

WHITE HERON LAKE, INC.  
Marshalls Creek, PA 18335

By-laws & By-law amendments

<b>By-law Number</b>	<b>Article Name</b>	<b>Content</b>
<b>By-law 0.1</b>	Name	The name of the Corporation shall be White Heron Lake, Inc. (Folded into by-laws 04/24/04)
<b>By-law 0.2</b>	Purpose	(Amended 09/22/01 & 04/24/04, folded into by-laws 04/24/04) The purpose of the corporation is to promote sociability, recreation and athletics, including hunting and fishing.
<b>By-law 0.3</b>	Membership	(Amended 05-21-88,10/19/02 & 04/24/04, folded into by-laws 04/24/04) In order to be eligible for membership in White Heron Lake, Inc. the candidates(s) must meet the following criteria: <ul style="list-style-type: none"> <li>a) Be one woman, or one man, or a man and a woman who are married to each other,</li> <li>b) Own property within the bounds of White Heron Lake, Inc.</li> <li>c) And be the same one(s) named on the property deed.</li> </ul> In addition the candidate(s) must also: <ul style="list-style-type: none"> <li>a) be recommended by a member of White Heron Lake, Inc. in good standing,</li> <li>b) pay the requisite membership fee with the application for membership,</li> <li>c) and be approved by the Board of Directors of White Heron Lake, Inc. after the entire membership has been notified and has had ten (10) days to voice their opinion as to acceptance or rejection of the proposed new member.</li> </ul> After approval by the Board of Directors, the treasurer shall issue to the candidate(s) a Certificate of Ownership. No member is permitted to hold more than one Certificate of Ownership.
<b>By-law I.</b>	<b>Certificate of Ownership</b>	A Certificate of Ownership will be issued to each member as follows: This certifies that _____ is a member of White Heron Lake, Inc., and is entitled to the privilege of the use of the lake and surrounding tract subject to the rules of the Corporation, also is a co-owner of the real property of the Corporation.
I.2	Transfer of Membership	(Amended 09/22/01 & 04/24/04) A member disposing of his/her real property at White Heron Lake, Inc. shall return his /her Certificate of Ownership to the Corporation for a consideration of \$1.00 In the event a certificate is not returned, the unreturned certificate is declared null and void at the time of settlement on the real property. The Corporation will accept application for new membership according to By-law 0.3.  The current year's dues will be pro-rated between the old member and the new member.

I.3	Limit of Membership	The number of members in the Corporation shall not exceed sixty (60) at any time.
I.4.a		A membership shall have one vote.
		Amended 04/24/04)
I.4.b.		In order for a member of White Heron Lake, Inc. to be in good standing, the member must meet the following <i>minimum</i> criteria: a) Maintain the criteria for eligibility for membership in White Heron Lake, Inc. as specified in By-law 0.3, b) Be current with all financial obligations to White Heron Lake, Inc., Follow the by-laws and rules of White Heron Lake, Inc.
<b>By-law II</b>	<b>Purchase of Land</b>	(Amended 09/22/01)
II. 1		Additional ground, contiguous to a member's property, may be purchased by members of the Corporation only, at a price to be set by the Board of Directors. No building may be erected thereon for use as an individual dwelling or other than as an extension to the existing residence, or for a building for utility purposes. The Board of Directors is empowered to execute deeds for any property sold.
II.2	Subdivision of Member Owned Land	No member may sell any property holdings within the limits of White Heron Corporation unless the entire property holdings are transferred as a single entity. A member may sell a portion of his land to another member whose property is adjacent to his property upon the approval of the Board of Directors.
II.3	New Construction / Additions / Alterations	(Amended 09/22/01)
		Building plans must be submitted to the Board of Directors for approval and must contain provision for an on-site sewage disposal system with a drainage field. Such system shall be approved by State and Local government. The sewage system shall not be located within 100 feet of the shoreline of the lake. No outside toilets will be permitted If a township permit is required, it shall be obtained and a copy presented to the Board of Directors before any construction begins. Not more than one single family residential unit shall be constructed, occupied, or permitted to remain on a member's property.
II.4	Area of Reservation	An area of thirty-five to fifty feet, governed by the contour of the land, from the edge of the lake at high water, will constitute a reserve around the lake for the use of members. This area will be retained by the Corporation and no part of the same will be sold, nor buildings erected thereon.
II.5	Occupancy	(Amended 05/15/82,09/27/86,09/22/01 & 4/27/02)
		Only a single-family occupancy is allowed.

II.6	Renting of Member Owned Property	(Amended 04/27/02)
II.6.a		In the event any member shall desire to rent or lease his/ her property, he /she shall first obtain approval in writing from the Board of Directors.
II.6.b.		Upon approval of the proposed tenant, the member shall pay a non-refundable fee of \$1000.00 plus an amount equal to the annual membership contribution for the current year and annually thereafter. This is in addition to the member's annual contribution. This procedure and payment shall be followed for each change of tenant. The tenant must be acceptable to the Board of Directors. Tenants will be considered guests of member leasing his /her property. Member shall be responsible for the tenant observing the rules and regulations of the Corporation and shall be subject to suspension upon violation.
II.6.c		(Amended 09/27/86) A summary of the Rules and Regulations governing guests and guest privileges, together with the Rules governing members, will be furnished to each member, and it is required that this be posted in a conspicuous place in every cottage. Guests of tenants are not entitled to the use of amenities of the Corporation.
III.6.e		(Added Oct 20, 2012) The minimum lease term is one (1) year, unless an exception is granted in advance by the WHL Board of Directors. Exceptions will not be granted for vacation rentals.
III.6.e		(Added Oct 20, 2012) The tenant/renter agreement must be executed for all rentals.
<b>By-law III</b>	<b>Officers</b>	(Amended 09/28/85, 09/22/01 & 04/24/04)
III.1		The officers of the Corporation shall be a President, a Vice-President, a Secretary, and a Treasurer.  The officers must be members of the Corporation.
III.2	The President	It shall be the duty of the President to preside at all meetings of the Corporation and the Board of Directors; to enforce strict observance of the Constitution and By-Laws and to preserve order. He / she shall appoint all appointed officers and committees, who shall work under his / her supervision. He/ she shall countersign, together with the Treasurer all drafts for payments of the funds of the Corporation. He /she shall, with the Treasurer, sign all obligations of the Corporation. He / she shall be an ex-officio member of all committees.
III.3	The Vice-President	In the absence of the President, the Vice-President will perform the duties of the President. In the absence of the President and Vice-President at any meeting, the members present shall select a Chairman, who shall preside at such meeting.

III.4	The Secretary	(Amended 10/21/06)
III.4.a		He / she shall carry on all correspondence and make a careful record of the minutes of All meetings. He/ she shall mail notices of all regular meetings not later than ten days prior to the date of the meeting and attend to all other details customary to his office.
III.4.b		He/she shall mail the notices of contributions due to each member that are given to him /her by the Treasurer.
III.4.c		He / she shall, with the President sign all written obligations and contracts of the Corporation except bank checks. He / she shall be the custodian of the official seal of the Corporation; in addition, of all legal documents of the Corporation and shall keep a correct record of all members and their standing in the Corporation. He / she is empowered to receive monies paid to him / her on account of the Corporation.
III.5	The Treasurer	(Amended 04.27/02)
III.5.a		He / she shall render a general report to the Board of Directors at their regular or special meetings at the request of the presiding officer. All bills for payment shall be presented through him / her and proper record made upon the minutes when they are approved. He /she shall at all times keep his / her records in readiness upon call of an auditing committee.
III.5.b		The Treasurer shall receive monies due the Corporation and shall deposit the same in a bank, selected by the Board of Directors, in the name of the Corporation, and shall make disbursements authorized by the Board of Directors on vouchers lawfully drawn. He / she shall keep his books in readiness for inspection by the Board of Directors or an auditing committee.
III.5.c		At each regular meeting of the Board of Directors he/ she shall present a statement of the financial condition of the Corporation, and shall at the annual meeting submit a detailed report showing the financial transactions of the Corporation for the preceding year. This annual report shall be approved by an auditing committee and the Board of Directors and a copy shall be provided for each member of the association. The Treasure shall mail a copy of the financial statement to each officer and Board member seven (7) days prior to a Board of Directors meeting.
III.5.d		All checks shall be signed by the Treasurer and countersigned by the President, or in the absence of the President by the Vice-President.
<b>By-law IV</b>	<b>The Board of Directors</b>	(Amended 09/28/85,09/22/01,10/18/03 &04/24/04)
IV.1.a		The Board of Directors shall be composed of ten (10) members of the Corporation, in good standing, including the President, Vice-President, Secretary, and Treasurer. Two (2) members of the Board of Directors shall be elected each year to serve for a term of three (3) years or shall serve until their successors have been elected.

IV.1.b		The board of Directors shall direct the management of all the Corporation, decide upon the eligibility of applicants, receive all complaints including the conduct of members, suspend any member after a hearing in person when his/her conduct warrants such action, and shall have power to reinstate any member. They shall prepare an annual operating budget of the expenditure of operating funds.
IV.1.c		They shall make all rules and regulations pertaining to the Corporation not contrary to its Constitution and By-Laws.
IV.1.d		The Board of Directors shall not spend any money from the contingency reserve without approval of three-fourths (3/4) of the members present at a membership meeting.
IV.2..d (2)		(Added 04/24/04) The Board of Directors shall not sell any Corporation property without the approval of three-fourths (3/4) of the members present at a membership meeting.
IV.1.e		(changed April 23, 2011 to read) They shall meet each month during the months of May, June, July, August, and September, and at such other times as they may be called by the President. Five members of the Board of Directors shall constitute a quorum.
IV.1.f		Any member of the Board of Directors who shall absent himself /herself from three consecutive meetings of the Board (unless he /she has previously obtained permission from the President to do so, or shall at the next regular meeting of the Board present an excuse for his /her absence satisfactory to the majority of its members present) shall be considered as having resigned from the Board and another member of the Corporation shall be named by the Board members to take his /her place.
IV.2	Personal Liabilities of Directors	(Addition 05/20/89)
		A Director of White Heron Lake, Inc. shall not be personally liable for any action taken, or failure to take any action, in performance of his/her duties as a director unless: (1) the director has breached or failed to perform the duties of his/her office under section 8363 of the Pennsylvania Business Corporation Law, 15 P.S. 8363 (Supp.1986) and (2) the breach or failure to perform constitutes self-dealing, willful misconduct, or recklessness.
<b>By-law V</b>	<b>Committees</b>	(Amended 09/22/01, 04/27/02))
V.1.a	Nominating	A Nominating Committee of three members shall be appointed annually by the President and approved by the Board of Directors, to select nominees for the elective offices of the Corporation.
V.1.b		The committee shall present the slate of nominees at the regular meeting of the Board of Directors held prior to the annual meeting of the Corporation.
V.1.c		An official ballot shall be provided containing the names of the candidates and the offices for which they have been nominated, and space shall be provided for entering the names of independent candidates for corresponding offices.

V.2	Auditing	An Auditing Committee of three members shall be appointed annually by the President and approved by the Board of Directors for an annual audit of the Corporation records and submit a report to the Board of Directors and the membership at the semi-annual meeting in May.
V.3.a	Building & Grounds	A Building and Grounds Chair shall be appointed annually by the President and approved by the Board of Directors to supervise the maintenance of the Corporation property.
V.3.b		He / she shall be empowered to expend the annual funds budgeted this committee for the purpose of property maintenance and improvement, by employing such labor, and equipment and materials, and tools he / she deems necessary to execute his / her duties.
V.3.c		This person shall report to the Board of Directors at every Board of Director's meeting on its progress and expenditures.
V.4	Other	The President may appoint other committees at such times he/she deems it necessary.
<b>By-law VI</b>	<b>Election of Officers</b>	(Amended 09/28/85, 04/07/02))
VI.1		The President, Vice-President, Secretary, Treasurer, and two members of the Board of Directors shall be elected annually.
VI.2.a		Election of officers shall be by ballot cast in person by voting members in good standing at the annual meeting.
VI.2.b		The presiding officer shall appoint three (3) inspectors of election who shall receive and count the ballots and report the results to the presiding officer, who shall in turn report the same to the members.
VI.2.c		A plurality of votes shall decide the election of any officer.
VI.2.d		The Board of Directors shall conduct the election of officers immediately upon the termination of business at the annual meeting.
<b>By-law VII</b>	<b>Meetings</b>	(Amended 05/20/78, 09/28/85, 09/22/01 & 04/27/02)
VII.1		Annual and semi-annual meetings of the Corporation shall be held. Notice of meeting shall be mailed to the members at least ten days before the date of the meeting. Meetings shall be at a place designated by the President, located in Monroe County.
VII.2.a	Semi-annual	The semi-annual meeting shall be the fourth (4th) Saturday in April at 2:00 PM. Unless that day should fall on a legal holiday, when the preceding or following day shall be designated.
VII.2.b	Annual	The annual meeting shall be held on the third (3 <sup>rd</sup> ) Saturday in October of each year at 10:00 AM. Unless that day should fall on a legal holiday, when the preceding or following day shall be designated.
VII.3		The President may call a special meeting of the Corporation at any time. A special meeting may be called by ten members in good standing if requested in writing over their signatures to the Secretary stating in writing the reason for the meeting.

VII.4	Quorum	Fifteen members of the Corporation shall constitute a quorum for transaction of business at any meeting of the Corporation.
<b>By-law VIII</b>	<b>Contributions</b>	(Amended 09/24/77, 09/28/85, 10/18/03 & 04/22/06)
VIII.1.a		The Board of Directors shall set the annual contribution.
VIII.1.b		If the amount established for the annual contribution exceeds the previous years contributions per member, the Board shall then advise the general membership 10 days prior to the annual meeting and the amount must then be approved by a three-fourths (3/4ths) majority of the membership present and voting at the annual meeting.
VIII.1.c		The annual contribution shall be payable to the Treasurer – One-half (1/2) by October 31 <sup>st</sup> and one-half (1/2) by April 30 <sup>th</sup> of each year.
VIII.2.a		The Board may recommend a special assessment of the members if the Board deems it to be necessary and in the best interest of the community.
VIII.2.b		If the Board recommends a special assessment of the members, the Board shall then advise the general membership ten (10) days prior to a membership meeting at which the special assessment is to be voted on by the membership. The amount and terms of the special assessment must then be approved by a three-fourths (3/4 <sup>th</sup> ) majority of the membership present and voting at that meeting.
VIII.2.c		Any special assessment shall be payable on terms authorized by the Board and the membership.
VIII.3		The Board is authorized to borrow for capital improvements to existing site improvements if the debt can be liquidated based on anticipated receipts during the term of the loan authorized by the Board and three-fourths (3/4) of the membership present and voting. New capital improvements would require the approval of a three-fourths (3/4) majority of the membership present and voting at that meeting.
VIII.4.a		The privileges of a member will be automatically suspended if the contribution, any special assessment payment or other fees are not paid within thirty (30) days of the due date, unless an appeal for an extension of time has been submitted to the Board in writing and approved by the Board prior to the due date.
VIII.4.b		A late charge of \$15.00 per month shall be assessed to any member paying the annual contribution after thirty (30) days.  A late charge and all costs of collection and reasonable attorney's fees shall be assessed to any member paying any special assessment payment thirty (30) days after the due date.
VIII.4.c		The unpaid balance of any annual contribution or any special assessment shall constitute an automatic lien on the lands in the community of the delinquent member(s). The lien shall include all costs of collection and reasonable attorney's fees, and shall be an obligation of the member and the member's successors in title to the lands.

<b>By-law IX.</b>	<b>Amendments</b>	(amended Oct 20, 2007) Alterations, additions or amendments to the Constitution or By-Laws may be any Semi-Annual or Annual business meeting of the Corporation by a two-thirds vote of the members present, providing such proposed amendment(s) have been submitted to the board of Directors at least forty five (45)days prior to the meeting at which the proposed amendment(s) are to be acted upon.
<b>IX.1</b>		(added Oct 2015) That a copy of the same (amendment(s)) shall then be mailed to each member of the Corporation by the Board Secretary at least Thirty (30) days prior to the meeting at which the proposed amendment(s) is/are to be acted upon.
<b>By-law X.</b>	<b>Recreation</b>	(Amended 09/22/01)
X.1.a	Airplanes	Airplanes will not be permitted to land on or take off from the lake.
X.2	Boats	(Amended 10/18/03)
X.2.a		Only member's boats are allowed on the lake unless there has been Board approval.
X.2.b		All watercraft shall have their WHL assigned number permanently affixed to the boat in plain sight.
X.2.c		No boats propelled mechanically will be permitted on the lake any time unless there is Board approval.
X.2.d		Boats propelled by small electric motors will be permitted on the lake provided the motor is limited in its power to produce a speed of not more than 6 MPH, and that the same boats will not be operated within 50 yards of designated swimming areas. Boats are prohibited within the swimming floats and may not dock within ten (10) feet of the designated beach area.
X.2.e		All boats shall conform to State Regulations.
X.2.f		Only one (1) boat may be used for fishing at a time.
X.2.g		Boats (fishing boats, canoes, kayaks, etc.) must be thoroughly scoured and disinfected if transferring from another body of water to prevent introduction or spread of harmful organisms.
X.3	Hunting	(Amended 04/27/02)
X.3.a		Members' immediate families are entitled to hunting privileges.
X.3.b		Members shall have no more than two (2) guests and the member must accompany his/her guests at all times while hunting.
X.3.c		Shooting of antlerless deer will not be permitted on Corporation property except when allowed by the State and by the Game Committee when approved by the Board of Directors, and then only by members of the corporation, his /her spouse and children, but not by guests.
X.4	Trapping	(Added 09/22/01)
		Members only are permitted to trap animals unless specifically authorized by the Board of Directors.
X.5	Fishing	(Amended 09/22/79, 09/22/01 &04/27/02)
X.5.a		State laws will govern taking of all fish.
X.5.b		Whenever possible members shall accompany their guests when fishing. It is mandatory that members be in their residence when sponsoring guests for fishing purposes.



X.5.c	Ice fishing	Guests must be accompanied by a member when ice fishing.
X.5.d		Members' guests must wear a WHL badge. Members shall be fully responsible for their guests, who will be required to conform to all regulations of the corporation.
X.5.e		Members' immediate families are entitled to fishing privileges.
X.6	Swimming	(Amended 09/22/01)
X.6.a		Beach rules and regulations shall be established and enforced by the Beach Committee.
		Whenever possible, a member should accompany his / her guest(s) while swimming and at the beach.
X.7	Membership badges	
X.7.a		Membership badges will be issued to members for their use and for the use of their families.
X.7.b		These are to be worn when fishing, hunting, boating or swimming.
X.7.c		Guest badges (with member's # on them) will be supplied to all memberships for the use of their guests.
X.7.d		TWO specially marked ones will be provided for hunting and TWO for fishing.
X.7.e		The member must retrieve Guest badges when the guest(s) is vacating WHL property.
X.7.f		Members shall be fully responsible and liable for injury or damage to WHL property by their guests, who will be required to conform to all regulations of the corporation.
X.7.g		The WHL Corporation shall NOT be held responsible, or liable, for injuries by, or to guest and /or their property.
X.8	Picnics	(Amended 09/22/01)
X.8.a		No picnics, parties or use of any part of the property of the corporation will be permitted by non-members except as arranged through the Board of Directors and under the supervision of those who the Board may appoint in each instance.
X.8.b		Those given the privilege of holding picnics must not throw paper or refuse on the ground or violate the rules of the Corporation in any way. All trash must be removed at the conclusion of the event.
X.9	Firearms	(Amended 09/22/01& 04/27/02)
X.9.a		Firearms, archery equipment, etc. shall be used in accordance with Federal, State and local regulations for hunting.
X.9.b		Target practice is permitted only on the approved WHL ranges. Shooting of any nature, including hunting is not permitted on, or adjacent to the lake surface.
X.9.c		The use of firearms at any time on the property except as provided in X.9.b is prohibited except in hunting season, and then only in accordance with the rules of the corporation and State laws governing hunting. Members (only) using firearms for the extermination of pests will be exempted from this rule.

<b>By-Law XI</b>	<b>Other</b>	
XI.1	Fires	(Amended 09/22/01 & 04/27/02)
XI.1.a		All outdoor burning must conform to local ordinances.
XI.1.b		Fires are prohibited on WHL property except in the fireplace at the picnic pavilion or areas designated by the Board of Directors.
XI.2	Dogs	
XI.2.a		Dogs will not be permitted to run at large unaccompanied by their owners.
XI.2.b		Each member is responsible for cleanup and damage resulting from their dog.
XI.2.c		Owners must police dog "business" on common property such as beach, by docks, by benches, walkways and nature trails. Clean up after your pet.
XI.3	Garbage	(Amended 09/22/01 & 04/27/02)
		Each member or cottage owner is required to provide himself / herself with garbage receptacles of a standard type, properly covered with a lid, and the contents collected or disposed of at least once each week. Disposing of garbage and trash on the property of the corporation is prohibited.
XI.4	Brush & Firewood	(Amended 09/22/01 & 04/24/04)
XI.4.a		Brush and leaves from members' property may be disposed on the property only at the location designated by the Board of Directors.
XI.4.b		Firewood cut on lake property will be used solely by members at their WHL residence.
XI.5	Docks	(Added 09/22/01 – Amended 10/18/03)
XI.5.a		All new docks must be approved by the Board of Directors.
XI.5.b		Docks are not to exceed six (6) feet by eighteen (18) feet.
XI.5.c		All new docks must be floating docks, and of natural wood colors if painted or stained.
XI.5.d		Docks must be used only by permission of owner.
XI.5.e		Docks must be maintained by the owner for safety and appearance.
XI.5.f		The Board reserves the right to remove all docks that are not maintained. Notice of destruction will be mailed to White Heron Lake dock owners (at the address on file) not less than 60 days prior to destruction, and will detail the violation and scheduled date of destruction.
XI.6	Lighting	(Added 04/27/02)
		Adequate shielding shall be provided to protect adjacent property from the glare of all lighting.

<b>By-law XII</b>	<b>Suspension - Reinstatement</b>	(Amended 09/22/01)
		<p>Authority is vested in the Board of Directors to suspend at their discretion any member convicted of a crime or misdemeanor, or whenever they deem it necessary for the best interests of the membership at large. Such member may be reinstated at the discretion of the Board. In the event a member is suspended not reinstated by the Board, the matter of permanent suspension shall be brought before the next meeting of the members of the corporation, of which proper notice shall be given. The notice of the member's meeting shall state that the matter of reinstatement or permanent suspension of a member will be brought before the meeting. The member who has been suspended by the Board of Directors may be permanently suspended from the rights and privileges of membership by the vote of majority of the members of the Corporation present at the meeting. If not so suspended, then the member shall be reinstated. In case of the permanent suspension of a member of the Corporation shall refund \$1000.00 for his /her Certificate of Ownership, and the Certificate in his possession shall be void. The suspended member shall be required to return the voided Certificate to the Corporation.</p>
<b>By-law XIII</b>	<b>Dissolution of Corporation</b>	<p>The Corporation shall not be dissolved except upon the affirmative vote of not less than forty members at a meeting properly called for the purpose of considering a proposal to dissolve the Corporation, and after not less than sixty days written notice to all members.</p>