

**Rules and Regulations Governing
CLEAR CREEK LAKE, INC.**

The lake shall be governed by the following Rules and Regulations which have been reviewed by the lake attorney and adopted by the Board of Directors pursuant to the authority contained within the By-Laws of Clear Creek Lake, Incorporated.

1.

The fiscal year for Clear Creek Lake, Inc. shall be July 1 to June 30.

Dues: Dues shall entitle the member to the rights and privileges of the lake as outlined in these Rules and Regulations.

Membership dues shall be set by the board at its discretion.

Any member may purchase and own one or more lots of lake property, in which event member shall be liable for dues on each lot.

Dues become due and payable on July 1 of each fiscal year and delinquent thirty (30) days after that date. All lake privileges (use of lake, fishing, and shelter) will be suspended as of the date the dues become delinquent. These privileges will remain suspended until dues are paid.

When dues become thirty (30) days delinquent, a lien for the unpaid dues shall be placed on the property. Attorney's fees and court cost plus 1.5% per month interest shall be added to the amount of the lien.

2.

Members shall not be required to register to fish. Guest(s) MUST be registered DAILY BY MEMBER with the name of member and guest written on the register. Any altered, false or forged written information shall be in strict violation of the rules and regulations of Clear Creek Lake Association. Violator will be asked to leave premises. If they refuse, the lake member will notify Giles County Sheriff's Department.

Member's spouse, whose name does not appear on lake records as property owner, does not need to sign the book.

Member's dependent children and/or grandchildren, under the age of 15 years of age (effective July 1, 2014, 15 years of age prior to June 30, 2014) and any adult unmarried children, who may be living in members household, may have lake and fishing privileges without being registered by member. **NO FORGERY ALLOWED.**

Member may not register more than six (6) guests at any one time, unless it is a family gathering.

3.

This is a fishing lake only. Member has right to place and use on the lake a fishing boat, kayak, canoe, and/or paddle boat. Sailboats or flotation devices (i.e., inner tubes), sailboarding and paddleboarding are not allowed. Fishing pontoon boats (not to exceed 17feet long) are permitted (trolling motor only). No craft shall block a waterway when docked. Each passenger must have a life preserver at all times. All craft shall be kept secured at all times when not in use. Anyone under the age of

fifteen (15) and under (see Rule 2) must be accompanied by an adult property owner. Outboard motors are not allowed except by permission of the board of directors and then only for the purpose of care and maintenance of the lake. Electric trolling motors are permitted.

The boat ramp located next to the shelter is the only authorized place to launch a boat from a trailer.

4.

No member shall bring any suit for any damages against Clear Creek Lake, Inc for any injury or accident that may occur to member or guest(s) while fishing on lake property. **There shall be no bathing or swimming in the lake at any time.**

5.

In order to maintain proper balance of the fish population, the size of the fish to be returned to the lake will be noted on signs placed at various locations around the lake. Frog hunting is not allowed.

A day's fishing shall be from break of day until dusk on that day. **Night fishing is not allowed.**

Fish may be caught from the lake by use of rod and reel. Jug fishing is permissible for member with the following restrictions, (1) may use as many as, but no more than; ten (10) jugs at one time; (2) may jug fish daily; (3) must sign the register at the caretaker's house before placing jugs in the water; (4) a family member must be personally in

attendance of jugs at all times; (5) jugs will not be left in the water overnight; (6) member may have guest(s) accompany them in the boat when jug fishing. It shall be a violation to use nets, throw nets or trot lines in the lake.

6.

Nothing shall be thrown into the lake that would pollute its waters, disturb the bank stabilization and/or obstruct the outlet in any way.

7.

Clear Creek Lake Rules and Regulations have prohibited two (excludes husband/wife and immediate family) or more people acquiring a lot. Any request for any deviation from this rule shall be addressed by the board on a case-by-case basis.

No lot shall be partitioned or subdivided into two (2) or more lots or parcels.

8.

Firearms may be discharged on lake property only by special permission of the caretaker. Discharging of firearms will be limited to shotguns only, and then only for the purpose of shooting turtles, snakes and muskrats. Duck and goose hunting will not be permitted. It shall be a violation of these rules and regulation to discharge rifles or pistols on Clear Creek Lake, Inc. property.

9.

There shall be reserved unto Clear Creek Lake, Inc and its members around the perimeter of the lake a ten (10) foot wide easement across each lot adjacent to the shoreline in order for members and guests to pass from one lot to another to exercise the privileges of membership and to further enable the proper maintenance of the lake.

10.

Trailer homes, mobile homes, travel trailers and RV's are not allowed to be placed on any lot or lots permanently. Travel trailers and RV's will be permitted to load and unload within a twenty four (24) hour time period.

11.

No member shall have the right to rent or lease a lot or lots, house or cabin. House sitting not allowed.

12.

It shall be the duty of every member, upon observing anyone knowingly violating the rules and regulations of Clear Creek Lake, Inc. or learning of any infraction, to immediately report the same to the caretaker or to a member of the board of directors.

13.

No member nor guest(s) shall be permitted to have anything on member's property that would be **a nuisance to other members such as junk cars, trash, scrap materials, disturbing dogs, loud music,**

loud vehicles, loud mufflers, etc. The board of directors shall have the sole right to order the nuisance removed. If a petition of six (6) members is received by the board of directors, a certified letter shall be sent to member in violation of the nuisance law, at which time the matter must be resolved within ten (10) days.

If nuisance is not removed within that time, the board of directors will make arrangements for removal at the member's expense. If costs are not paid within thirty (30) days, a lien for the cost shall be placed on the property. Attorney's fees and court costs, plus interest, at the rate of 1.5% per month, shall be added to the amount of the lien.

All vehicles shall be duly licensed, operable and registered with the Department of Safety. All violators will be subject to the towing of the vehicle at the owners expense.

14.

Property owners must keep trash picked up and lawns mowed, otherwise a "clean-up" fee will be assessed after written notification to property owner. This includes the 10 foot easement. This fee will be a **MINIMUM** of \$100.00 per lot.

Any assessment for cleaning lots which is not paid within thirty (30) days shall constitute a lien on the property by Clear Creek Lake, Inc. with attorney's fee, court costs, and interest at the rate of 1.5% per month being added to the amount of the lien.

The owner of a wooded lot who receives notification may make an appeal to the lake

executive committee. Any variance from this rule shall be handled on a case-by-case basis.

15.

No member or guest will be allowed to bring children under age sixteen (16) (see Rule 2) and leave them at the lake without the supervision of an adult. The caretaker nor any other property owner will be responsible for unsupervised children.

16.

When a member sells a lot, the Certificate of Membership properly executed and notarized shall be submitted to the secretary, for cancellation, within fifteen (15) days of the date of sale. A new certificate will be issued to the purchaser which supersedes any previous certificate for that lot(s). This will transfer all lake and fishing privileges to the new owner. Previous owner is responsible for the payment of any unpaid dues.

17.

There shall be no burning of trash or debris on any lake owned property, (shelter area, islands, below dams).

Property owners may use fire rings or other controlled fire device. Property owner must have instant access to water hose.

18.

Common areas only is the responsibility of the lake. The shall be defined as the shelter, the islands and the creekside below the dam, and the ten (10) foot easement around the lake for the use of members and guests.

19.

The penalty for any violation of the Rules and Regulations of Clear Creek Lake, Inc. may carry a penalty of suspension of twelve (12) months up to a permanent forfeiture of all lake rights and privileges. The Board of Directors shall constitute the trial tribunal.

NOTES

**BY-LAWS
OF
CLEAR CREEK LAKE, INC.**

**ARTICLE I
MEMBERSHIP**

1. Membership Certificates Each member shall be entitled to a Clear Creek Lake Certificate of Membership in such form as prescribed by the Board of Directors. Unless otherwise decided by the board, such certificates shall be signed by the president and the secretary of Clear Creek Lake, Inc. No membership shall be transferable.
2. Qualification of members All members must be property owners of one or more lots within the land area originally established by Clear Creek Lake, Inc. or any addition to said land area established thereafter.

**ARTICLE II
MEETING OF MEMBERS**

1. Annual Meeting

The annual meeting of the members shall be held at such time and place, as designated by the directors. Unless the time is otherwise specified, said meeting shall be held during the third week of June, or as close thereto as possible.

2. Special Meetings

(a) Special meetings of the members may be called by the president, a majority of the board of directors, or by not less than one-fourth (1/4) of all the members entitled to vote at such meeting. The place of said

meetings shall be designated by the directors.

(b) Any member desiring to have a meeting of the board to discuss any specific issue, shall submit a written request, giving the reason for the meeting, to the secretary, who will notify the president and the board of directors.

3. Notice of meetings

By the direction of president, secretary, officer or member requesting a meeting, the following procedure shall be implemented; (1) Written notice of the place, day, hour and purpose shall be delivered by mail to each person entitled to vote. It shall be delivered not less than ten (10) nor more than sixty (60) days before date of meeting. (2) If hand delivered, notice shall be presented not less than five (5) nor more than sixty days (60) before the date of the meeting. The person giving such notice shall certify that the notice has been received.

4. Quorum Requirements

A majority of the members entitled to vote shall constitute a quorum for the transaction of business. If a quorum is not present, then meeting may be adjourned, and reconvened as a special meeting despite the absence of a quorum, or adjourned to another time and place. When a quorum is present at any meeting a majority in interest of the members there represented shall decide any question brought before such meeting, unless the question is one upon which, by the express provisions of this corporation's charter these by-laws, or by the laws of the State of Tennessee, a larger or different vote is

required, in which case such express provision shall govern the decision of such question.

5. Voting by Proxies.

Every member entitled to vote at a meeting may do so either in person or by written proxy. The proxy shall be filed with the secretary of the meeting before voting. Such proxy shall entitle the holder thereof to vote at any adjournment of such meeting, but shall not be valid after the final adjournment thereof.

**ARTICLE III
BOARD OF DIRECTORS**

1. Qualification and Election.

Directors must be members of Clear Creek Lake, Inc. and of legal age. They shall be elected by a plurality of the votes cast at the annual meeting of the members. Each director shall hold office until the expiration of the term for which he or she is elected and thereafter until his or her successor has been elected.

2. Number.

The number of directors shall be fixed from time to time by the members or by a majority of the entire board of directors. There shall never be less than five (5) nor more than ten (10) members on the lake board.

3. Meetings

The annual meeting of the board of directors shall be held immediately after the adjournment of the annual meeting of the membership, at which time the officers shall be elected. The board may also

designate more frequent intervals for regular meetings. Special meetings may be called at any time by the president, or any three (3) directors.

4. Notice of Director's Meetings

Regular and called meetings shall be held upon notice sent by any usual means of communication not less than three (3) days before the meeting.

5. Quorum and Vote.

The presence of a majority of the board of directors shall constitute a quorum for the transaction of business. A meeting may be adjourned despite the absence of a quorum or adjourned to another time and place. A notice of an adjourned meeting need not be given if known and agreed upon and if the period of adjournment does not exceed thirty (30) days in any one adjournment. The vote of a majority of directors present shall act as the board, unless the vote of a greater number is required by the charter, these by-laws, or by the laws of Tennessee.

6. Executive and other Committees.

The board of directors may, by a resolution adopted by a majority of its members, (1) designate an executive committee which may consist of two or more directors, and (2) any other committee of two (2) or more members. They may/may not be directors, and (3) may delegate any and all committees such authority as necessary, including the right to delegate to an executive committee the power to exercise all the authority of board and the management of affairs and property of the Clear Creek Lake, Inc.

**ARTICLE IV
OFFICERS**

1. Number

The corporation shall have a president, vice president, and a secretary (who can be a non-voting/non-board member, appointed by the president) and treasurer, and also such other officers, as the board of directors shall deem necessary. The office of secretary and treasurer may be one and the same person.

2. Election and Term

The officers shall be elected by the board at its annual meeting. Each officer shall serve until the expiration of the term for which he or she is elected and qualified.

Duties

All officers shall have such authority and perform such duties in the management of the Clear Creek Lake, Inc. as are normally incident to their offices and as the board of directors may from time to time provide.

**ARTICLE V
RESIGNATIONS, REMOVALS, AND
VACANCIES**

1. Resignations

Any officer or director may resign at any time by giving written notice to the president or secretary. Any such resignation shall take effect at the time specified therein or, if no time is specified, then upon its acceptance by the board.

2. Removals of Officers

(a) Any or all of the directors may be removed either with or without cause by a proper vote of the members and may be removed by a majority vote of the entire board.

(b) Any board member who is absent from more than two (2) consecutive board meetings without notification to the Secretary shall be automatically dismissed from the board.

**ARTICLE VI
ACTION BY CONSENT**

Whenever the members or directors are required or permitted to take any action by vote, such action may not be taken unless written notice is given to all board members at least five (5) days prior to the meeting.

**ARTICLE VII
RULES AND REGULATIONS**

The board of directors from time to time as in their judgment may appear necessary and proper, shall promulgate such rules and regulations governing the management and operation of the lake, the appurtenances thereunto belonging, the sale, purchase and transfer of the lake lots adjacent thereto and the placing, of new construction, major renovations or structures thereon. Each action shall be approved by the Building Committee and the Board of Directors.

**ARTICLE VIII
AMENDMENT OF BY-LAWS**

These by-laws may be amended, added to, or repealed either by: (1) a majority vote of the membership represented at any duly constituted membership meeting, or (2) a majority vote of the entire board of directors. Any change in the by-laws made by the board of directors, however, may be amended or repealed by the membership.

CERTIFICATION

We certify that these by-laws were adopted by the Board of Directors of Clear Creek Lake, Inc., at the board meeting held on March 4, 2017.

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