

# **Current UGLPOA Rules & Regulations 7/2020**

## **Upper Greenwood Lake Property Owners Association Rules and Regulations**

Revised 7/2020

### **Section I**

#### **Definitions**

A. Association - The Upper Greenwood Lake Property Owners Association, Inc., (UGLPOA) is a non-profit corporation of the State of New Jersey and the present owner of the parklands adjacent to Upper Greenwood Lake and Upper Mt. Laurel Lake as well as the Upper Greenwood Lake and Mt. Laurel Lake bottoms. It is a community association organized to help preserve and enhance the value of the lakes for recreational purposes

B. Board of Trustees - May consist of no more than 20 UGLPOA members in good standing. Trustees are elected by the general membership at a public meeting or appointed by the board to fill vacancies. (See Constitution and By-Laws for full details.)

C. Boat - The term shall mean any type of watercraft, row boat, personal watercraft, ski boat, canoe, kayak, sailboat, or speedboat.

D. Dues - A monetary figure voted on by members of the association at the annual UGLPOA general meeting.

E. Easement - The right given by deed or litigation to property owners to use the waters of Upper Greenwood Lake and to be liable for the upkeep and maintenance thereof. (See judgement recorded in the Passaic County Registrars Office 2/13/90 in Book C126 of Deeds P223.) Owners of properties in the Mt. Laurel Lakes Estates developments acquired similar easements by virtue of a blanket conveyance from Mt. Laurel Lakes in 1961. (Recorded Book C75 of Deeds for Passaic County at Page 426, etc.)

F. Member - Consists of all property owners in Upper Greenwood Lake and Mt. Laurel Estates developments who have paid the Association dues for the current year.

G. Membership Kit: (UGLPOA) Issued to property owners by the Financial Secretary on an annual basis upon full payment of annual membership fees as well as any past due fees owed to the Association.

H. Membership Kit: (All Property Owners) - Issued to any eligible property owner upon request to the Financial Secretary.

I. Parklands - Lands on the perimeter of the lakes (not including the UGLPOA beach or clubhouse), designated as "Park" on the filed subdivision maps, that are owned by the UGLPOA.

J. Tenant - A person currently renting an improved property within the Upper Greenwood Lake development, and has a lease for a minimum of a six month term

K. UGL Easement Fund - A separate fund that is maintained by the UGLPOA easement committee for the payment of repair and maintenance expenses incurred to preserve and enhance parklands and

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Upper Greenwood, Mt. Laurel, and Upper Mt. Laurel Lakes. These expenses include but are not limited to taxes, insurance, weed control, dam maintenance and security.

L. Compliance With Law - Any laws or regulations set by any State or local government agency having jurisdiction are incorporated as part of these Rules and Regulations.

M. Acceptance of the Rules and Regulations - Any person who uses the lakes, parklands or private roads is deemed to have knowledge of, and consented to be bound by these Rules and Regulations.

## **Section II**

### **Easement**

A. In 1988 the Association obtained a judgement in the Superior Court of New Jersey declaring that all owners of improved and unimproved property in Upper Greenwood Lake and Mt. Laurel Lake Estates developments are obligated to contribute their fair share for the repair and maintenance costs of the easement to use Upper Greenwood Lake for bathing, boating and fishing. The amount of the annual easement is determined annually by the board of trustees of the UGLPOA.

B. Rights of Upper Greenwood Lake Easement Owners - The property owner and his/her immediate family and guests have the right to use Upper Greenwood Lake for bathing, boating, and fishing. Each property owner must remove their boat from Upper Greenwood Lake waters daily. Boats may be launched again the following day. (Please see complete rules for boating.)

C. Restrictions - Your easement does NOT give you the right to:

1. Maintain a dock in, on, or over the waters of Upper Greenwood Lake.
2. Keep a boat on Upper Greenwood Lake waters overnight.
3. Use the UGLPOA beach (located at the north end of Upper Greenwood Lake) or its facilities.

D. Property Owners Association Rights - The UGLPOA has the right to collect full membership dues from any property owner who:

1. Uses the beach without a valid beach tag, or
2. Maintains a boat on Upper Greenwood Lake waters on a 24 hour basis, or
3. Installs a dock in, on, or over Upper Greenwood Lake.

E. Membership Kit - All eligible property owners, upon request to the Financial Secretary, will be entitled to receive a membership kit consisting of the following:

1. Non-powered boat sticker(s) to be used on non-powered boats only.
2. Powered boat and snowmobile sticker(s) will be issued only upon presentation of a valid State Registration and insurance certificate for the vehicle(s).
3. Car/truck sticker(s) will be issued upon request.

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## **Section III**

### **Upper Greenwood Lake Property Owners Association**

A. Membership Kit - Upon payment of annual membership dues, any outstanding arrears and all current and past due Easement fees, including any late or legal charges, the Financial Secretary will deliver to a member a membership kit which consists of the following:

1. Seven (7) identification buttons which are required for beach access, and separately specified clubhouse activities and events.
2. Non-powered boat sticker(s) to be used on non-powered boats only.
3. Powered boat and snowmobile sticker(s) to be issued upon presentation of a currently valid State registration and insurance certificate for the vehicle(s). <http://www.state.nj.us/mvs/atv.htm>
4. Car/truck sticker(s) to be issued upon request.
5. Dock plate as required and annual stickers.
6. Wallet identification card.

B. Beach - Only current members of the Association, their immediate family and guests are permitted to use the beach, subject to the following rules and limitations:

1. No person who is eligible for UGLPOA membership may be a guest of a member. Sharing of membership is strictly prohibited and will result in confiscation of identification buttons and dock plates.
2. POA member must be present at all times for their guests to use the Beach.
3. No dogs or other pets are permitted on the beach.
4. No soap or detergent is permitted to be used on the beach or adjacent waters.
5. NO GLASS ON THE BEACH, PLEASE!
6. Recyclables used on the beach must be discarded in the proper receptacles.
7. No diapers are to be changed or disposed of in the lake.
8. The UGLPOA has the right to confiscate identification buttons from members disregarding any rule.

C. Docks -

1. Docks on, in or over Upper Greenwood Lake on private lands or parklands must be in compliance with the following:

- a. Possession of a valid dock permit for construction, from the UGLPOA.
- b. Payment of annual membership dues.
- c. Current dock plate and annual sticker prominently displayed and permanently affixed to dock.
- d. Size limitations (currently 4' x 18') as established by UGLPOA.

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e. Maintenance of a dock so as to be free of hazards and is kept in a clean and orderly fashion.

f. Notification in writing to the dock chairperson of any changes in the member who desires to keep a dock.

2. The UGLPOA shall not be liable for any injury occurring on any dock located in Upper Greenwood Lake or on parklands. The maintenance and upkeep of a dock is the sole responsibility of the member to whom the dock plate has been issued. Any dock considered by the Board of Trustees to be unsafe, hazardous, or in a run-down condition shall be removed at the owner's expense if not corrected within fourteen (14) days of notification by the Board of Trustees or the dock chairperson.

3. **Effective January 1, 2021**, UGLPOA dues unpaid as of **May 1** of a given year may subject the dock owner to a, b, **c**, and **d** of #4 (below).

4. Failure to comply with dock regulations shall result in action by the UGLPOA which includes but is not limited to:

a. Dock removal;

b. Reassignment of the dock or dock space;

c. Legal action for collection of current and/or past dues.

d. Prosecution for trespass.

5. The UGLPOA or its approved agents are the only authority on docks. No individual will remove a dock without the approval of the UGLPOA.

6. A second dock is permitted only if a member pays second membership dues.

7. The UGLPOA dock chairperson has the right to approve or deny any dock application. If any individual disagrees with the dock chairperson's decision, he or she may appeal directly to the UGLPOA Board of Trustees. The dock chairperson has the right to remove any dock that is in violation of the above dock rules.

## **Section IV**

### General Rules and Regulations

#### A. Boating -

1. All boats using Upper Greenwood Lake must be registered with the UGLPOA and must visibly display the proper identification sticker as issued by the UGLPOA.

2. The identification sticker will bear the West Milford Tax Block and Lot Number of the owner of the boat.

3. All boats are prohibited from entering swimming areas designated as such by buoys and/or signs.

4. No towable watersports (skiing, tubing, etc.) are permitted in or around the three islands located in the northeast quarter of Upper Greenwood Lake. (Blueberry, Carter's, or Snake Islands.)

5. All boats on trailers are to be launched at the designated boat launch (presently located next to the beach). Launching a boat from any other location is considered a violation of these rules and regulations as well as a hazard, and a liability to the UGLPOA.

6. All boaters will permanently affix their proper identification sticker to their boats on the left hand side of the stern so as to be plainly visible while the boat is in operation.

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7. Any boats left on parklands for a period in excess of two weeks and tagged accordingly by the security patrol may be deemed abandoned and removed at the owners expense.

8. Power boats of any kind are prohibited on both Mt. Laurel and Upper Mt. Laurel Lakes.

9. Boating regulations as issued by the State of New Jersey govern the use of boats on Upper Greenwood, Mt. Laurel and Upper Mt. Laurel Lakes and they are deemed to be part of these rules and regulations. They include but are not limited to:

a. No water-skiing shall be permitted around Blueberry Island, Carter's Island and Snake Island at the northeast end of Upper Greenwood Lake or in the Mt. Laurel section cove in the southeast section of the lake. (Upper Greenwood Lake)

b. Personal watercraft shall be prohibited from the Mt. Laurel section cove in the southeast section of the lake. (Upper Greenwood Lake)

c. All vessels shall maintain slow speed (no wake) around Blueberry Island, Carter's Island and Snake Island at the northeast end of the lake or in the Mt. Laurel section cove in the southeast section of the lake. (Upper Greenwood Lake)

d. No vessel shall be operated on Upper Greenwood Lake at speeds in excess of 30 MPH on Saturdays, Sundays, and legal holidays. No vessel shall be operated at a speed in excess of 10 MPH between sunset and sunrise.

10. Effective January 1, 2019, there will be a maximum of four powerboats registered per property.

The UGLPOA rules and regulations are designed to supplement the State Regulations and both should be strictly adhere to by all boaters.

B. Fishing - The NJ State Fishing laws apply to all waters of the Upper Greenwood Lake and shall be strictly complied with. Those laws include but are not limited to:

1. License requirements for persons 14 years of age.

2. Size and bag limitations.

3. Open and closed seasons.

The UGLPOA requests that fishermen obey the following:

1. Fishing is not permitted near or around the beach areas or near or around any swimmers in any part of the lake.

2. Please "catch and release" any gamefish (Bass).

C. Docks- No person shall trespass upon or secure a boat to a dock displaying a current ID plate without the permission of the owner. The person to whom the dock plate was issued shall be considered the owner of the dock during the period for which the dock plate and sticker was issued.

## **D. FLOATING ISLANDS/RAFTS/TRAMPOLINES**

1. A floating raft or island/trampoline is defined as a wooden/metal floating structure or an inflatable floating structure that is independent of the shoreline.

2. Any floating island, raft, or trampoline eight feet in diameter or larger must be anchored/moored during daylight hours.

3. The maximum size of an anchored floating island, raft or trampoline permitted on the lake is ten

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feet in diameter or 10'X10'.

4. Permanently anchored (24 hour period) floating islands, rafts, and trampolines are not permitted.
5. Floating islands, rafts, and trampolines must be approved and registered with the UGLPOA Office and must display a special UGL tag.
6. Floating islands, rafts, and trampolines must have reflective tape affixed to all sides and well above the water line.
7. Floating islands, rafts, and trampolines cannot be anchored more than thirty feet from the shoreline. After daylight hours, they must be repositioned so that they do not extend past the end of the owner's dock or removed. They are not to be stored on UGLPOA Parkland.
8. Due to potential safety hazard conditions, floating islands, rafts, and trampolines cannot be used or anchored in the main channel of the lake, and/or around or close to the bend opposite the beach area. Additionally, they cannot be anchored in such a way as to pose a safety hazard in any other areas, as to be determined by the Lake Patrol or the Board of Trustees.
9. The Lake Patrol shall enforce the above rules and verify that floating islands, rafts, and trampolines are registered with the UGLPOA Office and that they do not create a safety hazard on the lake.
10. Non-compliant owners shall be assessed a \$25.00 fine for each violation occurrence. Repeat occurrences may result in the possible loss of membership status.

## **E. Parklands / Dam**

1. Unless otherwise posted or permitted there shall be no overnight parking of vehicles on parklands.
2. The following is NOT permitted on any parklands owned by the UGLPOA:
  - a. Businesses on or adjacent to parklands.
  - b. Picnicking in areas without trash receptacles.
  - c. Dumping, littering, or storing refuse or foreign materials of any kind.
  - d. Buildings or structures of any kind.
  - e. Fences, walls or roadblocks of any kind.
  - f. Mutilation or destruction of any plants or trees.
  - g. Violations of any state or local laws.
  - h. Trespassing (Violators may be prosecuted.)
  - i. Parking of any vehicles or trailers overnight.
  - j. Camping without a permit.
  - k. Septic or leach field systems.
3. The owners of property adjacent to any parklands are expected to maintain the parkland, keep same free of debris and refuse, cut the grass and undergrowth where and when required. No property owner shall, however, usurp any parklands for personal use or attempt to restrict others from access thereto.

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4. No one is permitted upon the Upper Greenwood Lake or Mt. Laurel Lake Dams for any reason. Only emergency or maintenance personnel and their vehicles are permitted.

5. Overnight camping on parklands is allowed only with a valid permit from the UGLPOA.

## F. Private Dwellings -

1. All buildings and improvements including sanitary systems must be built, and maintained in accordance with the ordinances of the Township of West Milford.

2. The Board of Trustees shall enforce the building restrictions governed by the Township concerning any issues regarding property owned by the UGLPOA

## G. Roads -

1. All state and local laws and ordinances (including Title 39 of the NJ Statutes pertaining to motor vehicles) and any amendments thereto, shall apply to and be enforced on, all private roads owned by the Association.

2. No person shall erect or maintain any fence, building, unnatural earthwork, growths, living fences, or obstruction of any kind nor shall any person excavate or construct any ditch, culvert, or pipeline on a road owned by the UGLPOA without permission being granted, in writing, by the Board of Trustees and providing that the same is in accordance with State and local laws.

3. Parking shall not be permitted on any road or right of way owned by the UGLPOA unless designated as a parking area by the Association, the Township of West Milford or the State of New Jersey.

4. The Board of Trustees may remove any vehicle abandoned on any road owned by the Association and charge the cost of such removal to the owner of the vehicle. For this purpose, a vehicle shall be considered abandoned if it is parked without a car sticker as issued by the Board of Trustees, which is part of the membership kit, if parked continuously without being moved for a period of seventy-two (72) hours, or if parked in such a manner as to obstruct traffic or the removal of snow. No notification of such removal is required to be given to the owner of any such vehicle before it is removed.

5. Any group or persons may form together as a road committee to collect money and improve any of the roads owned by the UGLPOA provided that, before any improvements are made, written notice of formation of Road Association be given to the Board of Trustees.

6. Overnight parking of boats, or any kind of vehicles on trailers is prohibited.

7. Obstructions of any kind which may prevent the passage of emergency vehicles is prohibited.

## H. Environmental -

1. The use of fertilizers in or around the lake or its tributary streams is strictly prohibited.

2. Discharge of septic, gray or laundry waste water into the lakes, their tributary streams or parklands is strictly prohibited.

3. The use of phosphate based detergents is prohibited. Only biodegradable, non-phosphate detergents are permitted.

## I. Winter / Ice Use

1. Only motorized vehicles owned by and registered to property owners may be operated on the ice or waters of the lake. The only motorized vehicles permitted on the ice are those vehicles recognized by the State of New Jersey for use on the ice, i.e. all terrain vehicles and snowmobiles. All such vehicles must be currently and properly registered and insured for such use in the State of New Jersey. Further, all such vehicles must display a current UGLPOA sticker, available from the financial secretary

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as part of your membership kit. The Township of West Milford, and the State of New Jersey are authorized to enforce all local, and State laws governing the use of motorized vehicles on the ice or waters. All motorized vehicles will be operated in a safe and courteous manner with equipment designed to muffle engine noises that meets or exceeds the standards set by the vehicle manufacturer, local and State regulations. Vehicles and operators will at all times, while on the ice or waters, be equipped with all safety equipment, including helmet and vest, mandated by law or regulation. Cars, trucks, motorcycles and other motorized vehicles are prohibited.

2. Ice fishing is permitted only by authorized property owners and their guests.
3. Trespassers are not permitted on the ice and may be prosecuted.
4. No structures or objects of any kind including but not limited to hockey nets, ice shelters, tables and chairs, traffic cones, milk crates or spackle/paint buckets are to be left on the ice overnight.
5. No fires, either open or in barrels are permitted on the ice or lake bottoms.
6. Bubblers – Open Water: The use of de-icing devices to prevent the lake from freezing is prohibited. The prohibited de-icing devices include, but are not limited to, bubblers, ice retardant systems, any other device, system, or apparatus that would prevent the lake from freezing and create a potential open water hazard, or otherwise destabilize the ice.

## J. Tenants -

1. A tenant shall have the right to join the UGLPOA as a non-transferable, associate member upon payment of UGLPOA dues provided all current and past due Membership Dues and Easement fees for the property, including any late or legal charges, must be current before an associate membership can be issued. (The liability of payment to the annual easement fund rests solely with the landowner). An associate member's rights are:

- a. Use of the beach;
- b. Use of a dock upon request;
- c. Use of a boat on a 24 hour basis.

2. A person who is eligible to be a member of the UGLPOA is not eligible for tenant/associate membership.

## K. Clubhouse -

1. The clubhouse is a facility owned, operated, and maintained by the UGLPOA for the benefit of the general community and is available to any member of the UGLPOA or general public for an event or gathering at a rental fee established by the Board of Trustees.

2. Reservations are subject to guidelines set forth by the Board of Trustees and may be requested through the clubhouse chairperson.

3. A security deposit, as established by the Board of Trustees shall be held by the UGLPOA and



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returned to the lessee only after a satisfactory inspection of the clubhouse. The UGLPOA shall have the right to offset damages against the security deposit and to pursue the lessee for the recovery of all costs, including reasonable attorney's fees to restore the premises.

L. Guests – Guests of a property owner are permitted to use the Lakes only when in the company of the property owner. In the absence of the property owner, guests may not use the lakes or parklands. Guests may not launch boats in the lake.

M. Financial -

1. The UGLPOA may charge a fee for returned checks rendered to the UGLPOA for the payment of dues or easement charges. The amount of said charge will be set by the UGLPOA and may change from year to year.

2. The UGLPOA has the right to charge interest on unpaid dues and easement charges and to pass along for collection fees including reasonable attorney's fees on unpaid dues or easement charges.

N. Property Transfers - Membership in the UGLPOA is nontransferable. Upon the sale or transfer of real property by a member currently in good standing, said membership terminates as of the date of the transfer. No refunds will be made. A new owner may apply for membership in the UGLPOA upon submission to and acceptance by UGLPOA of completed application and payment of the full years dues.

Revised 12/2016