



London Towne Property Owners' Association Section Operations

This publication provides guidance to help London Towne Property Owners' Association (LTPOA) Sections conduct their business and maintain LTPOA community property in a manner consistent with legal requirements and LTPOA bylaws, policies and regulations. These guidelines cover many commonly occurring issues. However, they are not intended to cover all issues or situations. The appropriate LTPOA officer or committee chair should be consulted concerning any issues or questions not covered by these guidelines.

Part 1 □ Background

The London Towne community consists of two separate legal entities: 1) The London Towne Property Owners' Association Inc. (LTPOA), a 501(c) non-profit corporation registered in the State of Maryland and (2) the Woodland Beach Special Community Benefit District, a special tax district established by Anne Arundel County that is administered by the LTPOA.

LTPOA, originally known as the Woodland Beach Property Owners' Association, is a non-profit corporation registered in the State of Maryland. It was incorporated in March 1932 to own, administer and maintain property donated to the community by the Washington Post Corporation. The LTPOA bylaws strictly regulate and control the governance of the Association.

LTPOA owns and maintains all community property, including land, buildings, ramps, docks and piers. Unlike many homeowner associations, LTPOA does not have any jurisdiction over privately owned property within the community. For example, there are no LTPOA community standards concerning the appearance of houses, maintenance of yards or multi-family houses. Rather, in our community such issues are the legal responsibility of Anne Arundel County. While LTPOA does work closely with the county

to make sure county regulations are enforced, it has no legal authority over such matters.

The LTPOA President is the "resident agent" who represents LTPOA for all legal purposes such as executing contracts. No individual or Section may take any action that would jeopardize LTPOA's non-profit status.

Special Community Benefit District. The Woodland Beach Special Community Benefit District, established by Article 4, Title 7 of the Anne Arundel County Code, is a special tax district that is administered by the LTPOA.

Section 4-7-102 of the County Code provides that:

Moneys received from taxes collected in the districts shall be spent in the district from which the taxes were collected for the purposes of the district and for the purposes for which appropriations have been made in the budget adopted by the County Council.

The legislated purposes of the Woodland Beach Special Community Benefit District are described in the County Code as follows:

The district is established for the purpose of construction, maintenance, and repair of, and snow removal from, non-County-owned roads, streets, alleys, and sidewalks, construction, erection, and maintenance of non-County-owned street or road lights, street or road signs, drainage ditches, culverts, drainage facilities, and bulkheads as necessary for erosion control; construction, maintenance, and operation of community areas and buildings; and providing salaries, expenses, and allowances for special police officers.

This county legislation is important because it specifies the only purposes for which Special Community Benefit District tax money can be spent. In order to comply with this regulation, LTPOA maintains a separate bank account for tax revenues.

The operations of the five individual Sections established by the LTPOA bylaws are governed by laws and regulations concerning non-profit corporations, Anne Arundel County regulations, including those specifically concerning Special Community Benefit Districts, the LTPOA Bylaws and any rules, regulations or policies adopted by the LTPOA Board of Directors.

LTPOA Board of Directors and Committees. Many decisions, such as the use of community property, ramps, docks parklands and beaches, the planting and removal of trees, etc, require approval of the LTPOA Board of Directors. The LTPOA Bylaws have established a committee system to ensure efficient operations and informed decisions. Often the committee with responsibility for an issue presents a report to the Board of Directors with a number of recommendations. The Board of Directors may approve the entire package of recommendations made by the committee or separately consider individual recommendations..

Part 2 □ LTPOA Sections

LTPOA Sections. The five LTPOA sections are not separate legal entities. Rather, they are administrative subdivisions of the LTPOA, established by the LTPOA bylaws. They do not own property. Rather, they have been granted Permissive Use Agreements. They cannot execute contracts, apply for grants or permits or take any other legal action on their own authority.

Individual sections cannot purchase insurance. Rather, the Board of Directors maintains liability insurance to cover all community property, including LTPOA boat slips. This insurance also covers any person who is or was a director, officer or employee of the association or who, on a volunteer basis, is or was providing services or performing duties on behalf of the association.

The LTPOA Bylaws and Board of Directors have established basic rules that the sections must follow when conducting their business. Among these are the following:

- **Standing Rules.** All sections must have written Standing Rules. A copy of these rules, including any changes must be sent to the LTPOA Board of Directors for approval and then to the LTPOA Secretary for our records.
- **Minutes** must be kept of all section meetings. The minutes must show approval of all monetary expenditures. A copy of the minutes, including the treasurer’s report, must be sent to the LTPOA Secretary.
- **Budgets.** Sections seeking LTPOA funds for section activities must submit their requests through the Budget and Legislative Committee. Budget items should be specifically identified with a cost estimate and vague descriptions such as “beautification” or “picnic area” avoided.
- **Contracts.** The Article VIII § F of the LTPOA Bylaws provides that the President “shall make all contracts.” To protect our interests, LTPOA has developed a standard construction contract that is used when one is required. All contracts must be approved by the Board of Directors and signed by the LTPOA President.
- **Permits.** Most work in the shoreline buffer area requires a permit. This includes projects such as grading, vegetation control, tree cutting, erosion control, and constructing or repairing piers. Depending upon the exact nature of the work, it may require a Combined State/Federal Wetlands Modification Permit, an Anne Arundel County Grading Permit, or an Anne Arundel County Vegetation Permit. Work performed without the proper permits may result in LTPOA being fined or incurring substantial mitigation costs which will be assessed to individuals that are responsible for that action. Individual LTPOA sections do not have the authority or legal standing to apply for State or County permits. Only the LTPOA President has the authority to sign permit applications.

- **Grants.** Only the LTPOA President has the authority to sign grant applications.
- **Alcohol.** Article 1 § 1.C.2 of the LTPOA bylaws provides that there will be no alcoholic beverages on community property unless there has been prior permission granted by the Board of Directors. This may require planning more than a month in advance to make sure that the required permission can be obtained.
- **Community Rules.** The LTPOA bylaws and the Board of Directors have established additional rules governing the use of LTPOA property. These can be found on the community website www.ltpoa.info.

Part 3 □ Community Property

Background The Maryland Critical Area Act, passed in 1984, identifies the "Critical Area" as all land within 1,000 feet of the Mean High Water Line of tidal waters or the landward edge of tidal wetlands and all waters of and lands under the Chesapeake Bay and its tributaries. This includes most land owned by the LTPOA.

Buffers. A crucial part of habitat protection and water quality improvement is the establishment of a naturally vegetated, forested Buffer between human disturbances and sensitive land and water resources. A forested Buffer acts as a filter for the removal or reduction of sediment, nutrients, and toxic substances that enter adjacent waterways in land run-off. The Buffer also minimizes the adverse impact of human activities on habitat within the Critical Area. The Critical Area Act requires the establishment of a minimum Buffer of 100 feet of natural vegetation landward from the Mean High Water Line of tidal waters or from the edge of tidal wetlands and tributary streams.

The Buffer may be disturbed only for certain activities such as water-dependent structures, access to the shoreline, and shore erosion control measures. The cutting or clearing of trees or natural vegetation is prohibited unless an approved Buffer Management Plan has been established. See also "trees," below.

Furthermore, Anne Arundel County regulations prohibit the destruction of any vegetation within the established buffer without a permit and approved mitigation plan. This includes measures taken to control invasive species such as phragmites and Kudzu. Permit applications can only be signed by the LTPOA President with the approval of the Board of Directors.

LTPOA Policy. It is LTPOA policy to establish a shoreline buffer of at least ten feet above the Mean High Water Line in areas where it is feasible and will not interfere with the established use of the property. Established shoreline buffers may not be cut or mown. Permission to modify an established buffer, for example for phragmites eradication or shoreline access, can only be granted by the Board of Directors.

The Park & Planning and Erosion committees are prepared to assist the sections in obtaining permits and funding or grants to plant perennial or native plants when sufficient volunteers from the Section are available for planting and maintaining.

Trees. The removal or trimming of trees is controlled by the document entitled *LTPOA Tree Removal and Trimming Policy and Procedures* adopted by the Board of Directors in February 2006. This policy provides that Sections of the Association do not have the authority to remove, trim or prune trees on Association property. Sections that believe a tree needs to be pruned or removed should contact the Park and Planning Committee which will make a recommendation to the Board of Directors. It is LTPOA policy to obtain approval of the Board of Directors and then replace any trees that need to be removed.

Lawn Maintenance. The following rules must be followed for lawn maintenance.

- It is LTPOA policy that the application of fertilizer or herbicides along community shorelines is prohibited. Any deviation from this policy requires prior approval from the Board of Directors.
- Lawns may not be replaced with pavement, gravel, sand, mulch, etc. without prior approval

from the Board of Directors. Such actions may require a county permit.

Parking Areas. The establishment or modification of parking areas in the buffer area is strictly regulated by Anne Arundel County and requires permits. Only the Board of Directors has the authority to modify the size or dimensions of parking areas or to modify their drainage characteristics, for example, by paving. Generally, this restriction does not apply to the replenishment of gravel in established parking areas.

Dogs. Article VII § C-3 of the LTPOA Bylaws provides that:

Pets are prohibited on all beaches or in posted areas. On other community property they are permitted only in accordance with the established community and county regulations.

This means that, although dogs are prohibited from all swimming areas (beaches) and posted areas, they **are** permitted on most community property. Recognizing that pet waste prevents the enjoyment of our property and is a major cause of unsafe bacteria levels in community waters and beaches, the Board of Directors has established the following regulations.

- Dog owners are required to pick up their pet's waste from community property. Anne Arundel County regulations require the same on community streets. Community compliance with this requirement is high. However, if dog owners fail to comply when asked, or if section officers are uncomfortable about confronting repeat offenders, please seek assistance from an LTPOA officer. Dog owners may be forbidden on LTPOA property if they continue to ignore this policy after receiving a warning.
- 19 Pet waste bag dispensers (doggy pots) with signage have been placed at appropriate locations on community property.

LTPOA Signage. Article VII § C of the LTPOA Bylaws provide that:

Each parkland and beach area will be posted with approved signs providing for the application of a uniform set of rules of rights and conduct. These rules will restrict the use of parkland and beach areas to property owners, other eligible community members (tenants, renters, and lessees), and their accompanied guests only.

The Park and Planning Committee is responsible for ensuring that each Section has appropriate signage posted on all LTPOA property within its jurisdiction. Obsolete, worn-out or non-approved signs should be removed and replaced with approved signs. If replacement signs are required, contact the Park and Planning Committee. If new signs are required in other areas, contact the Park and Planning Committee which will put up new signs with the approval of the Board of Directors.