all individuals listed on the Certificate of Membership shall be deemed to hold as joint tenants, with right of survivorship. The definition of 'family' for this purpose shall be as provided in the By-Laws.
- D. A Certificate of Membership shall be deemed as personal property, and may be assigned by the holder or holders of the Membership at any time, or, in the event of death of the sole holder of a Membership, by the personal representative of such person's estate, provided, however, that in any case the assignee shall have qualified as a Membership holder in this Association, and, provided further, that in no case shall any assignment be valid without the approval of the Board of Directors.
- E. In the case of loss, or destruction of a Certificate of Membership, another Certificate may be substituted therefore under such conditions as shall be stipulated by the Board of Directors.
- F. In the case of a sale, under legal process in accordance with the laws of the Commonwealth of Pennsylvania, of a Certificate of Membership, or a holder's interest therein, the Board of Directors may authorize the issuance of another Certificate to the person thereto entitled, provided, however, that such person shall first qualify for Membership in the Association.
- G. No assignment of a Certificate of Membership shall be approved by the Board of Directors, unless all dues, assessments, maintenance charges, or other indebtedness to the Association, or any state or local real estate taxes, have been paid in full.
- H. The Secretary shall preserve, in the Archives of the Association, all cancelled or surrendered Certificates of Membership.
- I. A Membership whose dues, assessments or other indebtedness to the Association is in default for a period of two years may be deprived of all rights, privileges, and benefits in the Association and its Certificate of Membership may be cancelled by a vote of the Board of Directors. If the defaulting Membership fails to surrender its cancelled Certificate of Membership upon direction of the Board of Directors, that Certificate shall be declared null and void and a differently numbered Certificate may be issued in its stead.
- J. The Association shall at all times have a lien on all buildings, of any kind, erected on any Lot assigned to a Membership, for any arrearages by such Membership in dues, assessments, or indebtedness of any kind to the Association; and the Association shall have the right to enforce such lien by notice to the defaulting Membership, and upon such terms, conditions, and requirements as the Board of Directors shall from time to time stipulate.
- K. When the sale of such property is completed, the amount received therefrom, over and above the amounts due to the Association, including any expense and interest incurred in the transaction, shall be returned to the defaulting Membership.

- L. The Association reserves the right to charge a fee, in an amount to be determined by the Board of Directors, subject to approval by the Association, for the rental of a cottage or other buildings.
- M. All buildings erected on any Lot assigned to a Membership shall be deemed personal property, and the title to such buildings shall pass, upon the assignment of a Certificate of Membership, to the assignee or assignees; provided that such assignee or assignees shall have first qualified for Membership in accordance with this Constitution.
- N. No business of any kind shall be conducted on any Lot assigned to a Membership, without the annual permission and approval of the Board of Directors.
- O. The Board of Directors may prescribe rules and regulations for the construction of buildings of any kind, on any Lots assigned to Memberships; and no building or structure of any kind shall be erected on such Lots without the permission and approval of the Board of Directors. In addition, all buildings shall meet the permit and zoning regulations of Paradise Township, Monroe County and the Commonwealth of Pennsylvania.
- P. For conduct prejudicial to the best interests of the Association, the Board of Directors shall have the power by a two-thirds vote of all the Directors, to expel a Membership holder from this Association, provided that [i] the Membership holder has had two weeks' notice of the charges that shall be presented to the Board of Directors and [ii] the Membership holder has been informed that he or she has the privilege of being present to defend himself or herself at the Board of Directors meeting at which the vote shall be taken. The expelled Membership holder thereafter shall have the right to appeal to the Membership of the Association, at the next annual meeting. If such expelled Membership holder is the only person on the Membership, the holder shall have the right to sell his or her Membership and any improvements on its assigned Lot in accordance with the provisions of this Constitution. If there are other holders in good standing on this Membership, sale of the Membership shall not be required.

ARTICLE VI - THE BOARD OF DIRECTORS

- A. The Board of Directors shall be responsible for the administration and care of the Association's interests and property and for the operation of each season's program, including regular Sunday worship services in the Lutheran tradition during the customary summer season.
- B. The Board of Directors shall consist of 15 persons named on different Certificates of Membership in good standing in the Association, elected by the Association.
- C. The Board of Directors shall be elected at an annual meeting of the Association, by a majority vote of the Membership entitled to vote as defined in Article IV.
- D. Candidates for election to the Board of Directors shall be nominated as provided in the By-Laws.
- E. The Board of Directors shall have regular meetings as provided in the By-Laws. All holders of a Membership that is in good standing in the Association shall have the privilege of attending. They shall have the privilege of the floor, but shall not have voting privileges. However, if the Board of Directors is considering any problem that which could give unfavorable publicity to any holder of Membership in the Association, or if consideration is being given to a breach of discipline, the Board of Directors may, by a two-thirds vote of the Directors present, request a closed session for that part of the meeting when such matters are before the Board.
- F. A Board of Directors quorum shall be such number as provided in the By-Laws.
- G. The President may call special meetings of the Board of Directors; and the President shall call such a special meeting upon written request of three or more Members of the Board.

- H. The Secretary shall give written notice to each Director of all meetings of the Board of Directors at least two weeks before the time of the meeting, except in the case of emergency.
- I. The Board of Directors shall be empowered to appoint such committees as it may deem wise for the execution of its responsibilities. Such committees shall submit a written report at all regular meetings of the Board of Directors and to the Association at its annual meeting.
- J. The Board of Directors shall have the power to make and publish Rules and Regulations for the operation, maintenance, management and control of the Association's property, equipment, and its affairs of every kind; and shall have power to prescribe and enforce all penalties for violations or infractions of the Association's Constitution and By-Laws, of resolutions adopted by the Association or by the Board of Directors, or of any rules or regulations made pursuant thereto; and shall also have the power to prescribe and enforce penalties for arrearages in dues, assessments, maintenance charges, or any other indebtedness by Memberships in the Association. Such rules and regulations shall be published to all Memberships in the Association for their guidance.
- K. The Board of Directors shall have the power to incur indebtedness on behalf of the Association as provided in this Constitution and By-Laws; but no note, or obligation of any kind, authorized by the Board of Directors, shall be binding upon the Association, unless it be officially signed by the President and the Treasurer, and shall have the corporate seal attached thereto.
- L. The Board of Directors shall present to the Association at its annual or at any special meetings recommendations concerning any increase in fees, maintenance charges, dues or for the levying of any special assessments.
- M. In the event of a vacancy on the Board of Directors, other than by expiration of a Director's term in office, the Board of Directors shall appoint a person named on a Membership that is in good standing in the Association to fill the unexpired term.

ARTICLE VII - OFFICERS

- A. At the annual meeting of the Board of Directors, it shall elect from its membership a President, Vice-President, Secretary, and Treasurer.
- B. All officers shall be elected for a term of one year. In the event of a vacancy of any office, the Board of Directors shall elect one of its own members to fill the unexpired term.
- C. The President shall have full power to enforce the Constitution and By-Laws, Resolutions adopted by the Association or by the Board of Directors, and all rules and regulations made pursuant thereto; and the President shall exercise general supervision over all affairs of the Association.
- D. The President shall preside at all meetings of the Association and at all meetings of the Board of Directors.
- E. The President shall be a Member of the Executive Committee and an ex-officio member of all Association Auxiliaries and Committees.
- F. The Vice-President shall exercise the powers and duties of the President in the event of the inability to serve or absence of the President.
- G. The Secretary shall keep minutes of all meetings of the Association and all meetings of the Board of Directors.
- H. The Secretary shall keep an accurate register of the names and addresses of persons named on Certificates of Membership in the Association; and shall be responsible for the publication annually of a Membership register.
- I. The Secretary shall have custody of the Corporate Seal and shall affix it to all documents requiring same.

- J. In the case of the absence or inability of the Secretary to act, the President may appoint a pro-tempore Secretary.
- K. The Treasurer shall receive all funds of the Association and deposit them in an insured financial institution in the name of the Association, subject to the approval of the Board of Directors; and the Treasurer shall make distributions therefrom in such manner as the Board of Directors or the Association shall direct; provided, however, that the Board of Directors may authorize other Officers of the Association to make distribution from said funds.
- L. The Treasurer shall give a written account of all receipts and expenditures of each fund at each of the regular meetings of the Board of Directors and at the annual meeting of the Association.

ARTICLE VIII – COMMITTEES, TASK FORCES AND AUXILIARIES

- A. The Association shall have the power to authorize the creation of any Committee, Task Force or Auxiliary, subjecting the same to the control of the Board of Directors and responsible to it for all of its activities. Any Committee, Task Force or Auxiliary in existence at the time of the adoption of this Constitution shall be governed by this regulation.
- B. All Association Auxiliaries shall aid in the purposes of the Association, and as such are subject to the will of the Association. Each Auxiliary shall, through its President, submit a written interim report at the call of the Board of Directors and to the Association at its annual meeting.

ARTICLE IX - FINANCES

- A. Finances necessary to conduct the operation of the Association shall be derived from the following sources:
 - 1. Membership dues.
 - 2. Maintenance and service charges.
 - 3. Programs.
 - 4. Service and business projects operated on the Association grounds
 - 5. Gifts and endowments from Auxiliaries and individuals.
 - 6. Special dues, assessments or maintenance charges.
- B. No special dues or assessments shall be made until after the Association, at an annual or special meeting, has agreed to such increases by a majority vote of those Memberships present in person or by proxy.
- C. All monies given to the Board of Directors from any Auxiliary or individual shall be used for such purposes as are specified by the Auxiliary or individual presenting the gift, provided the Board of Directors is in agreement with the specified purpose.
- D. All Treasurers shall make expenditures from an account only as directed by the Board of Directors, the Association, or the Auxiliary that created the account.
- E. No monies shall be expended by any Treasurer for any purpose other than the specific purpose for which the fund was created, except by a two-thirds vote of the Memberships present, in person or by proxy, at an annual meeting of the Association and providing that the intent of such voting has been published to the Membership of the Association at least two weeks before the meeting.

ARTICLE X - AUDITING

- A. The Board of Directors shall have the Association's Treasurer's accounts audited each year by a competent auditing firm and/or a committee of Membership holders familiar with standard

auditing practices, and the audit report shall be submitted to the Board of Directors for presentation to the Association at the following annual meeting.

- B. The accounts of all other Treasurers and persons handling Association funds shall be audited each year by a Finance Committee appointed by the Board of Directors.

ARTICLE XI - MEETINGS OF THE ASSOCIATION

- A. The annual meeting of the Association shall be held on the grounds of the Association as provided in the By-Laws.
- B. At the annual meeting of the Association, there shall be the election of holders from different Memberships to the Board of Directors.
- C. The Association shall receive at its annual meeting written reports from the Officers of the Association, from all Standing Committees, and from all Association Auxiliaries.
- D. Special meetings shall be called by the President upon written request of three or more Members of the Board of Directors or upon the written request of 20 or more Memberships in good standing in the Association. Such written request shall outline the specific purpose or purposes for calling the special meeting, and at such special meeting, the action of the Association shall be limited to these stated purposes.
- E. It shall be the responsibility of the Secretary to ensure that notice of all annual and special meetings shall be sent to all of the Association Memberships at least two weeks before the meeting. For annual meetings, the notice shall contain the names of the nominees for the Board of Directors plus any other information the Board of Directors shall desire. For special meetings, the notice shall contain the full statement of purpose or purposes of the meeting.
- F. Only the Association at an annual or special meeting shall be empowered to buy or sell real estate, to authorize the erection of new buildings, or sell buildings belonging to the Association, except as otherwise provided in this Constitution. For special projects, the Association may authorize the Board of Directors to act in its behalf.
- G. A quorum shall be defined as the presence of Voting Memberships, in person or by proxy, as defined in Article IV, to the number equal to one-half the total number of Memberships, and provided those present in person represent at least one-third the total number of Memberships.

ARTICLE XII - CORPORATE SEAL

- A. The Corporate Seal shall be a round disc, consisting of an outer circle bearing the words: "PARADISE FALLS LUTHERAN ASSOCIATION" within which shall appear the Coat of Arms of Martin Luther, with the numerals "1925", being the year of incorporation.

ARTICLE XIII - REAL ESTATE CONVEYANCES

- A. The Board of Directors shall, upon authorization by the Association, offer for sale any real estate owned by the Association, in which case the Deed, or other instrument of conveyance, shall be executed by the President, and attested by the Secretary, and shall have the corporate seal attached; but no conveyance shall be made of any Lots, for which valid Certificates of Membership shall be outstanding.

ARTICLE XIV - AMENDMENTS

- A. This Constitution may be amended by a two-thirds vote of the Memberships present, in person or by proxy, at an annual meeting of the Association, providing the proposed amendment has been presented in writing at the preceding annual meeting of the Association, and providing

a copy of the proposed amendment has been advertised to all the Membership of the Association at least two weeks prior to the annual meeting at which the vote shall be taken.

THE BY-LAWS**ARTICLE I - BOARD OF DIRECTORS**

- A. Five Members of the Board of Directors shall be elected by the Membership at each annual meeting of the Paradise Falls Lutheran Association (also referred to as PFLA or the Association). They shall serve for three years, beginning with their election to the Board, and no Board member shall serve more than two consecutive terms. For purposes of this section, terms will be considered consecutive unless an interval of at least a year intervenes, and an appointee to fill a vacancy who has served more than half of a term shall be considered to have served a full term.
- B. The nomination and election of Members to the Board of Directors shall be as follows:
 - 1. At the annual meeting of the Association, the Board shall present to the Membership the names of Membership holders who the Board has nominated for election to the Board.
 - 2. Additional nominations may be made from the floor.
 - 3. A majority vote of ballots of Memberships presented in person or by proxy shall be required for the election of any nominee.
 - 4. The Secretary shall keep a record of all nominations and the vote received by each.
- C. The annual meeting of the Board of Directors shall be in June. At least two other meetings shall be held during the year. The time and place of the Board meetings shall be determined by the Board.
- D. Special meetings of the Board of Directors shall be held as provided in the Constitution - Article VI, Paragraph G.
- E. A quorum for all meetings of the Board of Directors shall consist of eight Directors, and shall include those present in person and participating through teleconference services. Voting by email and through teleconference services shall be allowed.
- F. After a Board member's three (3) unexcused absences from Board meetings in one year, the Board may, by a two-thirds majority vote, declare that member's position vacant.

ARTICLE II - MEETINGS OF THE ASSOCIATION

- A. The annual meeting of the Association shall commence on a Saturday during the month of June as determined by the Board of Directors.
- B. Special meetings of the Association shall be held as provided in the Constitution - Article XI, Paragraph D.

ARTICLE III - ASSOCIATION COMMUNICATIONS & PUBLICATIONS

- A. Official announcements shall be sent by first class mail or electronically. The Board of Directors also shall cause to be published at their discretion during the summer season and at other times during the year a newsletter called the Spray, and during the season, a weekly newsletter called the Spritz. The publication shall be distributed to all Memberships of the Association. Announcements shall be made in the publication relative to the dates and locations of any annual or special meetings of the Association or any Association Auxiliaries, Task Forces and Committees.

ARTICLE IV - MEMBERSHIP CONSIDERATIONS

- A. For the issuance of a new Certificate of Membership or for a change in Certificate of Membership there shall be a nominal fee as determined by the Board of Directors and approved by the Association.
- B. Final settlement of a transfer of Membership in the Association including the transfer of a cottage and/or other improvements situated on the grounds of the Association, shall be conducted in the Office of the Association under the direction of or in the presence of an Officer of the Association or at a place convenient to all parties and suitable to said Officer.
- C. For the issuance of a building permit, there shall be no fee. However, the Association shall be reimbursed for any expense it may incur in connection with the building or improvements made by the Membership.
- D. Upon approval of an applicant to Membership by the Board of Directors as provided in Article III, Paragraph B of the Constitution the new Membership shall be required to pay to the Association a transfer of Membership fee as stipulated by the Board of Directors and approved by the Association. Payment shall be made prior to the issuance of a Certificate of Membership to the newly elected Membership. All prospective members must meet with the Membership Committee prior to application submission for Board approval. The Membership Committee shall endeavor to acquaint prospective members with the Association's community prior to submitting an application for Board approval.
- E. For purposes of the Membership requirements set out in paragraph C of Article V of the Constitution, a family shall include a specified individual and his or her spouse, any child of such individual or his or her spouse, and the spouse of any such child. In appropriate cases the Board of Directors may permit additional individuals who are related to one or more of the foregoing and their spouses to be added to a Membership. Persons in legally recognized domestic partnerships, as well as persons who are legally married, shall be considered 'spouses' for this purpose.
- F. It is the responsibility of each Membership to keep the Secretary advised of the current address of each individual named on the Membership, and of the primary address to be used for bills, notices and other official correspondence. In the absence of written instructions from a particular Membership as to the primary address to be used for bills, notices and other official correspondence, the Association may rely conclusively on the Secretary's records as to such primary address. While the Association will attempt to honor a written request to provide duplicate copies of bills, notices or other official communications (in the case of Memberships where more than one individual is named), any bill, notice or other official communication sent to the most recent primary address reflected in the Secretary's records shall be deemed effective for all purposes.

ARTICLE V - INDEBTEDNESS

- A. The Board of Directors may borrow money, but it may not borrow more than \$50,000.00 in any calendar year, except as otherwise approved by authorization of the Association at an annual or special meeting by majority vote of those present in person or by proxy.

ARTICLE VI - AMENDMENTS

- A. No alteration to the By-Laws shall be made except as the proposed changes have been approved by the Board of Directors and have been published to the Membership of the Association, and have been adopted by the Association by a two-thirds vote of those Memberships present in person or by proxy at an annual or special meeting.

ARTICLE VII - TIME OF OPERATION

- A. This Constitution and By-Laws shall become effective upon adoption by the Association. All Rules and Regulations previously in effect, and not in violation of this Constitution and By-Laws, are not affected by this adoption. All monies owed to the Association shall remain in full force unless altered by provisions of this Constitution and By-Laws.

ARTICLE VIII - ANNUAL DUES AND ASSESSMENTS

- A. All annual dues and assessments of the Association are due and payable as approved at an annual or special meeting of the Association. For the purpose of this section, the annual dues and assessments will be the same as those approved by the Membership at the previous Annual Meeting or Special Meeting of the Membership.
- B. Any increase in dues or assessments approved by the Membership at the Annual or Special Meeting of the Association will be due and payable at such time as specified by the Membership. Any decrease in dues or assessments will be rebated by the Association on or before a time agreeable to the Treasurer and approved by the Membership.
- C. Dues must be paid by the end of the calendar year in which they are due. If indebtedness is accumulated from multiple years, a lien on the membership in default applies from the date of the initial default, even if that year's dues have been subsequently paid.

ARTICLE IX - STANDING COMMITTEES

- A. Standing Committees and their chairpersons shall be appointed by the President and approved by the Board of Directors as necessary for the operation of the Association. Such committees shall be responsible for planning their respective functions during the year and shall implement and oversee such programs and summer employees (where applicable) during the following summer, thus providing for proper accountability, continuity of operations and follow-up.

**THE PARADISE FALLS FUND OF THE
PARADISE FALLS LUTHERAN ASSOCIATION**

**PARADISE FALLS, CRESCO, PENNSYLVANIA
18326**

THE PARADISE FALLS FUND

- Whereas** The political, environmental and economic climate in the Poconos means that PFLA needs to better position itself financially to meet an ever uncertain future;
- Whereas** It is possible that PFLA will be faced with one or more natural disasters in the coming years and or the possibility of threats on our borders and/or the opportunity to extend our borders;
- Whereas** It is imperative that the protection and enhancement of our natural resources and the protection, defense and possible extension of our borders require a strong financial base in the future;
- Whereas** The membership of PFLA, grounded in a Christian concept of stewardship, should be provided with opportunities for giving above and beyond that required by membership dues;
- Whereas** The accumulated resources in money or kind are also included in our stewardship response before God;
- Whereas** The Paradise Falls Lutheran Association Fund (PFLA Fund) and the Fund For the Protection of Paradise (FFPP) were established in recognition of the above statements;
- Whereas** The PFLA Fund and the FFPP have essentially the same objective but require separate governing groups;
- Whereas** Maintaining both the PFLA Fund and the FFPP separately creates a burden that has become increasingly difficult to administer with volunteers from PFLA;
- Therefore** Be it resolved that the PFLA Fund and the FFPP be merged into the Paradise Falls Fund (the Fund) with the following objectives and regulations.

OBJECTIVE

The primary purpose of the fund is to protect the natural resource enhancement of the property, and to defend or extend the perimeter of PFLA.

REGULATIONS

- A. Gifts to the Paradise Falls Fund may be current gifts of money, securities, real or personal property, insurance policies, annuities, or deferred gifts given through wills or estate planning. Except for current gifts of money, all other giving would preferably be done in consultation with the Paradise Falls Fund Committee.
- B. The Board of Directors shall appoint a Paradise Falls Fund Committee consisting of three (3) members. The members shall serve for three-year staggered terms. Members of the Fund Committee shall not serve more than two consecutive terms. If there is a vacancy, the PFLA Board of Directors will appoint a person to fulfill the balance of the vacancy. This appointment will not count against the restriction prohibiting a Committee member from serving more than two consecutive terms.
- C. The initial Fund Committee members will be appointed for staggered terms. For example, one member will be appointed for one year period, a second member will be appointed for a two year period, and a third member will be appointed for a three year period. These initial appointments will not count against the restriction prohibiting a Committee member from serving more than two consecutive years. The PFLA Treasurer will serve in an advisory

capacity to the Committee and will assist the Fund Committee as necessary to coordinate activities. The Fund assets will be included in the Treasurer's annual report to PFLA.

- D. The Fund Committee members can be either general members of PFLA, members of the PFLA Board of Directors, or any committee reporting to the PFLA Board of Directors.
- E. The assets and income of the Fund shall be kept separate from the operating and capital budgets of PFLA.
- F. The three Fund Committee members shall make recommendations when appropriate to the Board of Directors regarding investing the principal balance in the fund. The Board is charged with the responsibility of caring for the investment and the various forms of assets. The Fund Committee is responsible and authorized to recommend broad asset allocation choices following a PFLA Board approved investment policy or, in its absence, a prudent man principle.
- G. The Fund Committee shall report to the Board of Directors at the request of the Board of Directors or the Executive Committee, but no less than annually.
- H. The Fund Committee shall review the assets of the Fund and make recommendations when appropriate to the Board of Directors regarding use of the income of the fund. The Committee shall not have power to expend money, but only to recommend expenditures to the Board of Directors.
- I. The Board of Directors shall have the authority to invest and spend the assets (principal and interest) of the fund for purposes consistent with the objectives of the fund. However, the Board of Directors must receive the approval of the PFLA membership at an Annual Meeting or special meeting of the Paradise Falls Lutheran Association to spend more than half of the balance in the Fund at any one time.
- J. The Board of Directors shall provide the Fund Committee with all PFLA financial statements and shall inform the Fund Committee of all plans for expenditures from the Fund, including those that do not originate from the Fund Committee.
- K. These regulations may be changed by a majority vote at the Annual Meeting or a special meeting of the Association.
- L. In the event of the dissolution of Paradise Falls Lutheran Association, the disposal of the Fund shall be determined by a majority at the Annual Meeting or a special meeting of the Association in accordance with applicable state law and the Internal Revenue Code.

**OFFICERS, COMMITTEE
FUNCTIONS AND
RESPONSIBILITIES OF THE
PARADISE FALLS LUTHERAN
ASSOCIATION**

**PARADISE FALLS, CRESCO, PENNSYLVANIA
18326**

OFFICERS

At its Annual Meeting, the Board of Directors elects from its membership a President, Vice President, Secretary, and Treasurer. The functions and responsibilities, and terms of office of these executive officers of the Association are stated in Article VII of the PFLA Constitution. Stated here are some further elaborations of these offices.

THE PRESIDENT

1. The President is the chief officer of the Association and as such is primarily responsible to protect the long-range security of the Association and the financial stability of its operations. The President is elected by the Board of Directors at the Annual Meeting for a term of one year. He or she may be reelected annually, but may not serve more than six (6) consecutive years on the Board of Directors.
2. As stated in the Constitution (VII, C), the President shall have full power to enforce the Constitution, the Resolutions adopted by the Association or by the Board of Directors, and all rules and regulations made in pursuance thereof; and the President shall exercise general supervision over all the affairs of the Association.
3. Before assuming the office, he or she should thoroughly familiarize himself or herself with the PFLA Constitution and By-Laws, as well as all the PFLA MANUAL, because the President implements the policies, rule and regulations of the Association through its various committees.
4. The President has to be a visionary as he or she makes suggestions for programs and activities, and as he or she seeks to maintain a strong financial well-being of the Association. The President also helps to create the right spirit at PFLA by promoting harmony and a Christian attitude in the Association.
5. The President presides at all meetings of the Association and at all meetings of the Board of Directors (Constitution VII, D).
6. The President appoints Standing Committees and their chairpersons, which are approved by the Board of Directors as necessary for the operation of the Association (By-Laws IX, A); however, members of a committee are usually appointed by the chairperson in consultation with the President. New Committee appointments generally become effective on Labor Day or at the discretion of the Board of Directors.
7. The President authorizes the development of special reports and research as needed for the general operation and maintenance of the Association,
8. The President, or a Board member appointed by him or her, is authorized to develop and maintain an Employee Handbook-Policies and Procedures, which upon approval by the Board of Directors, will become a formal statement of PFLA Human Resource Policy.
9. The President has to develop a good rapport with the committees and keep abreast of developments in Paradise Township and Monroe County. The President must regularly keep in touch with all committees to make sure that they implement the Association's programs and report regularly to the Board of Directors and annually to the Membership. The President shall report to the membership on the happenings of the Association, the township and the county.
10. The President conducts Board meetings and the Annual Meeting. The President is a member of the Executive Committee, an ex-officio member of all Association Auxiliaries, and of all Association Committees (Constitution VII, E). He or she reports directly to the Board and to the Membership. The President should be flexible and encourage creative

leadership among the Board members, in committees, and in the Association. The President works closely with the other officers of the Board. In case of emergency, he or she may also serve as a chairperson of a committee.

11. During the inability or absence of the President, the Vice President shall exercise the powers and duties of the President (Constitution VII, F).

THE VICE PRESIDENT

1. The Vice President conducts Board meetings in the absence of the President. In times of emergency, he or she may even conduct the Annual Meeting or a special meeting of the Membership. The Vice President supports the policies and the work of the President. He or she must be familiar with the contents of the PFLA MANUAL.
2. He or she also serves as the chairperson of one of the committees.

THE SECRETARY

1. The Secretary keeps the minutes of Board meetings and the Annual Meeting. He or she notifies the Membership of upcoming general and special meetings of the Association.
2. The Secretary keeps the Corporate Seal of the Association, files old membership certificates, and issues new Certificates in collaboration with the Board of Directors and the Membership Committee.
3. The Secretary types and distributes the Annual Reports and the Membership Directory, which is updated annually and published after the Annual Meeting in June.
4. The Secretary keeps a record of all nominations at the Annual Meeting, and the vote received by each candidate.
5. In the case of the absence or inability of the Secretary to act, the President may appoint a pro-tempore Secretary.

THE TREASURER

1. The Treasurer is responsible for the receipt of all funds of the Association and their deposit in an insured financial institution in the name of the Association, subject to the approval of the Board of Directors (Constitution VII, K). The Treasurer also is responsible for the distribution therefrom in such manner as the Board of Directors or the Association directs; provided, however, that the Board of Directors may authorize other Officers of the Association to make distribution from said funds.
2. It is the Treasurer's responsibility to keep the books on all his or her financial receipts and expenditures of each fund, and to present monthly written statements of such financial transactions at each of the regular meetings of the Board of Directors and at the Annual Meeting of the Association. Every five years the Treasurer shall prepare the books for auditing by a CPA, and intervening years by an Auditing Committee appointed by the PFLA Board of Directors. The Treasurer is responsible for distributing the CPA's statement to the Board and his or her annual report to the Membership.
3. The functions and responsibilities of the Treasurer are outlined in greater detail in "PFLA Treasurer's Operating Manual." which describes how PFLA is using QuickBooks, payroll and Federal, State, and Local tax payments, and schedule of payments.
4. The Treasurer keeps a detailed record of each Membership in regard to its perpetual use of a lot or parcel of the Association grounds. It is the responsibility of the Treasurer constantly to update this record, as memberships are acquired or sold, and as additional lot(s) may be acquired.

5. Based on this record, the Treasurer issues and mails to each member an annual statement of dues, assessments or other indebtedness to the Association, and indicates when such payments are due.
6. The Treasurer receives all payments of dues, fees and assessments and records them in QuickBooks under accounts receivable.

FINANCIAL SECRETARY

The Treasurer can have a member assistant as needed. Roles could include: depositing funds in the bank, writing checks for payment, conduct payroll, record the receipt of some funds and post transactions appropriately in the Association's financial management software system.

COMMITTEE FUNCTIONS AND RESPONSIBILITIES

According to the By-Laws of PFLA, "a committee shall be appointed by the President of the Association and approved by the Board of Directors, as necessary, for the operation of the Association."

The chairperson is appointed by the President and committee members are selected by the chairperson in consultation with the President. Committee members must be PFLA members.

New chairpersons are to meet with their predecessors upon their appointment for an effective and facilitated leadership transition.

EXECUTIVE COMMITTEE

Officers of the Association (President, Vice President, Secretary and Treasurer) will serve as the Executive Committee.

BEACH AND RECREATION COMMITTEE

The general functions of the Committee are to evaluate the need and provide for recreation for all ages, and to provide a neat, clean and safe facility which meets the state requirements. The Beach and Recreation Committee is in charge of the following specific functions:

Beach:

1. To hire a qualified lifeguard and, if possible, a relief lifeguard to allow for double coverage on weekends and one day a week free for the full-time worker.
2. To determine beach hours and see that signs are posted at the beach stating them. Signs should also indicate when guard is on duty and off duty.
3. To review beach rules and see that they are (a) posted at the beach and (b) enforced by the lifeguard.
4. To maintain beach equipment: boat and oars, back board, crook, life preservers, first aid kit, and any other equipment which might be necessary for the work of the lifeguard.
5. To keep the beach neat and clean: (a) have new sand provided if necessary, (b) have lifeguard rake beach each day, (c) see that weeds are removed in the spring (below the wall, primarily), (d) have bushes on bank trimmed if necessary.

Opening Day Picnic

This activity is a PFLA Board activity. In order to make sure plans are made, the Beach and Recreation Committee should be sure someone is appointed to be in charge.

Recreation:

1. Plan and supervise the Annual Dinner, to be held in the spring in conjunction with the annual clean-up day: (a) send out reservation forms with the spring newsletter (April 1); (b) negotiate with restaurant for menu, price, etc. during the previous fall); (e) plan for a program at dinner, if any; (d) collect money and submit it to the Treasurer.
2. Plan and supervise weekly activities during the summer: (a) either hire personnel or obtain volunteers to provide activities; (b) determine need (such as number of children, young adults, and adults to be served); (c) provide adequate equipment and supplies for activities; (d) coordinate with the Property Committee any large projects having to do with recreation.

COMMUNITY RELATIONS COMMITTEE

The function of the Community Relations Committee is to keep the Board and the Association aware of any local changes, problems and/or requirements of Paradise Township and/or Monroe County.

The Committee also encourages those members whose principal residence is in Paradise Township, Monroe County, to become local voters, to become involved in local issues that benefit PFLA and the Community.

ENVIRONMENTAL COMMITTEE

The responsibilities of the Environmental Committee include but are not limited to the following:

1. Assuring the continued quality and recreational use of Crawford Lake and Paradise Stream by conducting periodic testing of the lake and stream waters and monitoring upstream uses/development/discharges. The Environmental Committee [EC] shall work with the Property Committee to contract and monitor scheduled dredging of the lake as approved by the Association to improve the water quality and continued recreational use of Crawford Lake. The Environmental Committee shall also work with the Community Relations Committee in monitoring up stream development, community wastewater treatment plants, and other potential impacts on the quality of Crawford Lake and Paradise Stream. The Environmental Committee shall support/organize local committees, groups, letter-writing campaigns, political action to minimize /control impacts to the quality of the lake and stream.
2. Working with the Property Committee to provide needed information and support for the PFLA recycling program and other programs to manage properly the Association's solid waste.
3. Providing information to the Board of Directors and the Association on local environmental issues, committees, and concerns that affect the environmental quality of the Association and surrounding community. Support local environmental committees and groups that help to provide a greater political voice on important environmental issues affecting PFLA. Such organizations include the Brodhead Watershed Association.
4. Working with the Long-Range Planning Committee in developing for the Association a land use plan that considers protecting the environmental resources of PFLA and potential future uses and needs of the Association.

5. Maintaining and promoting the Association's trail system, including developing new trails and modify existing ones as needed.

The above responsibilities are provided as a guidance for the Environmental Committee and should be periodically updated /expanded with input from other Committees, the Board, and members, with input from other Committees, the Board of Directors, and members of PFLA.

FINANCE COMMITTEE

The Finance Committee at Paradise Falls Lutheran Association is composed of a Chairperson, the Treasurer, and such others as deemed necessary.

Its basic function is to oversee the finances of the Association and, in concert with the Board of Directors, to make financial decisions in the best interests of the Association for its ongoing work. In this connection, the Finance Committee will:

1. Consult with, and if necessary, advise the Treasurer on any accounting problems which develop.
2. Annually, direct the Treasurer to prepare the books for compilation, review or audit and furnish a report to the Board and the Association at its Annual Meeting.
3. Annually, obtain from the various committees of the Association their financial requirements for the year and prepare a budget, which is then approved by the Board and subsequently by the general membership at its Annual Meeting in June.
4. Work with any committee or group of the Association, when requested, to provide whatever financial help or advice that may be required.

HUNTING AND FISHING COMMITTEE

The Hunting and Fishing Committee is responsible for stocking the lake and stream, and for enforcing the Association's hunting and fishing regulations.

LONG-RANGE PLANNING COMMITTEE

The Long Range Planning Committee's role is (1) encourage other committees of the Board to develop long-range plans in their areas of responsibility; (2) engage in research and provide background information for informed decisions by the Board and the Association; and (3) develop and recommend long-range plans to the Board and the Association pertaining to the life and property of the Association.

The Committee consists up to five persons: Chair, who is a member of the Board of Directors; one member of the Finance Committee, one member of the Property Committee and two Association members at large, which may include Board members. The Committee may request the assistance of consultants in carrying out its work with permission of the Board. The President of the Association is a de facto member of the committee.

The Long-Range Planning Committee reports to the Board as requested and to the annual meeting of the Association.

MEMBERSHIP COMMITTEE

The responsibilities of the Membership Committee (the "Committee") involve: coordinating the acquisition of a Membership and its affiliated cottage by recommendation of prospective Members (hereafter: "Applicants" or "Purchasing Member") to the PFLA Board of Directors; maintaining the records of the Committee; recommending additions to an existing Membership; coordinating sale of additional lots to an existing Membership, and familiarity with those sections

of the Constitution and By-Laws relating to Membership which would allow Committee Members to accurately answer questions from current and potential Members. Complete summaries of each of these areas of responsibility are described below.

Application Process and Membership Sales

The application process is an involved and detailed process which allows PFLA some degree of control of Membership. Occasionally the steps may vary in the timing of the sale of a membership, but the following is a description of the process as it generally occurs for new prospective members.

1. The Committee shall be kept informed by PFLA Members of any desire to sell a membership and the Committee shall maintain a list of memberships which are for sale.
2. Any and all "For Sale" signs posted by a selling member must say "Membership for Sale", and be provided by PFLA. "House for Sale" signs are not allowed. These signs must be posted on the selling Membership lot only.
3. If formally requested by the Selling Member, the Committee will assist in showing the cottage for an annual fee of \$100, if the Selling Member agrees to abide by all procedures and regulations of the Membership Committee. The Committee does not act as a broker or agent, but simply provides access to the cottage through the Committee when the Selling Member cannot be on the grounds for that purpose.
4. There is a Transfer of Membership fee when a Membership is sold. This is generally paid by the Purchasing Member.
5. Upon being contacted by either the Selling Member of a Membership or an Applicant, the Applicant must be provided with an application for membership in PFLA. This shall be completed as indicated with the signatures of three members-in-good-standing of PFLA who are sufficiently acquainted with the prospective member to form a judgment that they would be an appropriate addition to the PFLA community, and will serve as sponsors for the Applicant(s). A member of the Membership Committee cannot serve as a sponsor, and sponsors must be from separate memberships. At this time the Applicant is to be advised by the Committee of the application process, the transfer of membership fee, the operation and structure of the Association, asked why they want to be a member of PFLA, agree in a signed affidavit they will support PFLA by participating in PFLA community life as a condition of membership. The applicant and all those individuals intending to be included in the membership must have spent a minimum of one week or three weekends at PF during the season as renters or guests to become acquainted with Paradise Falls and its members, and for members to become acquainted with them.
6. A copy of the PFLA Manual shall be provided to the Applicant for reading.
7. After review of the completed application form, the Committee will interview the Applicant(s) so that both the Committee and the Applicant(s) become better acquainted, for a review of the Applicant's ability to meet the requirements of membership, for any other questions to be answered, and to ascertain that the Applicant has read and understands the contents of the Manual. All individuals included in the membership application must participate in the interview.
8. A separate Membership Committee meeting will be held with each of the three sponsors of the applicant(s) to ascertain the depth of their knowledge and familiarity of the applicant(s), and a discussion on how the Applicant(s) has the ability and willingness to contribute to, and participate in the life of PFLA.
9. A background and credit check of the Applicant(s) will be conducted by the Committee.
10. The Applicant(s) must submit a signed confirmation to the Committee stating they received and read the Manual and that they agree to and will abide by its terms.

11. Following these meetings, receipt of the signed affidavit and confirmation, and completion of the background and credit checks, the Committee shall recommend to the PFLA Board either approval or disapproval of the Applicant. Membership is approved with a 2/3 affirmative vote by the Board of Directors. The Committee shall ascertain that all fees, dues, liens, and other obligations of the selling membership have been paid. Payment of all outstanding liens, fines, dues and assessments on the Membership being sold must be satisfactorily settled prior to a transfer of membership.
12. Membership will be contingent upon the consummation of the Applicant's purchase of the existing Membership and its affiliated cottage.
13. Upon approval by the Board, the Committee shall inform the parties of the decision and arrange for the Transfer of Membership. This meeting shall occur on the grounds of the Association (or a mutually agreed location) and shall be attended by the Selling Member, the Purchasing Member and an officer of the Board.
14. At the Transfer of Membership (a) the old Membership Certificate(s) shall be signed over to the Purchasing Member from the Selling Member and then surrendered to the Board representative, who will forward it to the Committee Member maintaining the file of old, invalid Membership Certificates (b) the one-time Transfer of Membership fee shall be paid.
15. A new Membership Certificate shall be issued and delivered to the Purchasing Member reflecting the Purchasing Member's Membership in PFLA.
16. Though there may be many individuals listed on a Membership Certificate one individual is to be designated by the Membership to receive statements for membership dues, fees and assessments and be responsible for their payment.
17. Actual closing on the sale of the Membership may occur at the Transfer of Membership or at a later date. Price and financing arrangements are strictly between the Selling Member and the Purchasing Member.
18. Once closing on the sale of the Membership has been completed, the Chair of the Property Committee and the Caretaker is to be notified of the sale.
19. The Committee shall inform the Board of the completion of the transactions.

Maintenance of Records

The Committee Chairperson shall maintain the records of the Committee to include the following:

1. A correspondence file of all communication from and to the Committee.
2. A file of completed application forms. A copy of each completed application form approved by the Board should be forwarded to the Committee Member maintaining the file of old, invalid Membership Certificates.
3. A file of reports submitted to the Board of Directors.
4. A file of minutes of the meetings of the Committee.
5. A supply of blank Membership application forms, copies of the PFLA Constitution and By-Laws, and the PFLA Rules and Regulations.

Additions to Current Memberships

Frequently, members will ask to have children, grandchildren and other family members added to their Membership. Once having received such a request the Committee should proceed as follows:

1. Persons added to an existing Membership must meet the requirements of Membership as stated in the PFLA Constitution under Article V, Section C and Article IV, Section E of the By-Laws.
2. If this requirement is met, the Member should be provided with a Membership application form(s) to be completed by the person(s) to be added to the Membership.
3. When the application is received in good order, the Committee shall make a recommendation to the Board after meeting with the applicant.
4. Upon approval, the Committee shall inform all parties of the Board's decision, and the Committee shall arrange to have the old Membership Certificate(s) surrendered and the new Certificate(s) issued and delivered, which Certificate(s) shall include the name of the new Member(s).

Acquisition of Additional Lots

Periodically the Committee may be approached by Members who wish to acquire additional lot(s) adjacent to the lot(s) on which their cottage is located. These lots would be acquired under the terms outlined in the Constitution Article V (A), and as such are for the perpetual use of the Membership, but are not owned by the Membership. The price of an additional lot is \$3,000, but it can be changed by a vote of the Board of Directors. When this occurs, the Committee, acting in conjunction with the Property Committee, should proceed as follows:

1. Verify that the Member making the request will not exceed the limit of five (5) total lots per Membership with the addition of the desired lot(s) to the Membership. Be certain to advise the Member that there will be an additional annual fee for taxes on the new lot(s).
2. Check to be certain the lots requested for acquisition are not on the list of lots to be held for PFLA which are not available for acquisition by individual members.
3. If the requirements of 1 and 2 above are met, check with the Member(s) whose membership includes the lot(s) adjacent to the lot(s) being considered for acquisition and determine whether they would object to the acquisition.
4. If such Member(s) holding use of the adjacent lots as part of their membership do not object, present the request to the PFLA Board for approval or disapproval.
5. Upon approval, the Committee shall inform the Member making the request of the Board's decision. Once payment for the additional lot(s) has been received, the Committee shall arrange to have a new Certificate(s) for the designated lot(s) issued and delivered.
6. In hardship cases (i.e., a Member must install a new septic system) the requirements of numbers 1-3 of this section may not apply.

The responsibilities of the Membership Committee involve: coordinating the acquisition of a Membership and its affiliated cottage by recommendation of prospective Members (hereafter: "Applicants" or "Purchasing Member") to the PFLA Board of Directors; maintaining the records of the Committee; recommending additions to an existing Membership; coordinating sale of additional lots to an existing Membership and familiarity with those sections of the Constitution and By-Laws relating to Membership which would allow Committee Members to answer accurately questions from current and potential Members. Complete summaries of each of these areas of responsibility are described below.

NOMINATING COMMITTEE

The Nominating Committee keeps a record of the PFLA Board of Directors' names and their terms of office and eligibility for reelection. Board members are elected to serve a three (3) year term and may be reelected for another three years. The Committee contacts PFLA members suitable for service on the Board and seeks to obtain their willingness to run for office. Having obtained their consent, the Committee announces their names for nomination at the Annual Meeting of the Membership in June. The Committee prepares voting slips and asks also for nominations to be made from the floor, with the prior consent of such nominees. Votes may be counted by the Committee or any other person designated by the President of the Association.

LADIES AUXILIARY

All women of Paradise Falls Lutheran Association are automatically members of the Ladies Auxiliary. Dues are a free-will donation. The Auxiliary's President, Vice President, Secretary and Treasurer form the Executive Committee to run the Auxiliary.

The Ladies Auxiliary is responsible for the use of the Adult Lounge. It keeps the facilities available for use by all members of PFLA. The building can be used for arts and crafts, bridge, Bible studies and discussion groups, committee meetings, exercise groups, and many other social activities. The Adult Lounge may also be rented by members for private use. Any changes in the use or maintenance of the lounge must be approved by the Auxiliary.

Rules and regulations for using the Adult Lounge are to be found in the Rules and Regulations section of this manual under Adult Lounge.

The Ladies Auxiliary also sponsors special events. Past activities have included a PFLA cookbook and a "Paradise Falls Quilt." It is their aim to sponsor programs that are appealing to all adults at PFLA and to foster a feeling of fellowship in a congenial Christian atmosphere.

THE PARADISE FALLS FUND COMMITTEE

The functions and responsibilities of the Paradise Falls Fund Committee are stated in this Manual in the chapter "Paradise Falls Fund".

SECURITY AND CONSTRUCTION OVERSIGHT COMMITTEE

The purpose and responsibilities of the Security and Construction Oversight Committee are as follows:

1. Overseeing the security of the Association grounds and Members' properties from trespassing and vandalism.
2. The Committee is responsible for receiving, reviewing and recording all submitted "Membership Building Permits" and, after verifying its proper completion, will forward the forms to the Property Committee for further evaluation.
3. Upon notification by Association Members or the Caretaker of any construction on Members properties for which there is no "Membership Building Permit" on record with the Committee or authorization provided by the Board of Directors, the Committee will investigate the matter and report all findings to the Property Committee and the Board of Directors for further action.
4. The Security and Construction Oversight Committee reports to the Board as requested and to the Annual Meeting of the Association.

PROPERTY COMMITTEE

Responsibilities of the Property Committee

A. Appointments

The Property Committee shall be made up of a chairperson and several committee members selected by the chairperson. So that the Committee's responsibilities may be fulfilled effectively, it would be advantageous if the chairperson and some of the committee lived on the grounds year round.

The Property Committee's responsibility is to oversee and maintain the Association's physical facilities, grounds, and common space, and to assure that the same are maintained in an attractive and safe condition. The Property Committee is accountable to the Board for the employment and performance of a Caretaker and any other employees or contractors engaged by the Committee to maintain and/or improve the Association's physical facilities. The required qualifications of any hired Caretaker are provided in the PFLA Employee Handbook.

The Committee is to submit a budget to the Finance Committee for inclusion in the Association's Annual Budget. The Committee's budget is to be based upon a prioritized list of projects, approved by the Board of Directors, and upon a best estimated cost. When seeking contractors for completion of construction, maintenance or other contracts, at least three bids are desired, but not required. A sole bid contract is allowed with contractors with which the Committee has a favorable working experience, and for small projects.

B. Guidelines and Priorities

The Property Committee shall plan, implement, and oversee its fall, winter, spring, and summer requirements. The Committee shall establish basic guidelines, priorities and duties for the smooth operation of the Association's property and physical facilities, including specific guidelines and priorities for the Association's Caretaker and his or her assistant(s) or a Contractor that performs the duties of a caretaker. These guidelines, priorities and duties shall be submitted to the Board of Directors for review and approval.

C. Effective On-Grounds Supervision

The Property Committee chairperson shall personally supervise the work of the Caretaker or Contractor (referenced as the Caretaker in this Manual). If the chairperson does not live on the grounds, or is for some other reason unable to supervise the Caretaker, he or she shall appoint one person who will serve as the Caretaker's Supervisor.

D. Effective Communication

All members of the Property Committee and the Association President shall receive notification of the time and place of regular monthly Property Committee meetings. They shall also receive all communications pertinent to the work of the Property Committee and to the work of the Caretaker. When needed, the Caretaker's Supervisor (if other than the Committee chairperson) and, if necessary, the Caretaker/Contractor, shall be asked to attend the Property Committee meetings. At all Property Committee meetings the Minutes shall be kept for the permanent record of the Committee's work and decisions.

E. Review of Caretaker's Performance

The Caretaker's workload shall be reviewed by the Property Committee at scheduled monthly meetings, or more frequently if required. An evaluation shall be made of his work performance,

attitude and compliance with the committee's directives. The Caretaker's Supervisor shall provide the Board of Directors with an annual review of the Caretaker's performance, along with a recommendation for any increase in salary and/or bonus no later than the November Board meeting. The Board shall consider this review and recommendation before implementing any salary increase. Any written review made with Board of Director's revisions should be maintained in a personnel file.

If the committee concludes that the Caretaker's employment should be terminated, such recommendation shall be presented by the chairperson to the Association President, the Executive Committee, and the Board of Directors for appropriate action. Under normal circumstances, the Property Committee or the Caretaker is expected to give one month's, but no less than two weeks' notice of termination.

F. The Committee's Budget

At regular monthly meetings, the Property Committee shall review its budget against actual expenses and work within the limits of the approved budget. Should any unusual extra expenses be incurred, the Property Committee shall notify the Finance Committee.

The Property Committee shall make recommendations to the Finance Committee for the Association's Annual Budget for the coming year during the month of March.

G. The Committee's Reports to the Board

The Property Committee shall submit oral or written reports at the regular meetings of the Board of Directors. It shall also present any requests for unusual or major capital expenditures to the Board for approval.

H. The Committee's Report to the Association

The chairperson shall submit a written annual report of the Property Committee's work for inclusion in reports to the Association at the Annual Meeting in June.

I. Annual PFLA Clean-Up Day

The Property Committee shall designate a chairperson to organize, plan and run the Annual PFLA Clean-Up Day. This chairperson and the Caretaker will be present to organize, supervise and coordinate the overall work effort on the Clean-Up Day.

Responsibilities of Association Members in Relationship to the Property Committee and Caretaker

For good order and for the efficient operation of PFLA, lines of accountability and communication have been established within the area of responsibility of the Property Committee. This includes all employees and contractors who are under the Committee's responsibility for supervision. Association Members are asked to honor these lines of accountability and communication in fulfilling their own needs and responsibilities.

A. Lines of Communication

It is the responsibility of Association Members to bring all creative suggestions, constructive criticism, and personal requests that relate to the Property Committee to that body.

Association Member suggestions, criticism and requests that relate to the Caretaker and his or her assistants must be addressed to the Caretaker's Supervisor (the Property Committee

Chairperson or his or her designee). If a Member's problem cannot be resolved by the Supervisor, he or she will pass the matter on to the Property Committee and Board of Directors for resolution.

The only exceptions in this chain of communication are: (a) in the case of an emergency when immediate action by the Caretaker, during his working hours, would prevent extreme hardship or damage to property, injury or loss of life; or, (b) if a member notices vandalism or a break-in in an unoccupied cottage, and immediately notifies the Caretaker or his Supervisor of the problem.

Responsibilities of the Caretaker's Supervisor

For good order, as well as for clear lines of accountability, the PFLA Caretaker shall report directly to the person designated as his Supervisor. That Supervisor shall be the Property Committee Chairperson, or an individual designated by the Property Committee Chairperson and approved by the Board of Directors.

A. Qualifications of the Supervisor

He or she must have the ability to plan and to oversee the work of the Caretaker. A thorough understanding of the Caretaker's job requirements is essential for the Supervisor. Experience in or exposure to maintenance operations is desirable.

In addition, and of utmost importance to the position, the Supervisor must be able to relate well with people. Of equal importance to the Supervisor are the skills necessary to plan, oversee, and evaluate the Caretaker and all aspects of the work of the Caretaker and of any part-time employees.

B. Responsibilities of the Supervisor

The Supervisor shall meet regularly with the Caretaker. In addition, he or she maintains and reviews the Caretaker's daily work reports. Based on thorough knowledge of the Caretaker's general, seasonal and daily duties, the Supervisor will assist the Caretaker in prioritizing and in planning.

Since the Supervisor is accountable to the Property Committee and Board of Directors, he or she will make the Caretaker's work reports and time sheets readily available to those bodies for review.

In addition, the Supervisor is responsible for keeping a record of the Caretaker's vacation and compensatory time and forwarding those records to the Board upon request by the Board. He or she also is the person to whom the Caretaker entrusts a phone number or address where he or she can be reached in case of emergency when he or she is absent from the PFLA grounds for an extended period of time, for whatever reason.

Any complaints or grievances of Association Members that concern the Caretaker are to be addressed to the Supervisor. The Supervisor will either resolve the issue brought to his or her attention or he or she will report the complaint or grievance to the Property Committee and the Board of Directors.

RELIGIOUS ACTIVITIES COMMITTEE

The members of the Religious Activities Committee are committed to maintaining Paradise Falls Lutheran Association as a community based on Christian values.

Prior to the summer season, a memorial worship service is held the Sunday of Memorial Day week. The Caretaker is responsible for preparing Social Hall for this service.

During the summer season, guest pastors conduct regular weekly Sunday Services and provide

one other learning or worship event through the week. These pastors are either suggested by PFLA members or selected by the Committee. The list is presented to the Membership in the Committee's report for the Annual Meeting in June. Also, a pianist(s) is secured for playing the liturgy and hymns. Holy Communion is celebrated the first Sunday of July, August and September.

For each worship service, the Committee is responsible for the following:

1. To make requests for altar flowers (a Flower Chart is posted).
2. To have the Social Hall swept inside and at the entrance, chairs arranged for the worship service, etc.
3. To have the bulletin typed (containing also a brief resume of the guest pastor for that particular Sunday) and placed in the hymnals to be passed out to worshippers.
4. To make requests for ushers to help pass out hymnals and bulletins, receive the offering, and help at the two communion services.
5. To have the offering counted after the service and delivered to the Financial Secretary of the Association.
6. To obtain volunteers and/or contract with a cleaning service for the Pastor's Apartment.

Paradise Falls Lutheran Association provides for the guest pastors and their families the Pastor's Apartment in Social Hall, so that they may enjoy fishing, walking and other activities in the Poconos with us. The Committee is responsible for maintaining the apartment in a neat and clean manner.

Weekly Bible studies or other discussions, usually led by a guest pastor, take place in the Adult Lounge during the season. The Committee also encourages members of PFLA to serve as study leaders for adult or youth programs.

The season closes with a final worship service of thanksgiving at the Lake on Sunday evening of Labor Day weekend.

Everyone at PFLA, member or guest, is encouraged to participate in programs and activities of Christian growth and renewal.

TEA ROOM COMMITTEE

The Tea Room Committee is responsible for a great many details in setting up the Tea Room, maintaining it during the season, and closing it on Labor Day.

**RULES AND REGULATIONS OF
THE PARADISE FALLS
LUTHERAN ASSOCIATION**

**PARADISE FALLS, CRESCO, PENNSYLVANIA
18326**

RULES AND REGULATIONS

The Paradise Falls Lutheran Association is a community. Over the years, its seasonal character has changed. Because of this, it is appropriate to review and, where applicable, revise previous printings of rules and regulations.

As in all communities and organizations, rules are necessary for greater harmony. All of us desire the best for Paradise Falls; therefore, it is important that each person involved with our Association adhere to these rules and work with the Board and its committees to promote the welfare of Paradise Falls Lutheran Association.

This private association is governed by the Board of Directors, consisting of 15 members elected from among the members in good standing at the Annual Meeting of the Membership (usually the last Saturday in June) for periods of three years. The Board of Directors in turn elects its officers and appoints committees to provide routine supervision of its functions in accordance with the Constitution, By-Laws, and directives of the Membership at their meetings, as well as regulations and traditions of PFLA. A list of the officers and committees is communicated to the members and guests of PFLA through *The Spray and Spritz*, our monthly and weekly publications of activities during the summer season, and through special communications as occasion warrants. Many notices will also be found on the Bulletin Board at the Gate Lodge (Tea Room) and the Ladies Lounge.

THE SEASON

The summer season extends from the last weekend in June through Labor Day, the first Monday in September. During this period, the Tea Room is operational, lifeguards are available, a social director may be in attendance, and activities for various ages are planned.

FIRST AID KITS AND CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

There is a first aid kit in the Tea Room, in the beach house, one in the Sacristy at the back of Social Hall and in the Lounge. These are to be checked and renewed each spring. The beach kit should be brought into a warm, dry place for the winter. An AED is in the Ladies Room in Gate Lodge.

TELEPHONE

Members are advised to prominently display emergency numbers in a convenient location in their cottage. The number of the Caretaker/Association office is (570) 629-0442, in general, to be used for emergency use only. A Membership Directory with phone numbers is updated at least annually. The Caretaker should be notified immediately after a 911 call is made. Members are encouraged to communicate with PFLA via e-mail at pflainfo@yahoo.com.

MOTORIZED VEHICLES AND BICYCLES

1. Our roads are built for occasional and not habitual use; our parking facilities at the beach and Center are smaller than our needs. Please cooperate in limiting vehicular use within the Association.
2. All drivers are required to obey the posted speed limits.
3. Only licensed drivers may drive on roads maintained by Paradise Falls Lutheran Association. Licensed means: (a) for residents, a currently valid license of the Commonwealth of Pennsylvania, or (b) for transients, a currently valid license from their home state, province, or country.

4. Licensed (when required by law) automobiles, jeeps, trucks, golf carts, bicycles, mopeds, ATVs, and motorcycles only are allowed on Association roads. Loud motor vehicles are strongly discouraged. Motorized vehicles and bicycles are not to be used on footpaths, hiking paths and forested areas of Association property, as they cause trampling of shrubbery, destruction of healthy young trees, and erosion. The Property and Environmental Committees may use motorized vehicles on the trails for trail maintenance.
5. All motorized vehicles are limited to 10 miles per hour, and where posted, 5 miles per hour. A letter notifying drivers exceeding the speed limit will be sent by the Board. A fine may be levied against second time offenders.

ASSOCIATION PROPERTY, RIGHTS-OF-WAY, PROJECTS, AND ACCESS

1. Members shall not obstruct Association rights-of-way with obstacles or items of any sort (such as, but not limited to structures, stone walls, signs, stakes, landscaping, rocks, or debris). Items placed in Association rights-of-way by a member must be removed by that member upon written notice by the Board or Property Committee, or the obstacles are subject to removal by the Property Committee, with all incurred costs to be reimbursed by the member to PFLA, alternatively, a fine or series of fines may be levied against the Membership if the items are not removed upon request by the Board. The Association has the right to keep its rights-of-way clear and unobstructed at all times. PFLA rights-of-way are as defined in the February 27, 2001 *Lands of Paradise Falls Lutheran Association Record Plotting and Monuments (June 2001, revised version)*.
2. The Association has the right to conduct work; including tree and shrubbery removal and pruning, drainage and road improvements, erosion control, and trail building on its property, including its rights-of-way, and members shall not obstruct, or interfere with the Association from conducting such work. Members will be notified by the Property Committee with appropriate advance notice when they will conduct the work.
3. Members are not permitted to store or keep any personal property on Association property, such as trailers, campers, boats, cars, trucks or other large items without permission from the Board of Directors.
4. Members are not allowed to construct or renovate trails on Association property, or make any other alterations to Association property without permission from the Board of Directors.
5. Members are not permitted to build or locate any structure, storage tanks, or other items, or place refuse on Association property.
6. PFLA may do all necessary tree removal, drainage and other work in its rights-of-way.
7. Members shall allow the Association free and unencumbered access on their allocated lots for Association-related work, and access to adjoining Association property. Memberships will be notified in advance of any such work.
8. Members shall allow free and unencumbered access to their allocated lots by utility workers, including those from telephone, cable and electric companies.

TRAILS

1. All new trails or expansion of any existing trails by members must be provided for review and approval to the Property Committee and then the Board of Directors prior to their development.
2. Trail work that comes within 75 feet or runs through a member's lot will require notice to the affected members prior to approval. It is understood the Association has right of way privileges for all lots. Members' lots shall not be entered during any trail planning or other work without first notifying the members affected.

3. Trail work requests by members should include:
 - The purpose of the trail
 - The envisioned users of the trail
 - A statement regarding possible use of the trail by neighbors to PF or others from outside PFLA
 - A statement on any required maintenance
 - An indication if the trail is visible to any memberships or public roads
 - An estimate of the time required to complete the proposed trail work
 - A listing of all costs to the Association for the trail development

SIGNAGE, FLAGS, BANNERS AND FENCES

1. Any and all “For Sale” signs posted by a selling member must say “Membership for Sale”, and be of a design and size approved by the Board. “House for Sale” signs are not allowed.
2. “No Trespassing” and, “No Hunting” signs, or other property postings may only be conducted by PFLA. Members may not post their own signs.
3. Political or campaign signs may not be installed by members on their lots or on Association property in the interest of community harmony.
4. Fences, including fenced enclosures, shall not be constructed without prior written approval from the Board of Directors and the Security and Construction Oversight Committee and submission of a completed construction application to the Committee by members, as needed. As a minimum, fences need to conform to Township regulations and not detract from the appearance of PFLA. Solid fencing is not permitted, and chain link fencing is not permitted except as pet enclosures in a portion of a member’s lot.
5. The posting of any sign by or with the consent of a member of Paradise Falls Lutheran Association on Association grounds which would invite the public to enter upon our grounds or a portion thereof is prohibited without the prior formal consent of the Board of Directors.
6. Business related signs are not permitted on members’ lots or cottages.
7. Flags, banners, posters, signs or other display items that provoke controversy, disturbance or distress within the PFLA Membership are not allowed on Association grounds or to be placed on, or flown from member’s cottages, outbuildings or lots. Such items must be removed immediately upon notice from the Board of Directors.

FISHING REGULATIONS

Our lake and stream provide good fishing for trout, bass, and similar fish. They are stocked anew each year before the fishing season.

1. Members, guests and renters of any age wanting to fish in the lake or stream must register annually at the designated PFLA cottage by presenting a current Pennsylvania fishing license (16 years of age or older) and receiving a badge (no charge for members). The designated cottage will be published in the *Spray* and *Spritz*.
2. All persons fishing on Association grounds must adhere to the Pennsylvania Fish and Boat Commission laws.
3. Guest fishing buttons will be issued at the designated PFLA cottage after prepaying a fee of five dollars (\$5.00) per day and presenting a current PA fishing license. (Under age 16 there is no daily fee, but a returnable \$5 deposit on the badge is required.) If the designated PFLA representative is unable to issue badges, members and their guests may contact the Caretaker to receive badges.

4. Before fishing, a guest must have a member sponsor on the grounds that will be responsible for explaining the PFLA fishing rules and regulations, and their conduct.
5. Only standard fly rods, fly reels, fly line with artificial flies, and streamers constructed of natural or synthetic materials are allowed in the stream between the dam and the Falls (no spinning and casting rods and reels, worms, spinners, spoons, eggs and bobbers allowed).
6. Paradise daily limits: Four (4) fish from the lake or two (2) from the stream and the base of the Falls, with minimum of 8-inch length at either location.
7. Guest pastors preaching at PFLA during July and August and staying in the PFLA apartment (as well as their spouses and children) shall be permitted to fish without fee; however, they must register at the designated PFLA cottage, present a current PA fishing license, receive and wear a guest badge, and follow PFLA fishing regulations.
8. Members, guests and renters must visibly wear their PFLA badges at all times while fishing.
9. Failure to comply with the above-stated regulations will result in the following actions:
 - First offense: Warning only with full knowledge of the Board of Directors.
 - Second offense: Possible loss of fishing privileges during the current season up to permanent loss of privileges, depending on the recommendation of the Hunting & Fishing Committee and the decision of the Board of Directors.
10. Memberships not in good standing do not have fishing privileges.

HUNTING REGULATIONS

Paradise Falls Lutheran Association has an active animal population in its woodlands, especially deer, bear, turkey and small game. Because this is essentially a residential community, strict regulations concerning hunting are in effect.

1. All persons hunting on the first day of regular deer season are required to attend the general meeting held the Sunday evening before to explain where on the grounds they will be hunting. All persons hunting on Association grounds are required to adhere to Pennsylvania Game Commission laws and all other Pennsylvania laws.
2. The Caretaker shall have hunting and fishing privileges on Association grounds.
3. Memberships not in good standing do not have hunting privileges.
4. A guest hunter must receive a guest badge at the prepaid fee of ten dollars (\$10.00) per day, paid in advance before the guest can hunt on the grounds, through the Hunting and Fishing Committee.
5. Member hunters are limited to one (1) guest per membership, and the identified Pennsylvania-licensed PFLA member sponsoring the guest must be present on the Association grounds while the guest is hunting.
6. Any game illegally killed by accident or intentionally must be reported to the designated PFLA cottage or a member of the Hunting & Fishing Committee and the local game warden.
7. Any hunter (member or guest) who is caught in the act of hunting without a current PA hunting license, killing game illegally, or destroying/damaging property will lose the privilege of hunting on Association property in the future.
8. Each hunter under the age of sixteen (16) must meet and follow the Pennsylvania hunting regulations and be accompanied by one (1) adult member with a current PA hunting license during the hunt (one-on-one).
9. Both members and guests must visually wear their PFLA badges at all times while hunting.

10. In conformance with Pennsylvania State law, a firearm cannot be discharged within 150 yards of a residence.
11. It is the responsibility of all members to support the PFLA hunting regulations by notifying a member of the Hunting and Fishing Committee of any violations.
12. Failure to comply with the above-stated regulations will result in the following actions:
 - First offense: Warning only with full knowledge of the Board of Directors.
 - Second offense: Possible loss of hunting privilege during the current season up to permanent loss of privileges, depending on the recommendation of the Hunting and Fishing Committee and the decision of the Board of Directors.

FIREARMS AND WEAPONS

The discharging of any firearm on Association property or membership lots is forbidden, except for hunting purposes during the hunting season, as prescribed by the Hunting and Fishing Committee.

Use of firearms on Association grounds, including Membership lots must comply with the regulations in force by the Commonwealth of Pennsylvania and Paradise Township.

Absolutely no firearms or weapons may be carried by anyone on Association grounds under any circumstances, except while hunting and specifically permitted by the Fishing and Hunting Committee.

THE LAKE

The lake, the stream, and the Falls form perhaps our most valuable recreational facility. Enjoy them thoroughly. Rules for the use of the beach and swimming area are posted there and are designed for your benefit and safety. The beach is open to all members in good standing, their guests and renters. Lifeguards are generally on duty during the summer season during the afternoons when there is beach and swimming weather. Hours when the lifeguard is on duty are usually announced in *The Spray or Spritz*. The beach is closed for swimming in the absence of a life guard. Swimming is at one’s own risk at these times.

1. Children under 10, if in the water, should be supervised by an adult or they will be asked to leave.
2. Persons under the age of 18 must use the “buddy” system (swimming in two’s) when swimming beyond the rectangle formed by the docks. Person’s over the age of 18 are encouraged, but not required to have a “buddy”.
3. All persons under 16 on floats between the ropes and the end of docks must have passed the 2-laps test and must adhere to the "buddy" system. All persons under 16 on floats beyond the rope and the end of the docks must have passed the 5-laps test and must adhere to the "buddy" system.
4. Tests are required for all swimmers under 16 years of age: to go beyond the ropes–2 laps between docks and 30-second float; to go to raft–5 laps between docks and 1-minute float.
5. No pushing off docks and raft.
6. Motor-powered boats are not permitted; other boats may not enter the swimming area as defined by buoys during posted swimming hours.
7. Children under the age of 16 who have not passed the 5-laps test must wear a Coast-Guard-approved vest while boating. Children under the age of 10 must be accompanied by an adult in a boat or float.

8. Children 12 years of age and younger on Pennsylvania waters when underway in any boat 20 feet or less in length and in all canoes and kayaks must wear a life jacket.
9. Boaters are required, by law, to wear life jackets on boats less than 16 feet in length or any canoe or kayak during the cold weather months from November 1 through April 30.
10. All boats must have a USCG-approved wearable (Type I, II, III, or V) life jacket on board for each person.
11. There is no swimming outside of the swimming area delineated by buoys
12. No fraternizing with lifeguards when they are on duty.
13. On the beach: no running, no throwing of rocks or sand, no littering.
14. Swimmers will leave the water when lightning and thunder occur.
15. All drivers are required to obey posted speed limits on Beach Road.
16. No cars may park in the beach area (load and unload only). Handicap parking is available.
17. Only beach chairs, umbrellas, and the lifeguard equipment may be kept in the beach house. Items must be stored in an orderly fashion.
18. No fishing in swimming area when beach is open.

FIREWORKS

Use of fireworks must comply with the regulations in force by the Commonwealth of Pennsylvania and Paradise Township on Association grounds, including Membership lots.

FIRE AND OTHER EMERGENCIES

Paradise Falls could be wiped out by an uncontrolled conflagration or similar disaster; prudent habits should be followed.

Paradise Falls will be in compliance with Paradise Township’s ordinance 1987 Code covering “Outdoor Burning” Chapter 50, Sections 1 thru 8.

In addition to the above ordinance and due to our exposure to extreme fire loss, the following regulations apply:

1. A minimum of 20 feet of area around the burn pile must be cleared of all flammable material.
2. If the Pocono Mountain area is in a drought condition and the Chief of the Pocono Mountain Volunteer Fire Company or the Chairman of the Board of Supervisors of Paradise Township has prohibited any and all outdoor fires, there are to be NO open fires on Association grounds.
3. If the fire has spread beyond the 20 foot cleared area, the supervising adult must call “911” and request fire company assistance before he or she attempts to control the fire. Forest fires become uncontrollable very quickly and fire company response time is very important.
4. There can be no branches hanging over the burn area.
 - There must be a screen over the fire to prevent embers from floating into the woods.
 - The fire must be supervised by an adult at all times.
 - The fire must not reach more than 10 feet in height.
 - There must be a pressurized garden hose at the fire that has sufficient length to reach completely around the fire area.

- When the fire is out, the ashes must be spread out and completely wetted down. Only when there is no more smoke and the area has been saturated by water can the supervising adult leave the fire scene.
5. The burning of household garbage, construction materials and hazardous materials is not allowed.

There is a volunteer fire department in the vicinity will respond to a call for assistance. A fire marshal is available for non-emergency consultation. Monroe County has implemented the 911 emergency system.

Each cottage is to be equipped with fire extinguishers and outside water hoses.

Paradise Township has adopted an ordinance that all residences in the township are to have smoke detectors in the sleeping area, and preferably others throughout the dwelling.

PETS

Dogs and other pets must be kept under control at all times and, if required by law, licensed. Dogs must be led on a leash when away from members' cottages. Pets are not permitted at the beach or in the swimming area. Members, their guests and renters are to clean up after their dogs.

Members are to make all assurances that their pets do not disturb or threaten their neighbors and other Association members, such as with repeated barking, threatening behavior, or running onto their lots. Violators are subject to a fine by the Board if needed corrective actions are not taken after two letters of notice are issued to the member.

GARBAGE AND RECYCLABLES COLLECTED

Summer season:	Monday
Remainder of year:	Monday

(If such a day Falls on a holiday, early the following morning).

Please note: Animals may like to eat what you have thrown away; therefore, discourage prowling animals by putting garbage and refuse into sturdy garbage or recyclable containers, as approved by the Township. Do not leave garbage in plastic bags outside overnight.

At odd times—for example, when you depart on a day other than the one on which garbage is collected—rubbish may be placed in the dumpsters at the Center near the garages.

PFLA pays for garbage and trash removal from the dumpsters based on volume, not weight. It is, therefore, imperative that all refuse be compacted, and that one dumpster be filled before garbage and trash is placed in the other dumpster. Please note specific recycling regulations below.

Each spring the Township has "clean-up days." During this time, large items, such as mattresses and furniture, are accepted. PFLA cannot dispose of large pieces at other times without incurring expense. All members should assist in whatever way they can to dispose of unwanted items in a constructive, environmentally safe manner.

Garbage and recyclables containers of individual cottages are not to be placed by or near Association roads except on collection days, and they must be kept out of sight on non-collection days. Garbage and recyclable cans or containers are to be placed together at the base of Membership driveways for easy pickup no earlier than Sunday evening at 7:00 pm, and removed by 7:00 pm on Monday. Failure to comply may result in suspension of pick up services or a fine to the Membership.

Large items, including but not limited to mattresses, lawn mowers, tires, furniture and appliances must be properly disposed by individual members. Such items and hazardous materials, including but not limited to automobile/truck batteries, paint, motor oil and pesticides are not to be

placed in the dumpster area, or anywhere else on Association property. Proper disposal of these items is the responsibility of each member. Any such items found on Association property, including the dumpster area, will be disposed by the Property Committee at the cost of the owner, if such items are not removed by the owner after being requested to do so by the Board of Directors, one of its officers, by a member of the Property Committee or by the Caretaker.

THE SHALE PIT

There is no dumping in the Shale Pit of trash, garbage, old appliances, tires, furniture or any other items. The Property Committee offers the following guidelines for the removal of trees and brush:

1. Members should use their trimmings, clippings, and small branches to start or add to their own compost pile, where these materials can decompose into valuable compost soil. Dumping of tree limbs, clippings and similar material may be allowed with Property Committee permission.
2. When Members contract to have trees taken down or trimmed, the contractor or service being used is to be responsible for taking the trees and branches away, so as not to dispose of them on Association property.
3. Dumping of unauthorized items in the Shale Pit shall result in a fine.

PROPERTY MAINTENANCE BY ASSOCIATION MEMBERS

1. Association Members shall be responsible for maintaining or improving their property and Membership lots at their own expense. Association members also shall be responsible for keeping their cottages, outbuildings and Membership lot(s) in a safe and well-maintained condition, and in a manner that is not deleterious to the overall appearance, appeal or image of PFLA, also at their own expense.
2. In the event that a cottage, outbuildings or lot(s) are not maintained (such as the presence of debris, piles of brush, construction materials or other items including those covered by tarps, refuse, overgrown lawns, machinery and equipment, garbage, temporary structures, abandoned, inoperable or unregistered motor vehicles, appliances, unkempt appearance, etc. visible from a public or PFLA roadway for three months or more); or an unsafe condition exists (such as one or more dead trees posing a danger to Association roads or buildings), the Board reserves the right to have the condition remedied at the full cost to the owner, or levy a fine or fines on the Membership. Such action will only be taken after the Membership has been notified twice in writing via registered or certified mail by the Board of Directors to make the necessary remediation. All Membership properties and assigned lots are to be maintained to Township and PFLA requirements.

PFLA EQUIPMENT

Association members or their guests or renters may not use Association tools, vehicles, machinery or equipment without permission from the Property Committee.

CONSTRUCTION

We welcome all improvements to cottages and property, but there shall be no construction or loud noise-generating maintenance or repairs undertaken during the summer season, except in an emergency or under difficult hardship, for which prior approval must be obtained from the Security and Construction Oversight Committee. Emergencies mean conditions that threaten people or property. Members are asked to keep all emergency or hardship construction to the most minimum required until full construction can begin off season.

External construction usually requires a building permit from the Township. In addition to obtaining

the needed permit, the member must also submit a Membership Building Permit with site plans/blueprints to the Security and Construction Oversight Committee and receive authorization from the Board to proceed.

In all cases when workers from outside come to Paradise Falls, the Property Committee is to be informed by the Membership contracting for the work. Where deliveries only are involved, the Caretaker should be notified.

When a member submits plans to the Security and Construction Oversight Committee for approval of construction, additions, paving, etc., and when old lot cornerstones (monuments) cannot be located to pinpoint the exact property (lot) lines, the member will be responsible for engaging and paying the cost for a registered surveyor to survey the member's lots and to place cornerstones (monuments) at lot corners.

Work can only be completed by contractors that have submitted adequate proof of insurance.

The construction of a new well, work done to a septic system, or any other external work is subject to approval by the Security and Construction Oversight and Property Committees, the Board of Directors and the Township. All such decisions are to be recorded in the Property Committee's and Board's Minutes.

For the safety of the PFLA community, in all cases where workers from the outside come to Paradise Falls to work on a Membership's dwelling, the Property Committee and Caretaker must be informed in advance. If a delivery of materials is to be made, the Membership should inform the Caretaker when the delivery will take place.

In general, Association members are expected to secure their own contractors, construction workers, carpenters, plumbers, electricians, chimney sweeps, well drillers, etc., as well as permits and proofs of insurance from their contractors. However, the Property Committee and the Caretaker keep an up-to-date list of names of reliable professionals for such services that is available to the Association Membership. For external work, all required PF forms are to be completed and sent to the Building and Security Committee for approval prior to the initiation of work. All required township permits must be secured.

The Security and Construction Oversight and Property Committees offer these general guidelines concerning permitting and approvals:

1. All work done within existing cottages or structures does not require a permit or approval from PFLA. Permits may be required from the township, and it is the responsibility of the Membership to obtain such approvals or permits when required by law.
2. All work that changes the existing external dimensions of a cottage or structure requires a township permit and Committee approval.
3. All work on septic systems requires a township permit and Committee approval.
4. The erection of outbuildings, utility buildings, sheds, etc. requires a township permit and Committee approval.
5. The Township and the Security and Construction Oversight and Property Committees require a plot plan showing existing buildings, proposed additions and septic systems in regard to distances from property lines and roads.
6. For questions, call Paradise Township, (570) 595-9880 or a member of the Security and Construction Oversight or Property Committees.
7. Submit to the Security and Construction Committee 30 days in advance of desired construction starting date a copy of your plot plan and township permit for the Committee's approval.
8. Notification to neighbors on surrounding properties of the request for construction permission.

9. Paving may require a permit from the Township. It is the responsibility of members to secure all required permits.
10. The drilling of a well is subject to prior written approval by the Property Committee and Paradise Township

CUTTING AND SAWING

Cutting of live trees, plants, or shrubbery or their removal or destruction by members or their contractors is prohibited other than on member's own lot(s). Chainsaws shall not be used by members or their contractors during the summer season except in emergencies, and with permission from the Property Committee. Association use of chainsaws is allowed during the season for emergencies and trail maintenance by the Property and Environmental Committees.

Members are not allowed to cut, prune or remove trees, plants or shrubbery on other members' or Association lots without prior permission. It is the responsibility of a member to determine property lot lines before cutting or pruning.

SECURITY

Paradise Falls Lutheran Association is private property. Every member has the responsibility to inquire of strangers their presence on Association grounds.

Every year, especially in May and October, the entire Pocono area, including, at times, also PFLA, is visited by thieves who remove readily available and marketable fixtures and goods of all kinds from houses. Members, especially those who live here for the summer season and visit only occasionally during the remainder of the year, are urged to take every precaution to prevent a loss by theft.

The "break-in/steal/drive-away" specialists often leave your cottage in a shambles. They depend on fast transportation. To combat this partially, we must block off certain roads out of season, even if it may be inconvenient for some permanent residents. We also must challenge those unknown to us who enter our grounds, especially with a motor vehicle. The presence of our permanent year-round residents has done much to discourage thefts and has greatly increased our overall security.

VANDALISM AND LARCENY

Members will be held accountable for their personal conduct and the conduct of their guests and renters on the grounds of Paradise Falls Lutheran Association. Any member, their guests or renters deemed by the Board to be responsible for committing an act of vandalism or larceny on the property of PFLA or its members will be assessed for all material damage and labor costs. Furthermore, a suspension of all grounds privileges for a period of time as specified by majority vote of the Board of Directors may also be enacted. A second offense may result in even more severe penalties up to and including expulsion from membership in PFLA if so deemed by a two-thirds vote of the Board of Directors.

HARASSMENT AND/OR INTIMIDATION

Harassment or intimidation (including but not limited to frivolous legal action, the threat of legal action, hostile or violent actions, vandalism, real or implied threats and confrontational behavior), or the threat of harassment or intimidation, by any member or employee of PFLA (or by their friends, guests, renters or relatives), against PFLA, any of its members or the Board of Directors (including individual members) or employees will not be tolerated. For Association members, it will result in a suspension of all grounds privileges, including use of all PFLA facilities and attendance at all events, and other restrictions as made by the Board of Directors for a period of

time if so deemed by majority vote of the Board of Directors. A second offense or a disregard of the grounds privileges suspension from the first offense may result in even more severe penalties up to and including expulsion from membership in PFLA, if so deemed by a two-thirds vote of the Board of Directors.

Harassment of Association members or their guests or renters by any Association employee or contractor, including failure to provide normal member services to individual Memberships, shall result in disciplinary action up to and including termination, as determined by the Board of Directors.

Harassment, threats, intimidation, confrontations, interference and disruptive actions by Association members, their guests or renters, or employees against contractors hired by the Association or individual members, and government or utility employees working on PFLA grounds or their respective rights-of-way will not be tolerated. For Association members, it will result in a suspension of all grounds privileges, including the use of facilities and roads, for a period of time if so deemed by a majority vote of the Board of Directors. A second offense or a disregard of the grounds privileges suspension from the first offense may result in more severe penalties up to and including expulsion from membership in PFLA if so deemed by a two-thirds vote of the Board of Directors. All concerns regarding work being done by contractors, government or utility contractors are to be taken directly to the Property Committee by the concerned Association member.

To promote peace and relaxation for its Membership, repeated, loud and disruptive noise or music by members, guests, renters or pets, is not allowed. Fines will be levied for violations not corrected after receipt of two written notices to terminate action.

All legal costs incurred by PFLA in defense against frivolous legal action by an individual member or members against the Association or Board of Directors shall be reimbursed directly to the Association by the member or members taking the legal action. Any frivolous legal action taken by an Association member against any member of the Board of Directors for actions taken by that director to fulfill Association or Board sanctioned work shall be considered the same as action taken against the Board and Association, and all legal costs incurred by the Association, Board, and Board member(s) in legal defense shall be reimbursed directly to PFLA by the member or members taking the legal action.

All harassment or intimidation claims must be made directly to the President.

ASSOCIATION VEHICLES

Only employees of PFLA are covered by insurance while riding on Association vehicles; others are, therefore, we regret, not permitted aboard.

ALCOHOLIC BEVERAGES, TOBACCO, AND DRUGS

1. Alcoholic beverages are permitted on cottagers' property only. An exception will be made for Association or Ladies Auxiliary sponsored celebrations or gatherings when specifically approved by the Board of Directors, or for Member events held anywhere on Association property, including the Lounge, Social Hall and the Tea Room. The carrying of open containers of any alcoholic beverage on PFLA grounds is not allowed.
2. No smoking is permitted in any of the PFLA buildings or on the beach.
3. The illegal possession and/or use of drugs of any kind in contravention of the existing laws of the U.S. Federal Government or those of the Commonwealth of Pennsylvania provides grounds for the immediate expulsion of the person from the Association by a 2/3 vote by the Board of Directors whether he or she be member or guest (invited or uninvited).

GUESTS

Friends and members in good standing are more than welcome to share our joys at PFLA. Visits of more than ten guests to the grounds or to any cottage—if it is reasonably foreseen that the common grounds and/or buildings of the Association will be used by the guests—must be cleared in advance (at least 30 days) with the Property Committee.

The beach area and the picnic grove at the Falls are available to small numbers (10 or less) of guests, but only when the member accompanies them.

SOCIAL HALL

Programs in the Social Hall are limited to those listed in *The Spray* or authorized by the Board of Directors. Church services are held Sunday mornings during the summer season and on the Sunday during Memorial Day Weekend, conducted by visiting and local pastors. Events may be announced by a pealing of the bell 15 minutes in advance, and at the beginning of an event. Smoking is never permitted in the Social Hall. The fee for all other use of Social Hall by members will be determined by the Board.

THE ADULT LOUNGE

The Adult Lounge was built in large part by the Ladies Auxiliary for PFLA from funds which they earned over the years, especially in their gift shop. Rules and Regulations for the use of the Adult Lounge are:

1. The building will be locked whenever not in use. Adult members desiring to use the facilities may do so by contacting a member of the Executive Committee, Property Committee or Caretaker. Keys may be obtained from a member of that Committee (officers of the Auxiliary) or the Caretaker. Such scheduled events will be posted in the *Spray* or *Spritz*.
2. Private use of the facility may be obtained by contacting the Auxiliary President in writing preferably 2 weeks in advance. There may be an additional charge for non-members.
3. The rental fee for private use of the Lounge will be determined annually by the Auxiliary. Please contact the Ladies Auxiliary or Property Committee for cost and details of Lounge rentals.
4. No furniture or dishes, etc. may be removed from the Adult Lounge at any time without permission from the Ladies Auxiliary executive committee.
5. The building must always be left clean and neat. Nothing may be left in the refrigerator.
6. Groups of children or young people may use the Adult Lounge under the supervision of the Social Director or an adult member.

THE FALLS AREA

How beautiful it is to have your own private waterfalls and picnic grove! Please help to keep the area that way. The Falls are open only to members, their guests and renters. Swimming or boating in the pool at the base of the Falls is not allowed. Riding or sliding down the Falls also is not allowed.

THE STREAM

Kayaking, canoeing, boating, or the riding of rafts in the stream is not allowed.

GENERAL RULES ABOUT NON-MEMBERS’ OCCUPANCY OF COTTAGES

These rules recognize and support the long-standing tradition of the use of members' cottages by unaccompanied guests, whether as rentals or non-compensated agreements. These rules and regulations have been updated to reflect both recent changes in local laws with regards to short term rentals (defined as 1-30 days) and the increased use of social media to attract non-members to PFLA.

Renting a cottage at PFLA

1. **What is “renting”?** Renting at PFLA is when a member accepts money from someone to stay at their cottage and they are not present. Friends and family, church groups or other groups that a member permits use of their cottage who make a donation either to PFLA or another charity are not considered renters.
 - a. **Short-term renting.** Short term rentals are defined as 7-30 days.
 - b. **Long-term renting.** Long term rentals are 31 days and over. Approval is needed from the Board for any rentals over 90 days.

2. **Who can rent their cottage at PFLA?** The member must be a member in good standing to rent a cottage or must get approval from the Board to rent.

3. **Rules for short-term renting at PFLA**
 The following rules, in addition to those in the section below (titled *Rules and Regulations for both Renters and Unaccompanied Guests*), shall apply when renting to non-members’ for 7-30 days.

The member who is renting shall:

- a. Rent the cottage for a minimum term of seven (7) consecutive days, up to a maximum of thirty (30) days.
 - b. Rent the cottage only between Friday of Memorial Day weekend and Monday of Labor Day weekend.
 - c. Rent the cottage no more than six (6) times during this period.
 - d. Provide the PFLA Board of Directors with a copy of the member’s current Short-term Rental License for short-term rental use of the cottage issued by the Paradise Township Zoning Officer in compliance with Chapter 114 of the Township Code titled The Short-Term Rental Ordinance of Paradise Township (Chapter 114). This should be on file with PFLA before the rental begins.
 - e. Provide the PFLA Board of Directors with a copy of current insurance covering rental use. This should be on file with PFLA before the rental begins.
 - f. Comply with all requirements under Chapter 114, as amended from time to time, which is incorporated here by this reference. Any violation of Chapter 114 shall also be deemed a violation of these Rules and Regulations and subject to PFLA violation fines.
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4. **Unaccompanied guests using a Member’s cottage at PFLA**
 - a. Unaccompanied guests refer to people, outside of the members’ immediate family, who the member allows to use their cottage without the member being present.
 - b. The rules in the section below apply to both renters and unaccompanied guests.

5. Rules and Regulations for both Renters and Unaccompanied Guests

- a. The member must register all renters and unaccompanied guests with the PFLA Board of Directors by submitting the *PFLA Renters and Unaccompanied Guests* form.
- b. Compliance with the governing documents of PFLA is required. A copy of the PFLA Manual must be present at the cottage. The member shall specifically discuss trash collection, beach rules, mail pick-up, speed limits, hunting rules and fishing rules with renters and unaccompanied guests before they stay at the cottage.
- c. Renting or other occupancy of a cottage by any non-member for more than 90 days shall require the prior approval by the Board of Directors of PFLA.
- d. The individual membership is legally and financially responsible for non-members' violations of the governing documents of the community and for any damage the non-members may cause either to persons or to property in the community.
- e. Members who disregard or violate these rules will be subject to a fine by the Board of Directors of up to \$200 per day of violation.

MEMBERSHIP SALES

If it becomes necessary for a membership to sell their memberships, the Association will assist, but cannot become directly involved. If the seller desires to have the Membership Committee show their cottages to prospective buyers, a fee of \$100.00 per year is due to the Association, payable in advance, for using the Committee's time in this way. Please read the Membership Committee's guidelines on the subject of selling cottages and acquiring lot(s), as outlined in this Manual.

TRAILERS, MOBILE HOMES, CAMPER, CONSTRUCTION OR MAINTENANCE, RECREATIONAL, AND UNREGISTERED VEHICLES AND BOATS

No non-garaged vehicle or towed items such as boats and trailers may be parked on the grounds of Paradise Falls Lutheran Association, or stored or parked for more than one-month on Membership lots without the permission of the Board of Directors. Owners of such or other non-permitted vehicles are subject to a fine or fines, as determined by the Board of Directors if the non-permitted vehicle is not removed upon written request from the Board of Directors. An exception exists when these items are garaged or screened from view from PFLA and public roads or properly covered.

SPORTS

PFLA maintains tennis, pickleball, basketball, volleyball, horseshoes, and shuffleboard courts that are for the use of members, their guests and renters. Members not in good standing are ineligible to use these facilities. Equipment for some of these activities is stored in the equipment shed at the Center and should be returned to that place after use. Rules and regulations for the use of the tennis courts are conspicuously displayed at that site.

Sports engagements in the Center and nearby areas are to be scheduled at times other than during the Sunday church services.

ENFORCEMENT

The Board of Directors will enforce these rules and regulations as authorized by the Constitution (Article VI, Section J), including, but not limited to direct reimbursement of costs from members incurred by PFLA because of that member's actions (including actual incurred costs plus Caretaker related salary/wage costs), fines, assessments, penalties, liens on Memberships, suspension of use of Association property, including facilities and roads, and those actions outlined in these rules and regulations.

All uncollected costs, assessments, fines or other levies due from a Membership will result in liens applied against that membership for the amount due (See Article VI, Sections I, J and K of the Constitution). Failure to pay these liens will result in the actions proscribed in Article V, Sections I and J of the Constitution.

Repeated failure to comply with these rules and regulations by any member or Membership may result in expulsion of that member or Membership from Paradise Falls Lutheran Association.

Prior to such actions being taken, a letter will be sent to the Membership stating the infraction of that Membership or individual members included within the Membership, and asking for corrective action or cessation of the infraction(s). If corrective action is not taken in a timely manner, or if the infraction continues or is repeated, the Board of Directors will take such action as is appropriate, and stated in the letter to the Membership.

The Board of Directors also will take all appropriate action against members or Memberships that commit more than three violations of these rules and regulations up to and including suspension or termination of membership. The membership will be able to appeal the decision to the Executive Committee prior to such action.

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Paradise Falls Lutheran Association has been richly blessed with a wonderful Christian tradition. In this community, we should continually strive to respect each other in Christian love, so that we may continue to benefit individually and collectively from all the blessings of life in this "little paradise" of ours.