

## **POLICIES AND PROCEDURES INDEX**

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# INDIAN ROCKS POA POLICY AND PROCEDURE

## ELECTION OF BOARD MEMBERS PROCESS 08-2013-01

### Announcement of the Election

An election for open seat(s) on the Board of Directors will be announced in the August or September edition of the Indian Rocks newsletter and on the website.

These announcements will ask for resumes and applications from prospective candidates to be submitted to the Indian Rocks office by September 25th of that election year.

### Election Process

The election process for Board of Directors will be supervised and conducted by a Judge and Tellers of Election (a committee of property owners appointed by the Board of Directors in accordance with Article VIII, Section 4 of the By-Laws).

Ballots will be mailed to eligible property owners on or before October 25th and must be returned by the Thursday prior to the scheduled November Board of Directors meeting.

The Tellers of Election will tally the votes on the Friday before the scheduled November Board of Directors meeting of that election year.

### Office Procedure:

1. Print a computer-generated list of all property owners with the number of assessments (i.e., lots) for which they are billed.
2. Print a computer-generated list of all accounts receivable showing present balances as of October 1<sup>st</sup>. This will generate a "members in good standing" list. A representative of the Tellers of Election committee, along with a member of the Board of Directors who is not running for re-election will determine those eligible to receive ballots from this list.
3. Address labels are printed and placed on mailing envelopes of all deemed eligible to vote. Remaining address labels are left intact and saved.
4. All ballot cards are to be counted by the Tellers of Election committee representative(s) and the representative of the Board before being placed into mailing envelopes. Note: ballot cards mailed must equal number of valid votes as determined in #2 above.
5. Each voting mailing envelope will contain:
  - a. A letter with instructions on voting procedures.
  - b. Copies of resumes of the candidates.
  - c. One (1) return envelope with the following printed on the reverse side:

**INDIAN ROCKS POA  
POLICY AND PROCEDURE**

*“This must be completed to have ballot counted  
Indian Rocks Property Owners Assn., Inc.*

**VERIFICATION**

*Name (Print) \_\_\_\_\_*

*Signature: \_\_\_\_\_*

*Lot Number or Indian Rocks Street Address: \_\_\_\_\_*

**PLEASE INSERT SEALED BALLOT ENVELOPE IN THIS ENVELOPE”**

d. Ballot cards(s) and envelope(s). A ballot card and a sealable envelope will be sent for each assessment (i.e., if a property owner pays three (3) assessments, that envelope will contain three (3) ballots and three (3) sealable envelopes).

6. The ballot return envelopes will be pre-addressed to:

**Indian Rocks Property Owners Assn., Inc.**

**Attention: Tellers of Election**

**889 Ledgesdale Road**

**Lake Ariel, PA 18436**

**Tellers of Election Procedure:**

1. Each ballot return envelope will be checked against the master list, certifying that the correct numbers of sealed ballot envelopes were received. The Tellers of Election representative(s) along with the representative of the Board will conduct this phase of the process.
2. The entire Tellers of Election committee will meet on the Friday before the scheduled November meeting of the Board of Directors to choose the Judge (Chairperson) open the sealed ballots and tally the votes.
3. Counted ballots, return envelopes, both master lists, unused address labels, and unused ballot cards will be securely boxed and labeled and retained in the Association office for a period of one (1) year from the date of the election.
4. The Judge will present a sealed envelope containing the tally of votes counted and the election results at the November meeting of the Board of Directors. The Judge and the Tellers of Election may also give recommendations to the Board of Directors at this time.

If the Board of Directors is satisfied that the results are valid, the results will be certified. Should the Board feel that it couldn't certify the election at this meeting, it will take whatever steps appropriate and legitimate according to the Covenants, By-Laws and Resolutions of Indian Rocks.

## INDIAN ROCKS POA POLICY AND PROCEDURE

**NOTE:** At any time that a vacancy occurs on the Board of Directors the seat will be filled by going to the last election and choosing the person with the next highest votes to fill that seat until the end of that Board members term. If there are no candidates from the last election, the Board will advertise the open seat for 30 days and appoint by majority vote of the Board of Directors at a regular Board meeting.

Adopted August 2, 2013

<p style="text-align: center;"><b>INDIAN ROCKS POA POLICY AND PROCEDURE</b></p>
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**Indian Rocks Clubs and Organizations  
03-2014-01**

This is an agreement between the Indian Rocks POA of Ledgesdale, Inc. and any clubs or organizations who are using Indian Rocks POA property.

All Indian Rocks clubs or organizations must follow the following guidelines.

1. All fundraisers must be approved by the Community Manager/Board of Directors.
2. All information to be posted on the bulletin board and website must be approved by the Community Manager prior to posting.
3. An entrance sign request form must be completed and approved for all postings for the entrance sign.
4. All clubs or organizations must keep financial records and provide the community with accounting of their income expenditures as it relates to any fundraising events held on community property within 30 days from the date of the fundraiser.
5. Clubs and organizations may have social events for members and guests only with approval.

Indian Rocks POA of Ledgesdale, Inc., will list any organization or club that is approved to run a fund raiser as an additional insured on our general liability insurance policy.

Any club or organization that does not comply with this policy will be stopped from holding fundraisers on community property.

# INDIAN ROCKS POA

## POLICIES AND PROCEDURES

### CANDIDATE REQUIREMENTS

02-2020-01

1. Any candidate must be a member in good standing with the Association and has not received more than three violations that are upheld by the Association within three years prior to the September 25<sup>th</sup> date when candidate resumes and applications are due each year. Any candidate that receives a civil violation, which rises to the level of a criminal offense, if upheld by the Association cannot run for the Board of Directors for five years from the date of the violation being issued.
2. Only resumes submitted by candidates themselves and distributed to members through Indian Rocks POA are permitted.
3. The resumes should include but are not limited to the following
  - a. The reason you would like to serve on the Board.
  - b. Expertise that you can bring to the Board and the community that would be beneficial.
4. All candidate applications and resumes must be reviewed by an outside agency to validate information, i.e. background check, criminal check, reference and employment checks before being placed on the ballot. If any false statements are discovered, the Board will review the findings and the candidate will not be placed on the ballot.
5. No campaign signs or mailings are permitted.
6. No solicitation or campaigning of any kind is permitted. Campaigning shall be defined as follows:
  - a. Door to door.
  - b. Any and all written or oral communications initiated by the candidate or their agent.
  - c. Any communication initiated using the internet on a website set up by the candidate or his agent or communication considered to be campaigning on any website.
7. Any member wishing to contact a candidate may do so by calling or emailing the candidate if the contact information is provided on their resume.
8. If the above guidelines are not followed, disciplinary actions will occur. Disciplinary actions may include but are not limited to the cancellation of any and all votes cast for that candidate.
9. Any community member that distributes literature regarding the candidate's campaign will be fined.



# Indian Rocks Property Owners Association of Ledgedale, Inc.

889 Ledgedale Road, Lake Ariel, PA 18436

Phone: 570-689-7582

Fax: 570-689-7616

## Board of Directors Candidate Application

**NOTE TO APPLICANTS:** In order to be considered for a seat on the Board of Directors, the candidate must meet all candidate requirements and own property in Indian Rocks for a minimum of two (2) years.

Please type or print clearly in ink. Do not leave any areas blank. If questions do not apply, indicate "n/a" or draw a slash through the section.

**NAME:** \_\_\_\_\_  
(Last) (First) (M.I.)

### ASSOCIATION INTEREST:

HAVE YOU ATTENDED A MEETING OF THIS COMMUNITY BOARD IN THE PAST YEAR? YES  NO

ARE YOU CURRENTLY SERVING (or have you previously served) as A MEMBER OF A COMMITTEE OF THIS COMMUNITY BOARD? YES  NO

If so, please list committee(s) \_\_\_\_\_

HAVE YOU EVER SERVED ON ANY BOARD, COMMISSION OR COMMITTEE? YES  NO

If yes, complete the information requested below. Please note if you were a public member of a board committee.

Dates Served	Position Held	Organization
_____	_____	_____
_____	_____	_____
_____	_____	_____

**PLEASE NOTE: AS A BOARD MEMBER, YOU WILL BE EXPECTED TO SERVE ON ONE (1) OR MORE COMMITTEES.**

INFORMATION AS DENOTED BY (\*\*) BELOW WILL NOT BE MADE PUBLIC

### CONTACT INFORMATION

Full NAME \_\_\_\_\_

\*\*HOME ADDRESS (INCLUDE INDIAN ROCKS LOT NUMBER) \_\_\_\_\_  
\_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

**\*\*PHONE NUMBERS**

HOME (\_\_\_\_) \_\_\_\_\_ MOBILE (\_\_\_\_) \_\_\_\_\_  
WORK (\_\_\_\_) \_\_\_\_\_ FAX (\_\_\_\_) \_\_\_\_\_

\*\*EMAIL ADDRESS \_\_\_\_\_

### EMPLOYMENT INFORMATION

\*\*EMPLOYER \_\_\_\_\_

\*\*YOUR TITLE/POSITION \_\_\_\_\_

\*\*EMPLOYER ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_

\*\*TELEPHONE (\_\_\_\_) \_\_\_\_\_ \*\*YEARS WITH EMPLOYER \_\_\_\_\_

### COMMUNITY/CIVIC INTERESTS

COMMUNITY ACTIVITIES (List all civic and community organizations, neighborhood associations and/or any other groups)

ORGANIZATION	DATES	TITLES	ADDRESS
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

PLEASE STATE WHY YOU BELIEVE YOU WOULD BE AN EFFECTIVE COMMUNITY BOARD MEMBER AND PROVIDE ANY ADDITIONAL INFORMATION YOU BELIEVE WOULD BE USEFUL IN CONSIDERING YOUR APPLICATION/RESUME. (Include relevant skills, interests and resume.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## REFERENCES

\*\*NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_

TELEPHONE (\_\_\_\_) \_\_\_\_\_ AFFILIATION/RELATIONSHIP \_\_\_\_\_

\*\*NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_

TELEPHONE (\_\_\_\_) \_\_\_\_\_ AFFILIATION/RELATIONSHIP \_\_\_\_\_

\*\*NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_

TELEPHONE (\_\_\_\_) \_\_\_\_\_ AFFILIATION/RELATIONSHIP \_\_\_\_\_

## IDENTIFICATION AND STATEMENT

\*\*I (check one)  HAVE NEVER  HAVE been convicted of a misdemeanor or felony. (If you have, describe and explain on a separate sheet of paper and attach it to this application.)

I affirm that I am a property owner in good standing, and that I have owned property in Indian Rocks for more than 2 years.

**I HEREBY AFFIRM THAT ALL THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT BY SIGNING BELOW I AM AUTHORIZING ANY CRIMINAL, BACKGROUND AND REQUIRED CHECKS TO BE CONDUCTED.**

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

**OFFICE USE ONLY:**

DATE RECEIVED: \_\_\_/\_\_\_/\_\_\_

# **INDIAN ROCKS POA POLICIES AND PROCEDURES**

## **DEED BACK POLICY**

**February 19, 2020**

**02-2020-02**

The Board of Directors will consider taking back a lot from a property owner only with a written request to the Board of Directors. The request must state the reason you would like the Association to take ownership of your lot. The lot must be free and clear of all liens and judgments to be considered.

The Board will only consider taking back a lot if the lot can be used as a community amenity, for drainage purposes or any other way the Board deems that the lot would be useful and benefit all members of the community.



**INDIAN ROCKS PROPERTY OWNERS ASSOCIATION, INC.  
Of Ledgedale**

889 Ledgedale Road, Lake Ariel, PA 18436  
PHONE: 570-689-7582 FAX: 570-689-7616  
[www.Indianrocks.com](http://www.Indianrocks.com) e-mail: [irpoa@Indianrocks.com](mailto:irpoa@Indianrocks.com)

**Indian Rocks Rental Policy  
10-2020-01**

Effective January 1, 2021 the Board of Directors put a restriction on the amount of properties that can be rented within the community. All property owners may only own two properties for the purpose of renting.

The Board finds that transient lodging adversely impacts the single family residential character of the community by increasing commercial and residential vehicle traffic, parking demand, noise, nuisance and generally affects the welfare of the residents of the community by increasing demand for community services including, but not limited to, public safety and community watch programs. Limiting transient lodging is necessary to maintain the single family residential character of the community and to provide a sense of safety and security in an otherwise stable community of owner occupied residences.

**Short Term Rentals**

Property owners, who rent their house(s) out for short term rentals as defined below, are required to pay a non-refundable rental fee of \$1,000.00 per year plus a \$25.00 fee for each short term rental application submitted. The \$1,000.00 rental fee must be paid by January 1<sup>st</sup> of the current year or you will not be permitted to rent your house for the year. The Indian Rocks Short Term Rental Policy / Agreement forms must be submitted for each rental. The owners are required to make the tenant aware and provide them with copies of all the rules and regulations of Indian Rocks. Guest passes for all renter vehicles must be obtained through the office after proper vehicle information is provided. You may not use your homeowner vehicle tags for your renters or your guests.

If the property owner is currently leasing a boat slip from Indian Rocks, their renters may use the slip for a fee of \$25.00 per day, payable to Indian Rocks P.O.A. The renters must provide the Indian Rocks office with their current boat registration and insurance and submit the daily rental fee before their boat is permitted in the slip.

Whereas, pursuant to the By-Laws of Indian Rocks Property Owners Association Inc., of Ledgedale of 2020, Article IX, The Board of Directors shall have power to adopt and publish rules and regulations as governing the use of the property and facilities and the personal conduct of the members and guests;

Whereas, the Indian Rocks Property Owners Association Inc., of Ledgedale currently has a rule and regulation for renters whereby property owners who rent their house(s)

out for any period of time (week, weekends, weekly, monthly or yearly) are required to make the tenant aware of and provide them with copies of all rules and regulations of Indian Rocks. Anyone renting their homes needs to abide by the current year's rental policy which is available at the association office, as well as on the official website ([www.indianrocks.com](http://www.indianrocks.com)). Car stickers or guest passes are required to be displayed on all vehicles.

Whereas, The Board of Directors of the Indian Rocks Property Owners Association Inc., of Ledgesdale is desirous of amending the current rule on renters to reflect certain rules regulating preexisting short term rentals and prohibiting future short term rentals within the community.

Now therefore, the Board of Directors of Indian Rocks Property Owners Association Inc., of Ledgesdale hereby enacts the following rule:

Section 1. Purpose – The purpose of this rule is to regulate the use of preexisting short term rentals and limit the use of future short term rentals for purposes of providing and maintaining the rural and residential character of the association, and for preserving the value of and promoting the health, safety and welfare of the residents of the association.

Section 2. Owner Responsibility – The owner of the subject property shall be responsible for compliance with the provisions of this rule and the failure of any owner, agency, managing agency, local contact person or renting occupants to comply with the provisions of this rule shall be deemed noncompliance by the owner.

### Section 3: Definitions

- a. Short Term Rental – Any dwelling unit within a residential dwelling structure rented for overnight lodging for a period of not less than 3 nights and not more than 30 nights
- b. Bedroom – A bedroom shall have at least one outside window for egress to follow state guidelines. If the room does not have a window, it cannot be considered for use as a bedroom.
- c. Dwelling unit – One or more rooms in a residential dwelling structure, including a kitchen, sleeping facilities, bath and toilet, designed as a household unit for long term residency by not more than 1 single family at a time.

### Section 4: Standards

- A. The owner shall, by signing the application, limit overnight occupancy of the short term rental to the specific number of occupants designated in the application, with the number of overnight occupants not to exceed two persons per bedroom plus four additional persons per residence.
- B. The maximum number of day guests allowed at any one time, in addition to the overnight occupants, shall be 50% of the maximum overnight occupancy of the short term rental.

- C. The number of bedrooms permitted for a short-term rental shall not exceed the number of bedrooms approved for the dwelling unit on the sewage permit issued for such property. Where there is no sewage permit on record, the short-term rental shall be limited to three bedrooms unless proof is provided to the association that the septic system is adequate to handle additional flows. If sewage system malfunction occurs, short term rental of the dwelling unit shall be discontinued until the malfunction is corrected in accordance with the Township and the Pennsylvania Department of Environmental Protection requirements.
- D. Outdoor parking for overnight and day guests shall be limited to available parking for the short term rental property. In no event shall parking for the short term rental guests include any association street or other common area.
- E. Neither short term rental occupants nor guests shall engage in creating a nuisance or in disorderly conduct or disturb the peace and quiet enjoyment of any nearby resident or person by loud, unusual or excessive noise or by tumultuous or offensive conduct, public indecency, threatening, quarrelling, challenging to fight, or fighting or creating a dangerous or physically offensive condition.
- F. The owner shall notify the occupants and guests of the rule regarding short term rentals and shall respond when notified that occupants or guests are in violation of the association's rules and regulations or protective covenants.
- G. The owner shall, upon notification that the occupants or guests of the short-term rental have violated the rules or protective covenants, prevent future occupancy of the short-term rental by those occupants or guests.
- H. Overnight occupancy of recreational vehicles, campers, trailers and tents at the property where the short-term rental is located shall not be permitted. Outdoor overnight sleeping of occupants or guests of the short-term rental is prohibited.
- I. All short term rental properties shall have a clearly visible and legible posting on the property adjacent to the front door containing the following information :
  - a. The name of the owner of the property or the management agency, agent, property manager or local contact authorized in writing to accept service for the owner of the property and a telephone number where the party can be reached on a 24 hour basis.
  - b. The 911 address of the property.
  - c. The maximum number of occupants permitted to stay in the dwelling unit and the maximum number of day guests permitted at any one time.
  - d. The number of all vehicles allowed to be parked on the property and the requirement that all guest parking must be on the property and not in or along the association streets or other common areas.
  - e. The trash pickup and notification that trash shall not be left or stored on the exterior of the property except in containers.
  - f. A notification that an occupant or guest may be fined for creating a disturbance or otherwise violating the community rules, regulations or protective covenants including parking and occupancy limits.
  - g. Notification that the short-term rental occupants and guests are required to make the property available for inspection by the association upon request.

- J. All short-term rentals shall be equipped with the following:
- i. Working smoke detectors in each bedroom.
  - ii. Working smoke detectors outside each bedroom and common hallways
  - iii. Working smoke detectors on each floor
  - iv. GFI outlets for outlets located within 6 feet of water source, unfinished basements and garages
  - v. Aluminum or metal exhaust from dryer
  - vi. Carbon monoxide detector if open flame (oil or gas) furnace, gas or wood fireplace or wood burning stove
  - vii. Carbon monoxide detector if garage is attached
  - viii. Fire extinguisher in kitchen
  - ix. All stairs and handrails in good condition
  - x. Fire separation between an attached garage and dwelling
- K. Each owner of a short-term rental shall designate a local person, property manager or agent as a local contact person who has access and authority to assume management of the unit and take remedial measures. An owner of a short-term rental who resides within 30 miles of the short term rental may designate himself as the local contact person. The local contact person shall respond to the association's community manager within one hour after being notified of the existence of a violation of this rule or association protective covenants or any disturbance requiring immediate remedy or abatement. If local contact person is not the owner, the local contact person shall immediately advise the owner of any notification of a violation.

#### Section 5. Application Requirements

All short-term rental applications shall contain the following:

- a. The name, address, telephone number and email address of the owner. If the owner does not have a managing agency, agent or local contact person, then the owner shall provide a 24-hour telephone number. If the owner uses a management agency, agent or local contact person, that management agency, agent or local contact person shall have written authorization to accept service for the owner.
- b. The name, address and 24 hour telephone number of the management agency, agent or local contact person.
- c. Signatures of the owner and the local management agent or local contact person.
- d. Waiver signed by the owner allowing access to the property to the association for purposes of compliance with the association's rules and protective covenants.
- e. A copy of a current Wayne County Hotel Room Excise Tax Certificate and current Pennsylvania Sales Tax License.
- f. The name of the refuse hauler.

#### Section 6. License

Following approval and payment of the fee, a short-term rental license shall be issued only to the owner of the short-term rental property.

- a. A short-term rental license inspection is required for each dwelling unit or period. The license fee is \$100 and includes the inspection. If failed inspection, a \$50 inspection fee will be charged for each additional inspection needed until compliance.
- b. License is effective for a period of one year, or until any conditions of the short-term rental are changed, whichever occurs first.

#### Section 7. Fees

Short term rental license fees payable to the association upon the filing of the short term rental license application shall be in such amount as may be established from time to time by motion adopted by the Association Board of Directors.

#### Section 8. Effective Date

This rule shall be effective immediately. Following the enactment of said rule, the association shall register all preexisting short-term rentals which shall continue to be permitted pursuant to these rules. In the event the short-term rental is not used or renewed for a period in excess of one year, the preexisting status shall terminate and not pass with the sale or other transfer of the property.

#### Section 9. Short Term Rental Home Limit

The community will only allow 5% of the total homes in the community to be used as short-term rental homes. If an owner would like to rent their home and the community is at their maximum, they can add their name to the waiting list and will be notified when there is an opening for a rental home to be added.

### **Long Term Rentals**

Property owners who rent their house(s) out for long term rentals as defined below are required to pay a non-refundable rental application fee of \$500.00 per rental. The completed Renters Policy & Agreement form, along with the \$500.00 application fee must be submitted prior to the start of the rental period. The owners are required to make the tenant aware and provide them with copies of all the rules and regulations of Indian Rocks.

1. **Violations/Fines** - a fine of \$500.00 (first offense), a fine of \$1,000.00 (second offense) will be attached to the property owners' account for failure to submit all required information as per this policy. If there is a third offense the rental privilege will be revoked in the following calendar year.

2. **Lease Rental** is defined as the occupancy of a home in Indian Rocks by a person or persons other than the registered property owner(s) and their immediate family.
3. **Short Term Lease** is defined as not less than 3 nights and not more than thirty nights. A lease agreement is not required; however, a short term rental policy/agreement form must be completed in full and submitted to the office 48 hours prior to the rental period. (The property owner is the responsible person).
4. **Long Term Lease** is defined as over a month. The tenant may not assign or sublet the lease without the consent of the landlord, which shall not be unreasonably withheld, and without full compliance with said rules and regulations through the association.

Anyone renting their property must provide the renters with car stickers and/or guest passes which are required to be displayed on all vehicles. The property owner must complete the required paperwork for the association two days prior to the rental start date. All trash is to be removed by the renter or is to be secured in a proper trash container and then must be removed by the property owner.