

INDIAN LAKE PROPERTY OWNERS ASSOCIATION, INC.

RULES AND REGULATIONS

(“*” to left of rule indicates new or amended Rule for 2011)

Each member of his or her family shall be subject to the following Rules and Regulations:

SECTION 1. MEMBER RESPONSIBILITY.

A. ID CARDS AND GUEST CARDS. Must be obtained from the Association Office by members for their family and guests using any facility. Each member shall be held responsible for any violation of the Rules and Regulations. Annual family ID cards may only be issued to members for their parents, children, grand children, brothers or sisters. Name, address and lot number of member shall be required on all annual ID cards. Temporary guest cards may be issued for visiting guest only for the duration of their visit. Guests may be invited to attend a community activity by members of the corporation.

For property owned by Corporations, the Corporation shall provide the Indian Lake office with the names of the officers, directors of the Corporation to be considered owners with respect to membership cards, launching of boats and of the Association facilities.

For property owned by Partnerships, the Partnership shall provide the Indian Lake office with names of the Partners to be considered owners with respect to membership cards, launching of boats, and use of Association facilities.

B. RENTED DWELLINGS. The members who rent their dwelling house shall, in all events, be responsible for actions of any person to whom they rent. Tenants shall not be entitled to use the facilities until ID privilege cards are issued subject to the following conditions:

1. Property owners who rent their property must have paid all annual charges, fines, or other assessments on all the IH property they own, including the property they rent.
2. Subject to Part 1, tenants and their family members who live with them shall not be permitted the launch or use of boats.
3. For use of Association facilities, persons living with tenant and visiting guests must be accompanied by the tenant. Guest cards will not be issued.
4. Tenants and all persons concerned, including the owner of said dwelling, shall be subject to loss of Association privileges if any of the above conditions are violated.
5. Property owners must register each new renter at the Association Office.

C. NON-MEMBERS. Any person not a member or not accompanied by a member, who shall use the beaches, community areas or any other facility of the Association and does not have in his or her possession an Indian Lake ID or Guest Card, shall be considered a trespasser under the laws of the State of Missouri.

D. IDENTIFICATION. When requested by Security, any person on Indian Lake Property Owner's Association property shall be required to property identify themselves by presenting their Association Membership card, or Association ID card, or an Association temporary guest card, and/or their driver's license.

SECTION 2. BOATS. Only boats owned by members who have paid their annual charges and are in good standing shall be allowed on the Lake. Each Association member together with co-owners, if any, shall be allowed to register a maximum of combined total of three (3) motor driven water craft subject to the choices listed below:

No more than two (2) total-speed, ski, runabout, OR fishing boat, maximum length 22 feet.

No more than one (1) Pontoon Boat or Deck Boat with a maximum length twenty five (25) feet.

* No more than one (1) Personal Water craft, maximum length **11-1/2 feet**. No more than two (2) riders on any PWC at one time. For the purpose of this section, "PWC" is defined as, but not limited to, **wave runners or jet skis**.

No water craft of any type over 25 feet allowed.

The 25 foot maximum length for water craft established by the 2001 amendment to the existing rule shall not apply to water craft used on the lake in 1996 or any prior year.

A new or different water craft in excess of the 25 foot maximum length shall not be substituted for any existing nonconforming water craft.

NOTE: Personal water craft (*Jet Ski, Sea Doo, Wave Runner, etc., regardless of specific brand name*) are all considered BOATS by Missouri State Statutes and the Missouri State Water Patrol. They are subject to Lake Safety Rules the same as any other water craft.

A. RESTRICTIONS. No open stacks, no loud mufflers, no cabin cruisers, no high speed competition boats, no commercial boat operations, no boats with kitchen, toilet or sleeping quarters. No air driven (*propeller or fan or propeller/fan combination*) boats or Hovercraft shall be permitted on Indian Lake property. No artificial weighting will be allowed in any boat. This includes, but is not limited to water sacks, coolers of water, cement blocks or similar devices. Boats with wedges or boats with water ballast tanks designed to increase wakes will not be allowed.

B. BOAT ENTRANCE/CHECK IN REQUIREMENTS:

All boat entries shall be subject to the following strict security guard checks with no exceptions.

1. Membership card or ID card.
2. Driver's license to verify name on cards.
3. Type of boat and boat registration certificate.
4. Towing vehicle license number and sticker.
5. Signature and destination.

All boat entry information will be checked by Security Patrol Officer.

C. BOAT REGISTRATION. All boats being launched, operated, docked at private or Association Docks, or on lifts in the lake water of Indian Hills Lake, are required to be registered and to display a current Indian Hills boat sticker, purchased at a cost of \$5.00 which will be affixed to the left side of the boat next to owners lot numbers which will be no less than 3" high. None motorized and no wake electric water craft require lot numbers only.

D. BOAT/TRAILER PARKING AT ASSOCIATION DOCKS AND LAUNCHING AREAS.

1. Water craft and other vehicles must be parked to allow access to the launching ramps.
2. Parking will be limited to a daily basis for those intending to launch their boat or other water craft and remove them the same day.
3. The area is not available for winter storage.
4. The area is limited to property owners only and may not be used for boat repair or boats awaiting service at the boat repair shop.
- * 5. **Day Use Docks.** Association members and co-owners may park at **designated Association Day Use Docks (5:00 a.m. to 10:00 p.m.)** on a first come, first serve basis. Association **Day Use Docks are** subject to one (1) motorized boat per member. Non motorized boats, sailboats and paddle boats are not allowed to be parked at Association **Day Use Docks.** **Association Day Use Dock spaces** cannot be reserved. **The slip closest to the ramp at each of the Association Docks will be reserved for boat launching and boat take out only, and will have a maximum time usage of fifteen (15) minutes. Any boat left in a Day Use space after 10:00 p.m. shall be subject to a \$25 per day dock rental fee.**
- * 6. **Lease of Association Docks, The Board of Directors shall lease selected Association Dock Space to Association Members by use of an annual Lottery. No more than fifty (50) percent of the available Dock Spaces shall be leased and the remainder shall be Association Day Use Docks except for two (2) spaces in Cove Number 1 for use by the Association Water Patrol Boats.**

The Board of Directors shall establish the Lottery System and all necessary policies and procedures at the Board of Directors meeting held in January of each year. (Example: The first name drawn will choose the first dock space, etc.) This system, along with applicable deadlines for Members to submit their name to be considered in the lottery, the date of the lottery drawing and the deadline for successful members to select their dock will be published in the January and February Smoke Signal. Leasing of the docks shall commence on April 1st until March 31st of the following year.

Collection of Fees: The fee shall be the same as what the Marina charges. All annual dock lease fees collected by the Association shall be used for either Dock Maintenance or for New Dock Construction in that order. Any monies left at the end of each fiscal year shall be placed in the Lake Dredging Fund.

7. No fires allowed for cooking or other purposes at the Public Docks.

SECTION 3. LAKE RULES.

1. OPERATION OF BOATS

- a. Reckless and negligent operation of boats is prohibited.
- b. No boat is to overload beyond its rated capacity.
- c. Property owners are urged to be sure youngsters do not operate any craft unless Legally qualified or under adult supervision. No one under the age of (14) shall Operate any motor craft, motorized water craft (*jet ski, motor boat, or jet bikes*). Proof of age may be requested by Water Patrol.
- d. All water craft, except sailboats, must travel counter-clockwise at all times.
- e. All coves are considered no wake zones for that area marked by Association Buoys located at the entrance to the cove(s).
- f. While Indian Lake Property Owners Association cannot enforce the Rules pertaining to operation of water craft contained in the Department of Public Safety, Missouri State Water Patrol Rules it is highly recommended that all Association Members who operate a water craft on Indian Hills Lake familiarizes themselves and comply with these rules for their own safety.
- g. Please help anyone in distress or notify patrol boat.
- h. No more than two (2) persons shall be allowed on a personal water craft (PWC).
- i. During times when the lake is lowered or drained by the Board of Directors for maintenance, the maximum water craft speed shall be no more than 5mph with minimum wake in order to prevent/reduce any erosion affects along the lake shore or seawalls.

2. **SPEED LIMIT.** Boating speed limit of 40mph will be from 10:00 a.m. to 7:00 p.m. starting the Friday before Memorial Day through Labor Day, and 10:00 a.m. to 6:00 p.m. starting the first Tuesday after Labor Day through the Thursday preceding the Memorial Day. Other times, the speed shall be a maximum of 5 mph with minimum wake.

3. REQUIRED ITEMS.

Boats must have life preservers for each person aboard. All PWC Operators and passengers must wear Coast Guard approved Personal Flootation devices (Life Jackets). Minimum clearance of freeboard from gunwale to surface of water while operating shall be six (6) inches for any craft. Boats operating after dark must have proper running lights.

4. RIGHT OF WAY PRIORITY.

Boating Right of Way shall be: (1) Sailboat; (2) Rowboats; (3) Canoes; (4) Paddleboats
Boats must proceed at slow minimal wake speed within 100 foot of the above boats, swimmers, fishermen, and docks.

5. DISTRESS.

Please help anyone in distress or notify the Patrol Boat.

6. No person or property owner shall cordon off private swimming area.

SECTION 4. SKI, TUBE AND WAKEBOARD SAFETY.

1. Skiing, tubing and surfboarding 10:00 a.m.—7:00 p.m. Memorial Day thru Labor Day. After Labor Day 10:00 a.m.—6:00 p.m.
2. Wear a Coast Guard approved Personal Floatation Device at all times while skiing, tubing or wakeboarding.
3. Boats pulling skiers, tubes and surfboards must be equipped with rear view mirror or have at least two occupants. Take signals from skiers, tubers and surf boarders only.
4. Travel counter-clockwise at all times.
5. Circle counter-clockwise when picking up fallen skier.
6. Never tow closer than 100 feet to any object or person.
7. Never sit on gunwale of boat deck.
8. No more than three skiers or surfboard riders and no more tubers than the rated capacity for such tube.
9. No skiing, tubing or wakeboarding beyond posted signs which are the Association Buoys located at the entrance to all coves, the Beach Area and areas of Low Water.
10. All tow ropes must be pulled in when not in use.
11. No airborne equipment to be pulled by rope from any water craft such as ski kite or ski parachute.
12. The operator of any water craft will immediately raise an orange flag at any time a person being pulled, or towed is in the water and no longer under control of the towboat. The flag will be put down when the person in the water is again under the control of the towboat.
13. It shall be a rule violation to leave non-motorized floating apparatus, not limited to trampolines, inner tubes and the like, in the lake when not in use.

SECTION 5. SWIMMING.

1. All swimmers must stay within 50 feet of shoreline.
2. A swimming area is buoyed off in front of Recreation Building. It is for the convenience of Members and their guests.
3. Put all rubbish, etc., in refuse can in beach area. **NO CANS OR GLASS CONTAINERS PERMITTED ON BEACH.** Plastic containers only.
4. Dogs are forbidden on any part of the beach.
5. Attaching lines or mooring boats to buoys or chains in swimming area is prohibited.
6. Swimming off an anchored boat is permitted in any cove inside the “no wake” markers. Where practical, swimming should be between the anchored boat and shore for safety.
7. All no-wake buoys, at coves, will be in uniform locations. All coves to be treated the same.

SECTION 6.

- a. Members of the Association and their guests are not to litter on the lake, public docks, beach, tennis courts, or roads.
- b. Members of the Association are not to dispose of anything in the lake. This includes lawn and garden waste, rubbish, litter from storms, soil, rock, or any kind of matter. This excludes material required for shoreline.
- c. The Board of Directors shall be responsible for having the lake water tested at least twice yearly.

SECTION 7. Property owners must get approval from the Board of Directors before using any new style boat or water device on the lake.

SECTION 8. No remote controlled or hand operated boats and airplanes to be operated over or on the lake.

SECTION 9. FISHING.

1. Missouri State Fishing License is required by law.
2. Fishermen must be accompanied by a property owner or have a guest card.
3. **NO** live fish may be used as bait. (*Minnows are permitted*).
4. Fish may be taken by: Rod, pole or line (*with not more than 3 rods, poles or lines per person and not more than three (3) hooks per rod, pole or line*). Any other method such as jug, trout line, throw line baiting of lake, etc., is a violations.
5. Daily limit: As provided by the Wildlife Code of Missouri.
6. As a safety measure—to provide a safety zone for protection of persons especially children that are swimming, diving or floating around or off a lakefront private dock, it is essential that fishermen shall not anchor or park their boats any closer than twenty-five (25) feet.

SECTION 10. VEHICLES.

1. All persons, including property owners and their guests, are prohibited from operating “all terrain vehicles” and all unlicensed motor vehicles on the streets, dam, spillway, common grounds or any other property owned by the Indian lake Property Owners’ Association, Inc. This rule is to coincide with and is defined by Section 300.010 (2) RSMo., 1986, as amended by laws of the 94th Genera Assembly, State of Missouri, and House Bill 1279 approved June 1990.
2. Use of the roads of IH subdivision for the purpose of pleasure riding—motor bikes shall be subject to the following rules:
 - A. Vehicle must be owned by property owner.
 - B. Must e registered at the Association Office.
 - C. Vehicle must have state license.
 - D. Must be operated in a careful and prudent manner.
 - E. Vehicles shall not create excessive vehicle noise.
 - f. All bikes restricted to road travel only.
 - g. Headlights on and helmets are mandatory.
 - h. Unless otherwise posted, the speed limit on the roads of Indian Hills subdivision shall be 30 mph.
 - i. All persons operating a motorized vehicle on the roads of Indian Hills subdivision shall possess a valid driver’s license.
3. No commercial vehicles shall be parked on the streets or right of ways of Indian Hills Subdivision after sunset. Obstructing Traffic In Roadway: It shall be a violation to park any vehicle in any roadway in such a manner as to impeded the normal flow of traffic in Indian Hills.
4. Violations of any Section 10 Rules and Regulations above shall subject a property owner to suspension of membership and loss of all privileges.

5. GOLF CARTS:

- a. Other than daylight hours the vehicle must have and use lights, front and red rear, red brake lights and turn signals.
- b. Must observe all traffic laws on the roads.
- c. The driver must be of legal age and show proof of drivers' license if requested by a Security Officer.
- d. The vehicle will not be allowed to carry more passengers that it has seats for. (No standing or more than 1 person in a seat). Must be driven on the right side of the roads and move over when other vehicles need to pass.
- e. Three (3") high lot numbers are required on front and rear.

SECTION 11. ANIMAL CONTROL

DOGS AND CATS AT LARGE. No person owning or harboring a dog or cat within the Corporate limits of Indian Hills will allow such animal to run at large. For the purpose of this rule, the term "at large" is defined as off the premises of the owner, when not under the control by least of the owner or a person over the age of twelve years. If it is necessary to capture and impound the animal described above, the owner will be responsible for all accrued charges.

- * No member owning or harboring a domestic animal shall allow said animal to bark, bay, howl or emit any other sound which is disturbing or alarming to another. Offending animal owners are subject to citation at the discretion of the Board.

KENNEL OPERATIONS. Kennels are not allowed in Indian Hills. **Definition:** *For the purpose of this rule, a kennel is defined as three (3) or more dogs or cats in the same house hold.* The owner of three (3) or more of the above stated animals shall dispose of all puppies and kittens within eight weeks of birth.

Allowing a dog to defecate on Association Property: No person shall cause or permit any dog owned or kept by him to defecate on other than owners property unless any droppings are picked up by the person having control of the animal.

SECTION 12. VIOLATION.

The violation of any of the above Rules and Regulations, or any other Rules and Regulations hereinafter duly adopted, shall be considered appropriate grounds for suspension, expulsion, or termination (Article II, Section 3 of By-Laws) of such member from the Corporation

It shall be within the authority of the Board of Directors to suspend a member's Association privileges if, in the opinion of the Board, the violation is of a serious nature regardless of the previous citations issued. The right to appeal will apply.

SECTION 13. ENFORCEMENT.

Suspension or termination from Corporate membership is subject to the following methods:

1. Security and water patrol shall issue written citation for Association rule violations.
2. Three citations will subject a member to loss of membership and loss of all privileges to use Association facilities.
3. Members shall appeal in writing to the Board of Directors for reconsideration within two weeks.
4. Anyone using IH lake gives implied consent for any security agent or committee member of IH to perform inspections, as necessary, of any water craft for the purpose of checking such as, but not limited to, creel limits, safety equipment, rated capacity, or any issue as described in Sections 3 and 9 of the IH Rules and Regulations, or any applicable Missouri State Statute. Violators will be cited as necessary, Refusal to accommodate such inspections will be grounds for immediate suspension, pending Board approval.
5. The physical or verbal abuse of any ILPOA employee is prohibited. Violators will be cited, pending further action by the Board and law enforcement authorities.

SECTION 14. SECURITY. All entries into Indian Hills Subdivision and use of the roads shall be subject to Rules and Regulations of the Association Security Committee, with the approval of the Board.

RULE VIOLATION FOR NON-MEMBERS: All guests and other persons entering Indian Hills are subject to the same rules as members. In the case of a visitor violating a rule, that individual will be cited, a copy of the citation being sent Registered Mail to the member the guest is visiting. Refusal to accept a citation or a subsequent citations for a rule violation will cause that guest/visitor to be prohibited from entering Indian Hills and will be considered a trespasser if found on Association property.

SECTION 15. AMENDMENTS TO RULES AND REGULATIONS. These Rules and Regulations may be amended or repealed and new Rules and Regulations may be adopted only by approval of 2/3 majority of the members that exercise their vote.

SECTION 16. STRET ADDRESS ON DWELLING. For the safety of all residents and to ensure a speedy response from emergency vehicles (*police, fire, ambulance*), it is required that all lot numbers be replaced with street numbers on the road side of every home.

SECTION 17. FIREWORKS. Discharge of Fireworks is limited to the week of July 4th in the Indian Hills area. But not be discharged before noon, nor after 11 p.m. in the Indian Hills area. Fireworks will not be aimed into, or at neighboring property.

SECTION 18. PRIVATE DOCKS. Association Members shall affix their lot numbers in three (3) inch high numbers to their docks facing the lake and easily visible to the Water Patrol. Association Members are responsible for keeping their docks in a safe and secure manner. If in the opinion of the Lake Committee, a violation is observed, the owner will be given thirty (30) days notice to correct this problem. If the violation is not corrected after the notification period then a citation will be issued and additional citations will be issued every thirty (30) days thereafter pending further action by the Board. Also, the maximum length of the dock into the lake as measured from the Normal High Water Line (identified as full pool at the outlet structure) shall be no greater than thirty six (36) feet. There must be a one hundred (100) foot clearance between the end of the dock to the opposite shore line and edge of the dock must be a minimum of ten (10) feet from the adjacent side property line.

SECTION 19. FIREARMS. The discharge of firearms within the boundaries of Indian Hills Lake Subdivision, shall be prohibited. Use of archery equipment for hunting within the boundaries of Indian Hills Lake Subdivision is also prohibited. The Board of Directors shall be allowed to permit a controlled/supervised water fowl hunt from time to time (*during season*), to help control the water fowl population.

SECTION 20. BUILDING PERMITS. It shall be a rule violation for any member to perform or have performed any type of construction without first having secured the appropriate building permit.

SECTION 21. OPEN BURNING. The open burning of any toxic or odor producing material is prohibited. This includes but is not limited to: painted, stained, laminated or composite wood products, plastics, chemicals, household garbage or items which may produce odorous or harmful emissions in the air. Nothing in this rule is designed to prevent the burning of standard yard waste such as leaves, grass or wood cuttings.

Last revision November 17th, 2010

President: Vincent Schramm

Vice President: Gary Boos

Corporate Secretary: Robert Grady

Treasurer: John Darrough

Asst. Treasurer: Cathy Edelen