

## XII. Lakes and Water Craft Rules

The HVL Lakes Committee and the HVL POA Board of Directors have approved the following rules for all HVL POA lakes. For the safety, convenience and enjoyment of all, we sincerely request the cooperation of all HVL POA members, their immediate family members and their guests in adhering to these rules. These rules shall remain in force until changed or amended upon recommendation by the HVL Lakes Committee and approved by the HVL Board of Directors.

Indiana State law enables private property organizations to establish and enforce boating rules for their private lakes. All boating and other uses of HVL POA lakes are conducted at your own risk.

Violations of the HVL POA Lakes and Water Craft rules may result in the loss of water craft and/or fishing privileges and an individual may be banned from the use of the HVL POA lakes after the third violation within a calendar year.

### A. Definitions of Terms

For the following HVL POA Lakes and Water Craft Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Airboat** - A buoyant self-propelled, multi-terrain vehicle that depends primarily on air thrust for propulsion.
- ◆ **All-terrain vehicle (ATV)** – Any self-propelled vehicle with two or more wheels that is primarily used for off-highway or in off-road competition and that is no wider than 70 inches and weighs no more than 1,000 pounds.
- ◆ **Daily fishing guest pass** – A pass issued by the HVL POA office authorizing an HVL POA member guest to fish on HVL lakes.
- ◆ **Emergency spillway area** - The parking area and spillway located immediately adjacent to the HVL POA boat-launching ramp.
- ◆ **High-speed zone** - The area of the main lake inside the marked buoys and not closer than one hundred fifty (150) feet from any shoreline or two hundred (200) feet from the dam.
- ◆ **Main lake** - The large lake (known as Hidden Valley Lake) that is contained by the dam located along Alpine Drive.
- ◆ **Mooring buoy** – a float secured to ground tackle and used to identify the location of the mooring and to float the line used to moor the boat.
- ◆ **Motorized water craft** – Any motor-driven water craft equipped with any type of motor including powerboats, pontoon boats and other water craft.
- ◆ **Non-motorized water craft** – Any water craft not equipped or propelled by a motor.
- ◆ **No-wake idle speed** – Operating a powerboat with the throttle “just in gear” or at the lowest speed possible for boat operation.
- ◆ **No-wake idle-speed zone** - The area of the main lake between the shoreline and the buoys marking the high-speed zone.
- ◆ **Other water craft** – Water craft such as sailboats, canoes, kayaks, paddle boats, rafts, etc. and those boats with 10.0 horsepower or less.
- ◆ **Personal Flotation Devices (PFDs)** – A vest or jacket approved by the U.S. Coast Guard for life preserving functions.
- ◆ **Personal water craft (PWC)** – An inboard water craft, which uses an internal combustion engine powering a water jet pump as its primary source of propulsion, and is designed to be operated by a person or persons positioned on, rather than within the confines of the hull. The water craft are designed to carry from one to three persons and be operated by a person sitting, standing or kneeling on the water craft.
- ◆ **Pontoon boat** – A boat made up of a discrete, flat deck mounted on two or three tubes manufactured separately from each other and from the deck.
- ◆ **Powerboat** – All boats other than pontoon boats with engines greater than 10.0 horsepower including: ski boats, bass boats, runabouts, inboards, outboards, deck boats (powerboat with a single-level deck and a boat hull rather than pontoons and often rails or gunnels all around), duck boats (powered vehicle designed to transport multiple occupants over both land and water), etc.
- ◆ **Rules card** – A laminated card of Lakes and Water Craft Rules issued by the HVL POA office at the time of boat registration.
- ◆ **Ski zone** – See definition of High-speed zone.
- ◆ **Small lakes** - All other lakes within HVL including Kathy, Alpine, Holiday, Paradise, Crystal, Melody, and the lake on the 77 acres.
- ◆ **Throwable, PFD** – A U.S. Coast Guard-approved flotation device such as a seat cushion or ring used for life preserving functions.

### B. General Lakes Rules

- 1) All HVL POA members and their immediate family members may utilize the HVL POA lakes but must be prepared to show a valid HVL POA identification when requested by an HVL POA Deputy.

- 2) All injuries that occur on the HVL POA lakes should be reported to the HVL POA Deputies.
- 3) Bonfires or campfires are not permitted at the beach, marina areas, Willie's dock area or dam at any time without a burning permit issued by the HVL POA Board of Directors.
- 4) All litter must be placed in the containers provided. If containers are not present, take your trash with you when leaving the area.
- 5) Ice skating and ice fishing are permitted on HVL POA lakes but at your own risk.
- 6) Swimming in restricted areas (marinas, Willie's dock area, beach after posted hours, high-speed zone during open status) is prohibited.
- 7) The use of mooring buoys on HVL POA lakes is prohibited.
- 8) The HVL POA lakes are treated with chemicals at least twice a year. The dates vary from year to year but usually the second Monday in June and the second Monday in August are selected. All HVL POA lakes are closed the day of chemical treatment. It is the HVL POA member's responsibility to be aware of these treatment dates. The treatment dates and lake usage restrictions are published in the Echoes newspaper and on public signs within HVL. Depending on weather conditions, rain dates may apply.
- 9) Property owners will not add chemicals to the water in any HVL lake for the purpose of controlling lake weeds. This will include chemicals made specifically for this purpose or any other chemical not specific to the treatment of lake vegetation.
- 10) Discarding or discharging of any waste material including, but not limited to organic yard waste such as leaves, grass, brush, etc. into HVL POA lakes is prohibited.
- 11) Hidden Valley Lake Illicit Discharge Detection & Elimination Rules & Regulations has been adopted by the POA Board and copies may be obtained at the HVL POA Office upon request.

### **C. Main Lake, HVL POA Docks and Spillway Rules**

- 1) The sluice gate on the main lake is opened on the first Monday in November and remains opened until the first Saturday prior to the first Monday in March. Water craft may be damaged if left in the water during this period. The HVL POA Board of Directors from time to time may authorize changing of these dates for purposes of required maintenance with notification published in the Echoes newspaper. There will be a "no-wake" status on the lake from one week after the opening of the sluice gate until the bottom of the seawall is covered after closing the sluice gate. During this time, the "Yellow" light will remain "ON" at all times while the lake is at winter pool unless the lake is closed and the "Red" light is on.
- 2) An HVL POA Deputy may, at his/her discretion, limit activities that could endanger anyone on the lakes. Self restraint is urged to help limit the number of water craft using the high-speed zone at any given time.
- 3) No one is permitted on the HVL POA rental docks from dusk to dawn other than dock renters, their immediate family, and their guests.
- 4) Boat trailers may not be stored in the emergency spillway area overnight.
- 5) When a water craft is in use on lake, boat trailers attached to the towing vehicle may be parked in the emergency spillway area.
- 6) For proposed variances to structures or landscaping contacting the lake water, refer Architectural Rules number 6.O.20 and 6.X.14.
- 7) The HVL POA does not guarantee a specific water level for the HVL lakes.
- 8) Effective with the 2009 boating season, only boats registered to the HVL POA dock lease holder will be allowed in the leased dock space unless prior arrangements have been agreed to by the Community Manager. If it is found that a subleasing arrangement does exist, then the dock lessee will forfeit their right to lease the dock immediately and forfeit lease payments already made.

### **D. Small Lakes Rules**

- 1) Only the designated access areas may be used around the small lakes and only foot traffic is permitted.

- 2) Construction of new docks on the small lakes is prohibited.
- 3) Use of gas motors of any kind on the small lakes is prohibited. Electric motors will be allowed on Lake Alpine and Kathy Lake with the following stipulations:
  - All batteries used must be sealed
  - There will not be any trailer launching allowed or launching from the back of a truck. All boats being used on the lakes must be carried to the lake or wheeled, if the boat is equipped with wheels.
  - Only those living on a lake can leave a boat on the lake or shore overnight.
  - No special weight or size limits other than those set for the main lake will apply.
  - All small lakes are no wake lakes.
- 4) Grass carp have been placed in the small lakes to help control vegetation. Removing these carp is prohibited.

## **E. Water Craft Rules**

The following rules apply to all water craft used in any HVL POA lake. HVL POA employees or agents of the HVL POA office may be from time to time be exempted from portions of these rules.

### **1) Water Craft Registration Rules**

- a. All water craft must meet US Coast Guard requirements for safety equipment and safe operation and be registered annually with HVL POA office. US Coast Guard requirements are published in the most recent addition of the "Federal Requirements and Safety Tips for Recreational Boats", available from the US Coast Guard.
- b. Only an HVL POA member may register his/her water craft. Before a registration certificate is issued, the registrant must exhibit to the HVL POA office, or its representatives, a certificate evidencing a minimum water craft liability insurance of \$100,000 coverage.
- c. When registering a water craft, all owners must pass an HVL POA Boat Driver Examination, which is distributed with the water craft registration form. To receive new water craft annual stickers, the owner must provide correct answers to all the questions included on the exam.
- d. Current annual registration stickers issued by the HVL POA office must be permanently displayed in the HVL POA-designated areas on the port and starboard sides of the water craft by May 1st. All water craft must display current annual registration stickers prior to putting the water craft on HVL lakes. Approved water craft stickers include: 1) powerboats (square) and 2) other water craft (triangle).
- e. Water craft annual stickers are valid through April 30th of the following year.
- f. The annual water craft registration fee shall be a fixed cost set by the HVL POA Board of Directors. All HVL POA dues, assessments, fees, penalties and fines must be current to complete the registration procedures.
- g. When registering new water craft, the owner must provide proper documentation of ownership and length of the water craft (See Water Craft Length Rules).
- h. Only one (1) powered water craft in excess of ten (10.0) horsepower may be registered per HVL POA member.
- i. Air boats, jet skis, powered water skis, ATVs and powered personal water craft (PWCs) are prohibited from use on HVL POA lakes and will not be issued registration stickers.

### **2) Water Craft Length Rules**

- a. The maximum allowable length for a powerboat is twenty (20) feet zero (0) inches in length and pontoon boats and non-powered water craft may not exceed twenty-six (26) feet zero (0) inches in length. Deck boats over twenty (20) feet zero (0) inches are prohibited. Boats can be no wider than what is allowed to be towed on Indiana public roads without special permits or signage. Currently that width is 8 feet, 6 inches.
- b. The length of a water craft is defined as the distance between the furthest most point of the bow to the furthest most point of the stern parallel to the waterline. Basically, it is the length of the water craft that comes out of the manufacturing mold.
- c. The length of the water craft shall include any permanently affixed features such as swimming platforms, sunning decks, live-wells, transom extenders, etc.

- d. The length of the water craft shall not include a stern-drive lower unit, an outboard motor or removable items such as platforms, pulpits, lights, ladders, poles, etc.
- e. There are two methods of determining the length of a water craft: 1) proper documentation about the water craft showing it meets the HVL POA water craft length rules or 2) an actual measurement of the water craft by at least two (2) HVL POA employees.
- f. Proper documentation of a water craft is defined as both 1) an owner's manual and/or technical manual from the water craft manufacturer for that specific model being registered, which indicates the overall length of the water craft per the HVL POA definition of length and 2) the owners water craft title showing the hull number.
- g. If proper documentation is used as the method to determine the length of the water craft, the HVL POA will verify that the HVL POA member owns the water craft being registered and that the title documentation is for the same water craft being registered. In addition, the HVL POA will verify that the title document and the boat described in the owner's manual and/or technical manual match and that they indicate that the water craft meets the length requirements. If these criteria are met, a new water craft registration sticker will be issued to the owner.
- h. At any time, an HVL POA member may request that an actual length measurement be made and if the water craft length meets the HVL POA requirements, a new water craft registration sticker will be issued to the owner. Barring unforeseen circumstances, all requests for an actual water craft length measurement will be completed within one week of the date of the request.
- i. If a water craft is to be actually measured, the owner or their designated representative must deliver the water craft to a water craft measuring area designated by the HVL POA. Two certified HVL POA employees will perform the water craft measurement. Certification requires that the individual has been trained and can demonstrate to the HVL POA Community Manager that they have a thorough understanding of the water craft measurement process. The list of certified HVL POA employees will be maintained by the HVL POA office and will include at least two people at all times. Barring unforeseen circumstances, all requirements for an actual water craft length measurement will be completed within one (1) week of the request.
- j. To determine its length, the water craft will be measured while the water craft is approximately parallel to the ground in the following fashion:
  - The water craft measuring area will be a flat, paved surface large enough to accommodate the complete length of the water craft.
  - A plumb bob will be dropped from the furthest point of the bow of the water craft to the pavement and the pavement will be marked at that point.
  - Without moving the water craft, a plumb bob will be dropped from the furthest point of the stern of the water craft to the pavement and the pavement will be marked at that point.
  - The distance between these two marks on the pavement will be recorded as the overall length of the water craft for HVL POA water craft length purposes.
- k. If the HVL POA feels that it has been misled by an individual in the process of obtaining a water craft sticker, it reserves the right to revisit the sticker-issuance process and possibly re-measure a water craft to confirm its length. This process may only be used one more time per HVL POA member/water craft. If a water craft is re-measured, it shall be done by two different HVL POA employees than the ones who performed the first measurement. The length of a water craft can be challenged by the HVL POA even if the owner has already been given a new registration sticker via the proper documentation method. Any water craft registered with a current annual sticker that is actually measured and does not meet the current water craft length standard, shall be allowed to remain on the lake for the duration of that annual sticker and the water craft shall not be issued a new annual sticker.

### **3) Water Craft Operation Rules**

- a. No water craft shall be permitted on HVL POA lakes unless it is owned by an HVL POA member, is registered with the HVL POA office, and all HVL POA registration stickers have been properly affixed to the water craft and trailer. The HVL POA may, from time to time, exempt certain water craft from some of these rules for the purpose of special events.
- b. The HVL POA traffic lights located around the lake are the primary notification of the main lake status. A green light indicates that the main lake is open to all normal activities. A yellow light indicates that the entire main lake is in no-wake, idle-speed status. A solid or flashing red light indicates that the entire main lake is closed to all activities including but not limited to boating, fishing and swimming. The normal period of time for the main lake to be in open status is between 9:00 a.m. and sunset unless posted or otherwise noted. In the event the HVL POA traffic lights are not functioning, the Cincinnati Enquirer newspaper will be the determination of daily sunset time.

- c. No high-speed operation of any water craft is permitted on the main lake when the lake is at no-wake idle speed (yellow light) or closed (red light) status. High speed boating is permitted only when the main lake is in open (green light) status.
- d. Operating any water craft at a speed in excess of no-wake idle speed in any portion of the no-wake zone is strictly prohibited.
- e. High-speed boating is permitted only on the main body of the main lake inside the marked buoys and not closer than one-hundred fifty (150) feet from any shoreline or two-hundred (200) feet from the dam. HVL POA buoys mark this area. If a buoy has broken loose or is missing, water craft operating at high speed must stay 150 feet from the shore.
- f. The maximum speed for operating water craft on the main lake shall be thirty-five (35) miles per hour.
- g. Any water craft following another water craft pulling or towing a water skier, tuber, wake boarder or other approved flotation device must maintain a minimum distance of three-hundred (300) feet to the rear.
- h. Non-motorized water craft shall have the right-of-way over all motorized water craft. When motorized water craft are using the high-speed zone at high speed, non-motorized water craft should avoid the high-speed zone whenever possible.
- i. No water craft or device shall anchor or drift in the high-speed zone when the lake is in open status (green light). When drifting in the high-speed zone, US Coast Guard-approved navigation lights must be used between sundown and sunup.
- j. Tying water craft, floats, or other devices to any buoy is prohibited at all times.
- k. The HVL POA member to whom the water craft is registered is responsible for the safe and proper operation of the water craft.
- l. All powered water craft must travel in a counter-clockwise direction within the high-speed zone on the main lake except when picking up a downed skier, tuber, wake boarder or a person from a flotation device.
- m. Water craft shall not perform "S" turns or "Figure-8" turns while operating at high-speed.
- n. All powered water craft must be equipped with and use at all times an effective muffler system. Muffler bypass systems must not be engaged.
- o. The HVL POA member owning the water craft must provide permission for any guest or relative to use it and must instruct the guest or relative on the water craft on the HVL POA water craft rules according to the current year's laminated rule card.
- p. The current year's laminated rule card must be present on all motorized water craft at all times.
- q. All powerboats and pontoon boats must be equipped with and use mounted US Coast Guard-approved navigation lights between sunset (i.e. when the HVL POA traffic lights turn yellow) and sunrise. All other water craft operating on the lake between sunset and sunrise must, at a minimum, be equipped with and use a light sufficient enough to identify its presence to other water craft.
- r. When on the lake, all water craft must be equipped with US Coast Guard-approved Type I, II, III, V PFDs (life jackets) equal to or greater than the number of people on board. All water craft (except canoes and kayaks) which are sixteen (16) feet or longer, must carry at least one Type IV, throwable, PFD.

## **F. Water Skiing, Tubing and Wake Boarding Rules**

The following rules apply to all water craft pulling a person on water skis, tubes, wake boards or any other device. From time to time, the HVL POA Board of Directors may exempt certain water craft from some of these rules for the purpose of special events.

- 1) Water skiing, tubing and wake boarding in excess of no-wake idle speed is permitted only within the high-speed zone on the main lake and when it is in open status (green light).
- 2) Water craft pulling or towing a person in excess of no-wake idle speed must travel in a counter-clockwise direction within the high-speed zone.
- 3) Any person being pulled or towed by a water craft operating at high speed must remain within the high-speed zone.

- 4) Any water craft pulling or towing a person must have at least two (2) occupants on board, one to guide and control the boat and one or more to observe the person being towed.
- 5) A water craft may pull or tow only one (1) person at a time in the high-speed zone regardless of the type of device being pulled or towed.
- 6) Water craft picking up a downed skier, tuber, wake boarder or a person from any other device must immediately slow down to a no-wake idle speed and then turn back to the right for pick up.
- 7) All persons being pulled or towed on skis, tube, wake board or any other device must wear a US Coast Guard-approved Type I, II, III, or V PFD, which is worn in accordance with the PFD's label instructions.
- 8) Water ski or wake board jumping over any object is strictly prohibited.
- 9) Starting or dropping a person on water skis, tube, wake board or any other device from or on a shoreline, beach, marina, boat dock or another water craft is strictly prohibited. This includes barefoot waterskiers.
- 10) Starting or dropping a person on water skis, tube, wake board or any other device from or in the no-wake idle speed zone is permitted as long as the water craft itself is operating at no-wake idle speed while in that zone. This includes barefoot water-skiers.
- 11) No internal or external devices or specific boat operations that intentionally enhance wakes to a dangerous size shall be allowed on Hidden Valley Lake.

## **G. Water Trampolines and Large Floatation Devices**

- 1) The maximum diameter of any floatation device will be twenty (20) feet in diameter and no more than twenty-six (26) feet in any direction including any attachments, temporary or permanent. The entire floatation device must fit into a square footprint that is no more than twenty (20) feet long and twenty (20) feet wide.
- 2) Floatation devices may not be left out on the lake between dusk and dawn which is indicated by the lake status light being yellow. They must be moved to the edge of the water and attached to a dock or the shore.

## **H. Fishing Rules**

- 1) Only HVL POA members, their immediate family members and registered guests with a valid daily fishing guest pass are permitted to fish on the main lake or any of the small lakes.
- 2) Any HVL POA member may obtain a daily fishing guest pass from the HVL POA office for up to three guests per day. **A guest may fish for only three (3) days per month. A guest may get a one (1), two (2) or three (3) day pass.**
- 3) Guests not accompanied by HVL POA members or their immediate family members must have a valid daily fishing pass to fish in any HVL POA lake and must be prepared to show that pass when requested by an HVL POA Deputy.
- 4) Fishing on HVL POA lakes is permitted 24 hours a day.
- 5) Netting, gigging, shooting, jug-fishing, electric shock, use of trot lines and/or limb lines or the use of any device for trapping minnows or other small fish are prohibited as a means to take fish from any HVL lakes.
- 6) Removing Bull Frogs from any HVL POA lake at any time by any means is prohibited.
- 7) No fishing license is required to fish in HVL POA lakes.
- 8) Commercial fishing of any kind including but not limited to the capturing of minnows, fry, or other small fish in any HVL POA lake is prohibited.
- 9) New and additional fish may not be placed in HVL POA lakes without permission of the HVL POA Board of Directors.
- 10) Minnows may be used for bait on any HVL POA lake only if purchased at a reputable bait store. Emptying the bait fish in whole or in part of a bait bucket into any HVL POA lake is prohibited. Minnows or other small fish cannot be caught by any means on any HVL POA lake whether used for bait or not.

- 11) Fishing in the main lake beach area between the homes on either side of the beach and out to the buoys marking the beach is prohibited.
- 12) Fishing Catch Limits
- a. Fishing limits and rules apply to all HVL POA lakes, main and small in aggregate. Daily limits are the possession limit on community property within HVL.
  - b. From time to time, the HVL POA Board of Directors may exempt the Fish and Game Club from some of the limits for largemouth bass for the purpose of conducting sanctioned fishing tournaments. All largemouth bass caught in the tournaments must be released alive in the main lake.
  - c. An individual may take a maximum of **ten (10)** largemouth bass per day from HVL POA lakes as long as the largemouth bass are **nine (9) inches to thirteen (13) inches** in length. Only one of the **ten (10)** may be **twenty-two (22)** inches or longer. All largemouth bass caught that are **less than nine (9) inches and between thirteen (13) inches and twenty-two (22) inches** in length must be immediately released and returned to the lake.
  - d. An individual may take a maximum of **five (5)** red ear sunfish per day from HVL POA lakes.
  - e. An individual may take a maximum of **five (5)** crappie per day from HVL POA lakes.
  - f. An individual may take a maximum of fifteen (15) bluegill per day from HVL POA lakes.**
  - g. There is no limit on number of other species of fish taken per day from HVL POA lakes.
  - h. Removing turtles from any HVL POA lake is prohibited. Properly identified snapping turtles may be removed from an HVL POA lake using appropriate caution.
- 13) Upon request from a Hidden Valley employee, a resident or visitor must disclose and show the amount of fish in their possession.**

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