

- December 2015

Property Standards Committee

The Board of Directors formed this committee this year in response to complaints received from Association members about nuisance properties or conditions. The committee's purpose was to formulate a set of standards that will provide better definition of what constitutes a nuisance, given that the BUR is vague on the topic, and would provide better footing if an action is required to address a nuisance.

Below are the Property Standards the Board adapted at its November monthly meeting. They can also be found on the Association's website. If you have any questions, please feel free to contact any committee member.

The Property Standards Committee

Evelyn Blazeovich

Dana Murray, Co-Chair

Bob Thom

Don Eichberger

Dave Patton, Co-Chair

Wayne Kuethe

Jeanette Pitman

Indian Lake Property Owners Association, Inc. Property Standards (Adopted November 13, 2015)

PURPOSE

The purpose of the Property Standards is to provide guidelines for the Board of Directors (BOD), which will assist the BOD in identifying properties within the development that do not meet acceptable standards. The standards are intended to provide support for and are consistent with the Rules and Regulations (Section 19) and the Building And Use Restrictions (Paragraphs 2, 5, & 7).

PROCEDURE

In the event properties do not comply with the stated standards, the BOD may pursue all necessary remedies, including legal actions, to address non-conforming properties.

STANDARDS

The Property Standards are not intended to be all-inclusive, but rather describe general conditions in which properties fall within the term "private nuisance." A private nuisance is a civil wrong; it is the unreasonable, unwarranted, or unlawful use of one's property in a manner that substantially interferes with the enjoyment, use of or value of another individual's property, without an actual trespass or physical invasion to the land. The law recognizes that those in rightful and legal possession of land have the right to unimpaired condition of the property and to the reasonable comfort and convenience of their property.

The following list identifies items that would constitute examples of nuisances that interfere with the comfort, convenience, health, and well being of other Association landowners. The list is not exhaustive and may not cover every conceivable nuisance, but identifies general conditions that constitute examples of private nuisances:

- Foul odors and/or noxious gases
- Barking dogs or stray pets not controlled by the owner
- Home sites and yards strewn with litter (i.e. tires, old building materials, trash, cans, etc.)
- Outside storage of motor vehicles, watercraft and/or trailers that are inoperable and/or in disrepair
- Homes, garages and/or storage buildings in disrepair, with overgrown vegetation and/or with fallen trees and limbs
- Docks which are structurally unsound, partially submerged or in disrepair
- Floating docks that are not properly tethered to the shore or a seawall
- Storage of vehicles, watercraft and trailers or other similar items within the right-of-ways that run parallel to the roadways