

**RULES AND REGULATIONS
OF CHAUTAQUA INSTITUTION
AMENDED TO AUGUST, 2010**

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RULES AND REGULATIONS OF CHAUTAUQUA INSTITUTION

ARTICLE I

DEFINITIONS

Section 1. The term “the Institution” means Chautauqua Institution, a non-for-profit corporation organized under the laws of the State of New York.

Section 2. “The Chautauqua Grounds” means the area in the Town of Chautauqua enclosed by a fence where the programs of the Summer Assembly Season of Chautauqua Institution are presented.

Section 3. “Other Institution Land” includes the land across the public highway known as Route 394, from the Chautauqua Grounds and all other lands in Chautauqua County owned by the Institution.

Section 4. “Property Owner” means who holds lands in the Chautauqua Grounds from the Institution by lease or deed; or by conveyance or by devise or descent from a prior property owner.

Section 5. “Building” means and includes a cottage, garage, carport, hotel, storeroom, office building, studio, shop, or other structure and an addition to any of the same.

Section 6. “Other Construction” means and includes fences, poles, wires, pipes, television aerials, pavements, parking areas, walls, conductors of water, sewage, electricity, gas, the fixtures appurtenant to the same, and all other improvements on the land.

Section 7. “Garbage” means the waste material from culinary operations. “Solid waste” means waste paper, tin cans, cartons, leaves, grass, and all other trash, refuse and other rubbish

Section 8. “The Summer Assembly Season” means the portion of the summer months of each year fixed by the Board of Trustees of Chautauqua Institution for the presentation of the summer programs of the Institution.

Section 9. (A) “Public Dock” means a dock owned by the Institution and managed by its employees or by a concessionaire.

(B) “Community Dock” means a dock owned and maintained by the Institution but the use of which is limited to those who have rented space on the dock from the Institution.

(C) “Private Dock” means a dock owned by a Property Owner and operated by him under a license from the Institution.

ARTICLE II
LANDS & BUILDINGS

Section 1. Title Restrictions: All lands within the Chautauqua Grounds are held subject to the provisions of the leases or the deeds granted by the Institution and are also subject to the provisions of the Institution Charter, its By-Laws, and its Rules and Regulations. No Lands within the Chautauqua Grounds shall be sold in whole or impart without the written part for commercial or business purposes without the written consent of the Institution.

Section 2. Building Permit: No Building or Other Construction shall be constructed or placed on the Chautauqua Grounds, nor shall existing structures be remodeled, enlarged, or rebuilt without the written consent of the Institution. No land within the Chautauqua Grounds shall be sold in whole or in part without the written consent of the Institution. No bills or advertising posters or notices shall be affixed to Chautauqua Institution buildings or structures or on tree except at locations designated for that purpose by the Institution.

Section 3. Trailers: No house trailers, mobile homes, camper-type trailers, or other movable structures of similar type shall be permitted to be used as living quarters on the Chautauqua Institution property nor shall such vehicles be permitted to park on the Chautauqua Grounds during the Summer Assembly Season.

Section 4. Construction Prohibited: No construction work shall be undertaken within the Chautauqua Grounds during the Summer Assembly Season without the written permission of the Institution which permission shall be given only for work of an emergency nature or in cases where the benefits to the community outweigh the costs of quiet enjoyment of the community. In addition to the exterior and interior building construction, this prohibition extends to landscaping projects. Lawn and landscape maintenance may be undertaken during the summer season; however, the use of gas powered leaf blowers is prohibited. Exterior and interior painting may be undertaken only when it is not in conjunction with a more extensive new construction or rehabilitation project. No road cuts may be made in any Chautauqua Institution street after June 1 except those made by Chautauqua Utility District or National Fuel.

Section 5. Improvements to Chautauqua Institution Rights of Way: No improvements shall be undertaken on Chautauqua Institution Right-of-Way without the approval of the Institution. In areas between the paved cart way and private property, no impervious surfaces shall be installed except for driveways and walkways. New driveways and walkways and replacement of existing driveways and walkways shall, to the extent possible use semi-permeable materials and shall maintain the maximum amount of green space possible.

ARTICLE III

SUMMER ASSEMBLY SEASON

Section 1. Admission to Grounds: During the Summer Assembly Season, the public, including Property Owners, are excluded from the Chautauqua Grounds except by admission ticket or by written pass. This regulation includes entrance through the Chautauqua Grounds Waterfront.

Section 2. Payment:

- (A) The presence of any person upon the Chautauqua Grounds during the Summer Assembly Season shall imply a promise to pay for a gate ticket appropriate for the time remains on the Chautauqua Grounds, except as to those permitted by the Institution to enter without charge.
- (B) The holder of a gate ticket who overstays on the Chautauqua Grounds the time authorized by his ticket shall, before he leaves, make such additional payment as will be required for the additional time. In such cases the price of the original ticket shall apply as a credit on the price of a ticket for the full time of stay.

Section 3. Quiet: During the Summer Assembly Season quiet and good order shall be maintained at all times near places where the programs of the Institution are being presented. General quiet of the Chautauqua Grounds shall be maintained from 12 midnight to 7:00 A.M.

Section 4. Chautauqua Summer School: Courses of Instruction shall not be offered on the Chautauqua Grounds or Other Institution Lands except as authorized by the Institution.

ARTICLE IV

LICENSES AND PRIVILEGES FEES

Section 1. Licenses for Business: No Property Owner or other person or corporation shall engage in any business, trade or other occupation for hire, including the renting of rooms or the serving of meals, without first securing from the Institution a written license to do so and without paying or arranging to pay to the Institution the license fee, percentage of receipts, or other charges required by the Institution therefore. Domestic, tradesmen, and other persons who perform service only and who are employed by residents of the Chautauqua Grounds are exempted from the license fees.

Section 2. Soliciting and Canvassing: No solicitation for funds, subscriptions, memberships, or the like shall be made on the Chautauqua Grounds except by or on behalf of the Institution or by approved organization located on the Chautauqua Grounds for purposes connected solely with the work at Chautauqua. Written permission for such solicitation must be secured from the Institution.

Section 3. Hawkers and Peddlers: No person shall hawk, peddle, vend, or sell goods, wares or merchandise or solicit trade upon the streets and walks, or from house to house within the Chautauqua Grounds without the written consent of the Institution.

ARTICLE V

MUNICIPAL SERVICES

Section 1. Annual Service Charge: The Institution may fix, and Property Owners shall pay, annual service charges, for services and materials furnished for the benefit of Property Owners. These Services may include furnishing water, removal of Garbage and Solid Waste, security, area lighting, and general maintenance and supervision of the Chautauqua Grounds, Streets, waterfront, and walks within the Chautauqua Grounds.

Section 2. Garbage and Solid Waste: Each Property Owner shall provide proper receptacles for Garbage and for other Rubbish, prepare all Garbage and Solid Waste for removal, and shall deposit the Garbage and Solid Waste in the receptacles according to the directions of the Institution. If a Property Owner does not cause the Garbage and Solid Waste from his property to be placed in receptacles as herein required, or in the event the Solid Waste is of such nature as to make it impractical to be placed in receptacles, the Institution may assess the Property Owner an additional charge for the removal of the same.

Section 3. Sanitary Sewer: No person shall discharge or pump, or cause to be discharged or pumped, any storm water, surface water, ground water, roof run-off, or sub-surface drainage to any sanitary sewer. In the event of non-compliance, the Institution may abate any violation and charge the cost thereof to the Property Owner of the property on which the violation occurs.

Section 4. Sewer Code: Each Property Owner shall comply with the sewer code of the Chautauqua Utility District.

Section 5. Capital Improvements Service Charge: A Capital Improvements Service Charge (hereinafter "Charge") is hereby imposed on each conveyance, **as hereinafter defined**, of real property or interest therein within Chautauqua Institution. The charge shall be imposed at a rate of 2% of the taxable consideration reported on New York form TP-584 or any similar reporting method hereinafter adopted, wherein the taxable consideration is computed. The Charge is due upon closing with one-half (1%) paid by the seller and one-half (1%) paid by the purchaser. In the event said Charge is not paid, the Charge will be levied against the real property conveyed and be due and payable in full by purchaser of said real estate, and his/her successors or assigns. This section shall be applicable to all transactions occurring after January 1, 2007.

"Conveyance" means the transfer or transfers of any interest in real property or a cooperative unit by any method, including but not limited to sale, exchange, assignment, surrender, mortgage foreclosure, transfer in lieu of foreclosure, option, trust indenture, taking by eminent domain, conveyance upon liquidation or by a receiver, or transfer or acquisition of a controlling interest in any entity with an interest in real property. Conveyances without consideration, and conveyances to effectuate a mere change of identity or form of ownership where there is no change in beneficial ownership, are exempt.

ARTICLE VI

TRAFFIC AND MOTOR VEHICLES

Section 1. Vehicle and Traffic Laws: The Vehicle and Traffic Law of the State of New York as well as the rules and regulations of Chautauqua Institution shall apply on the Chautauqua Grounds.

Section 2. Policy: It is declared to be the policy of the Institution that travel by foot or bicycle is the normal method of travel within the Chautauqua Grounds, particularly during the Summer Assembly Season, and the use of motor vehicles within the Chautauqua Grounds is regarded as a privilege and a license.

Section 3. Traffic Signs and Signals: Every person shall obey traffic and parking signs and signals and the directions of peace officers and traffic control personnel of Chautauqua Institution.

Section 4. Motor Vehicles: No motor vehicle or other motorized means of transportation shall be allowed within the Grounds of the Institution or used on its streets or property during the Summer Assembly Season except:

- (a) Automobiles
- (b) Trucks
- (c) Busses
- (d) Motorized wheelchairs or other motorized vehicles by special permit and used exclusively by a handicapped person, as defined in 45 Code of Federal Regulations Part 1170.s (j) provided such vehicle is the only appropriate means by which the handicapped person is able to use Institution facilities or attend Institution programs, and the handicapped person and a physician each so certifies in writing on forms supplied by the Institution.

The Permit for the use of such vehicle may contain such condition or restrictions as the Institution deems appropriate in the circumstances.

- (e) Vehicles used by Institution employees in the course of their duties and by special permission.

Nothing herein shall be deemed to affect the requirement that all motor vehicles in the above accepted categories must have proper permit for entry into the Grounds and use of its streets during the Summer Assembly Season.

Section 5. Speed Limit: The driving of a motor vehicle within the Chautauqua Grounds at a rate of speed greater than fifteen (15) miles per hour is forbidden. Motor vehicles must be driven at such lesser speed as may be appropriate in the circumstances. At all times pedestrians must be given the right-of-way.

Section 6. Vehicle Permits: During the Summer Assembly Season, the entry of motor vehicles into, or the parking of motor vehicles within the Chautauqua Grounds is prohibited except as provided in these rules; and the Institution may issue entry and parking permits in accordance with the following rules:

- A. An entry and parking permit authorizing the parking of a designated motor vehicle on designated parking site may be granted upon (1) the filing of a written application; (2) the payment of the designated fee; (3) the availability, and approval by the Institution, of a parking site; and (4) the purchase of a gate ticket for the period of the permit for the owner or lessee of the motor vehicle.
- B. An entry and parking permit may be granted to a person holding a concession to carry on a business or practice a profession on the Chautauqua Grounds and shall be limited to those activities with the motor vehicle reasonably necessary to carry on such business or profession
- C. An entry permit may be granted to a person supplying goods, wares, and merchandise to Property Owners or to businesses on the Chautauqua Grounds, but only to the extent reasonably necessary to the work, labor, and services performed.
- D. Entry and parking permits may be granted to persons performing labor or furnishing services to Property Owners or residents of Chautauqua, but only to the extent reasonably necessary to the work, labor, and services performed.
- E. A special entry and parking permit may be granted in connection with events which are a part of the summer program.
- F. Other temporary entry and parking permits may be issued as the Institution may deem necessary under individual circumstances of each case.
- G. In all cases, the occupants of each and every motor vehicle entering the Chautauqua Grounds must have a gate ticket or gate pass.
- H. No person shall unnecessarily drive a motor vehicle upon the Chautauqua Grounds. The operation of a motor vehicle within the Chautauqua Grounds shall imply a promise to pay for the appropriate entry permit and any parking fee, (except as to the operation and parking of motor vehicles permitted by the Institution without charge) and any additional charges levied by the Institution for parking or traffic violations.
- I. In order to promote the maintenance of landscaped open space, the removal of trees, shrubs, and green space (on private property) to provide for vehicle parking is discouraged. The creation of vehicle parking on driveways within the canopy of trees is excess 5" caliper located on Institution property requires the written approval of the Institution which approval will not be granted if the proposed action will adversely affect the health and longevity of the tree. Parking spaces shall not be created in the area that is situated between the street and the front plane of the house, except in driveways which lead to enclosed garages. New parking spaces will be approved in accordance with the following criteria:
 - a. Private Property Parking:
 - 1. Definition: where an 8'6" x 20' parking space is located entirely on private property. Vehicles shall be parked behind the plane of the house.
 - 2. Maximum of two permits.

- b. Chautauqua Institution Property Parking
 - 1. Definition: where any part of an 8'6" x 20' parking space is located on Chautauqua Institution property.
 - 2. No new spaces may be approved
- c. Existing Chautauqua Institution Property Spaces/Sale of Property
 - 1. When a property is sold in an arms-length transaction and that property has more than one approved parking space on Chautauqua Institution property as defined above and has no private parking spaces, only one Chautauqua Institution space may be transferred to the new owner. All other "grandfathering" is eliminated.
- d. Existing Chautauqua Institution Property/White Stake Parking
 - 1. Parking classified as "white stake" parking, located on Chautauqua Institution property is assigned to property owners, not to property. These spaces may be transferred only from one member of a family to a resident property owner spouse and if not annually renewed shall be eliminated. White Stake parking spaces may also be eliminated by the Institution at its discretion for public purposes.

Section 7. Violation: The Institution shall have the right to revoke any vehicle permit upon the violation of any of the rules and regulations of the Institution by the owner or licensee of the motor vehicle, or by any person operating the same.

Section 8. Snowmobiles: The use and operation of snowmobiles and other cross country vehicles on Chautauqua Grounds and other Institution Land is prohibited without written permission of the Institution.

Section 9. Rollerblades and Skateboards: The use of rollerblades on the Chautauqua Grounds is permitted only on those areas designated by Institution's Operations Office. The use of skateboards is prohibited.

Section 10. Off Season Parking: During the months of November through March and from 10:00 P.M. through 10:00 A.M. the next morning of each day, cars shall not be parked on the Institution streets or right-of-ways and must instead be parked during those times either on private property or in areas designated by Institution for parking during those periods.

ARTICLE VII

DOCKS AND LANDSIDE ACTIVITY

Section 1. Policy: It is a policy of the Institution that a uniform schedule of rates apply for the privilege of docking or mooring a boat or watercraft at the Institution. Fees shall be set by and be payable to the Institution and shall be applicable whether public or private dock mooring or buoying is utilized.

Section 2. Boats and Watercraft:

- A. No boat or watercraft shall be moored at dock slips, boat lifts, or buoys, or kept on the shore or on ramp docks without the written permission of the Institution specifying the location of the boat or watercraft and the payment of the required fee.
- B. Persons who are permitted to maintain a boat as above shall comply with all rules and regulations of the Institution with respect thereto.

Section 3. Private Docks: The permission given to any person to erect a private dock along the shores of Lake Chautauqua is not a grant or conveyance, but only a license or privilege continuing so long as the Institution desires. It is held subject to the following provisions:

- A. A license shall be granted only after written application and payment of the required annual license fee. The license shall not be assignable except with the written consent of the Institution.
- B. The Institution shall determine from time to time what Private Docks, if any, shall be allowed within the Chautauqua Grounds on the shores of Lake Chautauqua, shall determine the appropriate spacing between the docks, the size, the locations thereof, and the number of Property Owners who may unite to maintain a Dock under license.
- C. A license to build or maintain a Private Dock shall be granted only to a Property Owner.
- D. A person granted a license to build a dock shall do so at his own expense, but only on the location according to plans and specifications approved in writing by the Institution.
- E. A person licensed to build, and who has built, a dock as aforesaid, must provide appropriate facilities and reasonably adequate precautions to insure that safety of all persons using the dock.
- F. The Institution reserves the right to cancel a license to build or maintain a Private Dock. In such case, the Institution shall pay to the owner the fair value of the Dock. If a person licensed to maintain a Private Dock, or share therein, desires to relinquish the same, the Institution shall have the right to buy the Dock at the fair value thereof. If the parties cannot agree on a value under this subsection, the value shall be determined by three appraisers; one chosen by the Institution, one by the licensee, and the third by the two appraisers so chosen. The decision of the appraisers, or the majority of them, shall be final and binding upon both parties.
- G. The owner of a Private Dock may sell a share in the Private Dock to another Property Owner on the Chautauqua Grounds but only with the written consent of the Institution.

Section 4. Houseboats: No house boats shall be permitted to be used as living quarters at any dock or mooring on the waterfront of the Institution Grounds.

Section 5. Public Bathing: Public bathing may be permitted at beaches designated by the Institution at times authorized by it and only when a lifeguard is on duty.

ARTICLE VIII

PETS

Section 1. Registration: No dog or cat will be permitted on the Chautauqua Grounds unless its owner has registered the animal at the Institution office, has paid the required registration fee, and has agreed to abide by these rules.

Section 2. Leashing: No dog shall be permitted to be at large or allowed to run at large within the Chautauqua Grounds, except that:

- A. A dog may be upon private property with the knowledge, consent and approval of the owner of said property, and
- B. A dog duly licensed and wearing a collar and license tag as required by the Agricultural and Markets Law of the State of New York and registered under those rules, may be walked upon a street or in the wooded ravines owned by the Institution, provided such dog is leashed by a leash not exceeding eight feet in length, and is then under the custody and control of the owner or other competent person. Dogs are not permitted in or on the following areas owned by the Chautauqua Institution: Formal Gardens, Bestor Plaza, Center Park, Lakefront Promenade, Playgrounds, Beaches, Miller Park, and Grounds around public buildings.

Section 3. Disturbance: No person shall keep or permit to be kept any dog which by its continual barking, howling, or whining or other frequent or long continued noise shall unreasonably disturb the comfort or repose of any person; nor shall the owner of any dog permit it to interrupt, disturb, or interfere with any programmatic activity at the Institution.

Section 4. Removal of Dog Waste: Each dog owner or person having possession, custody or control of a dog shall remove and dispose of, in a sanitary manner, any feces left by his dog on any sidewalk, street, gutter, park, garden, lawn, or other public area.

The provision of this section shall not apply to a guide dog, hearing dog, or service dog accompanying a person under a disability defined in Section 292 of the New York Executive Law.

Section 5. Violations: In event of any violation of this article of the rules, the Institution may:

- (1) Levy an assessment of \$10.00 per violation, plus the actual cost of the Institution in seizing and impounding the dog; and
- (2) Remove or require the owner to remove the dog from the Chautauqua Grounds and cancel its registration.

ARTICLE IX

BICYCLES

Section 1. Registration: Bicycle registration is optional and it's for the convenience of owners. During the process of registration, an owner and family can receive instructions about the safe use of bicycles, help inspecting for good conditions and proper equipment, and a record of the bicycle registration number.

Section 2. Minors: A parent of any minor and the guardian of any minor ward shall not authorize or knowingly permit any minor or minor ward to violate any provisions of this article.

Section 3. Operating Conditions: Bicycles shall be maintained in good, safe operating condition and shall have adequate brakes, a bell, or other signaling device, rear reflector, and if operated after sunset, a headlight.

Section 4. Prohibited Area: Bicycles shall not be ridden on walks reserved for pedestrian use.

Section 5. Speed: Bicycles shall be operated safely and at a speed no greater than is reasonable and prudent under conditions then existing, and in no event at no more than 15 miles per hour.

Section 6. Right of Way: Bicycles shall always give the right of way to pedestrians.

Section 7. Traffic Signals: All traffic signs, signals, and regulations shall be observed by operators of bicycles.

Section 8. Violation: In the event of any violation of Article IX of these rules and regulations, the Institution may issue a bicycle violation ticket requiring a fee to be paid within a designated time. The Institution may also impound any bicycle which is in violation of Sections 2, 4, 5, or 6 of this article pending arrangement for the correction of the violation.

ARTICLE X

Revised as of May 9, 2009

SALE AND USE OF ALCOHOLIC BEVERAGES

Section 1. Sale of Alcoholic Beverages: The sale, any time, directly or indirectly, of alcoholic beverages within the Chautauqua Grounds is prohibited except the following:

- A. During the off-season, in areas which may from time to time be open to the public, if such use occurs in connection with a private function by invitation only in a designated place or area then set aside and reserved exclusively for such private use and then not open to the public.
- B. During the season, in a Chautauqua Institution owned facility which from time to time is open to the public, if such sale occurs in connection with a private function by invitation only in a designated place or area then set aside and reserved exclusively for such private use and then not open to the public. Under this provision, only beer and wine is permitted and shall be sold solely by the Chautauqua Hotel Company, pursuant to a license issued by the New York State Liquor Authority. All such sales shall be made as part of the cost of admissions or to the host and no sales directly to attendees shall be permitted.
- C. Beer and wine sold in restaurants (i) pursuant to a license issued by the New York State Liquor Authority; (ii) between the hours of 11 am and 10pm (Sundays noon to 10 pm); and (iii) provided that the restaurant or hotel has also been issued a separate Chautauqua Institution license to sell beer and wine. No sales for off-premises consumption will be permitted. (This provision shall become effective 9/1/06); and
- D. At the Chautauqua Golf Club.

ARTICLE XI

MISCELLANEOUS

Section 1. Firearms: No person shall discharge or explode within Chautauqua Grounds or other Institution Lands any air rifle, gas guns, compressed air guns, or any other type of gun propelling metal bullets, revolver, pistol, gunpowder, dynamite or other explosive, or shoot a bow and arrow other than for; a lawful purpose, without the consent of the Institution.

No person shall carry a firearm, including a rifle or shotgun, whether or not capable of being concealed upon the person, containing bullets or ammunition, whether in the chamber or magazine, within the Chautauqua Grounds or other Institution Lands, nor shall any firearm equipped with a removable magazine or ammunition clip be carried with such magazine or clip attached thereto. This section shall not apply to the carrying of a weapon as authorized by legal permit presently in force.

Section 2. Storage of Trailers, Trash, and Discarded materials Prohibited: The storage of trash and discarded materials including refrigerators, appliances, trailers, furniture storage of trash and discarded materials including refrigerators, appliances, trailers furniture, house-hold articles, or other similar items in any area outside of a structure is prohibited.

Section 3. Satellite dish antenna, television antenna tower; solar collectors: Satellite dish antennas shall not be permitted in any district, nor shall it be permissible to construct television antenna towers or solar energy collectors when such appliances are visible from the street, other buildings, or other properties.

Section 4. Signs: Street number identification signs of not less than four (4) inches or more than six (6) inches in height are required to be numerically displayed on all houses at a location which is clearly visible from the street. A nameplate identification sign (including signs indicating age of a building or structure) shall be permitted in any district as long as it does not exceed three (3) square feet in area. No other signs shall be constructed, erected or maintained on any property or structure in any district except as follows:

- a. Structures or properties (including condominiums) used for permitted commercial uses may erect upon such property one(1) sign provided that it does not exceed nine (9) square feet in area. No neon signs shall be permitted, nor shall any sign be illuminated so as to cause light to fall upon adjacent building or properties.
- b. One "for rent" and/or "for sale" (including Realtor signs) may be placed upon any property during the time when such property is offered "for sale" or "for rent" provided that such signs do not exceed four (4) square feet in area; and provided further that such signs shall be displayed during the Chautauqua Institution summer program season.
- c. Signs of commercial nature advertising security companies, political candidates, household sales, and other signs approved by the Institution, not exceeding four (4) square feet in size, may be placed on private residential property by the property owner; however, no such signs shall be displayed during the Chautauqua Institution program season.

Section 5. Basement Drains, Sump Pump Drains, and Other In-Ground Drains:

Basement drains, sump pump drains, and other in-ground drains (such as footer drains or French drains) are not permitted to be discharged to the street or to other above ground locations. All such drains must be piped directly to dry wells on the property owner's lands or to an underground community storm sewer system

Application filed for new basement and/or foundation installations must stipulate whether or not drains will be included in the project. If drains are to be included, the drawings must exhibit drain discharge outflow terminations mechanisms.

Section 6. Testing of Residential Electric Generators: Generators serving private residences shall not be operated during the Chautauqua Summer Assembly Season except in the case of electrical power outages.

ARTICLE XII

ENFORCEMENT OF BY-LAWS, RULES & REGULATIONS

Section 1. Lien: The money due from any Property Owner to the Institution for gate fees, for water service, for the removal of Garbage and Solid Waste, for a license to carry on business on the Chautauqua Grounds, for the privilege of renting rooms or serving meals and all money due for every other fee or charge authorized by these rules shall be and remain a charge and lien against the interest of the Property Owner in any lands on the Chautauqua Grounds and the Institution shall not consent to the transfer of said lands by the Property Owner unless all the said moneys have been paid.

Section 2. Cancellation of Gate Ticket, License, or Privilege: Where one has obtained a gate ticket, license or privilege from the Institution fails to make full payment therefore, the gate ticket, license, or privilege is thereby cancelled.

Section 3. Violation: Upon a willful violation of these rules and regulations, the offender's gate ticket is cancelled and he shall comply promptly with any order or request by duly authorized representatives of the Institution to leave the Chautauqua Grounds.

Section 4. Other Remedies: Nothing herein shall be deemed to limit the remedies, enforcement procedures, or penalties available to the Institution by reason of the violation of its charter, its bylaws, or any of its rules and regulations, including any enforcement procedures and penalties under Section 202(d) and 202€ of the New York Not-for Profit Corporation Law. The use of any one remedy, penalty, or procedure shall not preclude the use of any other remedy, penalty, or procedure.

ARTICLE XIII

ENCROACHMENTS ON INSTITUTION PROPERTY

Section 1. Policy: The existence of buildings, accessory structures, steps, walks, gardens, lawns, or fences or any part of any of them on Institution property is considered a privilege and a license granted by the Institution to the encroaching property owner. Under limited circumstances the Institution may convey Institution Land upon which long-standing building encroachments exist.

Section 2. Building Encroachments on Lands of Chautauqua Institution:

- A. For buildings encroaching on Institution property, where said encroachment has been in place prior to the November 9, 1985, enactment of the Architectural and Land Use Regulations, the Institution will, under most circumstances, as determined by the President of the Institution, upon receipt of a written application from the encroaching property owner, either:
- (1) Grant said property owner a transferable license on a form approved by the Institution Trustees; or
 - (2) Sell the land upon which the building encroachment exists to the encroaching property owner at on-half the assessed value of the encroaching parcel. (The assessed value shall be determined by dividing the square footage of the encroachment by the total square footage of the structure and multiplying the result by the Town of Chautauqua improved assessed value of the property).
- B. For buildings encroaching on an Institution right-of-way, the President is authorized to grant an easement to the property owner after receipt of a written application from the encroaching property owner and its approval by the Architectural Review Board. The Architectural Review Board is authorized to impose conditions to the approval of said easement. The easement shall be on a form approved by counsel for the Institution.

Section 3. Accessory Structure Encroachment Permits: Upon a written request by a property owner, the administrator may license the construction and maintenance of steps, walks, and gardens upon land owned by Chautauqua adjacent to lands of a property owner. All steps and walks should be the minimum needed to address the property owner's need, must be compatible with other buildings in the neighborhood and must not interfere with the maintenance of a Chautauqua road. The license shall be on a form approved by the Chautauqua Institution Trustees.

Section 4. Non-compliance: All encroachments on Institution property, which exist without a written license agreement, are permissive in nature and revocable, at will, by the Institution.

Section 5. Costs: The property owners must pay for any necessary survey work and closing costs in connection with a license grant or conveyance.