

Rules Enforcement Proposal

- 3 unrelated warnings will result in a fine
- A second occurrence of the same infraction will result in a fine
- Violators of rules will come before the board before a fine is issued
- Documentation of violations will start over at the beginning of a new calendar year
- All fines will be \$100 except as noted below

ROCKY FORK CLUB, INC. GENERAL CLUB AND LAKE RULES

A. GENERAL CLUB RULES

1. Rocky Fork Lake is a privately owned lake. As such, it is not subject to the boating, fishing, skiing/towing laws of the State of Indiana. The Club makes and enforces its own Rules, which apply to all lot owners, members, their families, and guests. Penalties for violations of these rules are set forth in Section J of these Rules.
2. The use of firearms, including pellet guns and air rifles, is prohibited, unless special permission is obtained from the Board of Directors to exterminate nuisance animals.
3. The use of fireworks is restricted to those approved by the State of Indiana.

B. VEHICLES AND ROADS

1. All vehicles and drivers using Club roads that are required by Indiana law to be licensed must be so licensed.
2. There is a 15 MPH speed limit on Club roads. This applies to all vehicles using Club roads. **Warning**
3. No trucks in excess of five (5) tons are permitted on lake roads between January 1 and April 1. **Fine**
4. All motor vehicles and trailers under the jurisdiction of the U.S. Department of Transportation (D.O.T.) or unlicensed and/or not in running condition shall not be parked on club or private property at Rocky Fork Lake for a period exceeding 48 hours within any 30-day period without prior approval of the Board of Directors. This provision shall not apply to golf carts or off-road vehicles.
5. Off-road motor vehicles (including but not limited to all-terrain vehicles and golf carts) may operate on Club roads in accordance with the following requirements:

- a. All such vehicles are driven solely at the operator's risk.
 - b. The owner of such a vehicle must maintain liability insurance on the vehicle.
 - c. The lot number of the owner must be displayed on the vehicle. Such numbers shall be a minimum of three (3) inches in height and of a color which contrasts with the background. **Warning, then \$25 fine**
 - d. An elevated warning flag must be mounted on the vehicle. **Warning**
 - e. Headlights and tail lights must be turned on between sunset and sunrise. **Warning**
 - f. An unlicensed driver must be closely supervised by a licensed driver. **Fine**
 - g. Muffler systems must be maintained in proper working order to eliminate excessive noise. **Warning**
 - h. Riding on the slopes of the dams or spillway, in the picnic/beach area, or on other common areas of the lake is not permitted. **Fine**
 - i. The operation of such vehicles shall be solely at the driver's risk and responsibility.
6. The cost of repairing any damage to Club property, including its roads, will be the responsibility of the owner of the vehicle.
7. Lot identification tags must be prominently displayed on all vehicles (including guest vehicles) stopped or parked on Rocky Fork property, either hanging from the rear view mirror, on the dashboard, or other place of visibility. **Warning, then \$25 fine**
8. All dogs on common property including roads, pavilion, dam, beach, boat ramp, and all other common lands must be on a leash and under physical control by their owners whether a club member or guest of a club member. If no other person is present at the beach or boat ramp the dog may be temporarily off-leash but must remain under control of the owner. **Warning, then \$25 fine**
9. The beach and pavilion areas are closed at 11pm every day.

C. GUESTS

1. The lake is to be used for recreational purposes only by the owners of lots in the development who are members of the Club, their families, houseguests, and honorary members. The lot owner or a member of the lot owner's family (i.e., husband, wife, children, and parents of both spouses) must be present at the lake. Houseguests may use lake facilities and common areas only if the lot owner or a lot owner's family member

is present and available at the lake.

2. Lot owners and family members are responsible for informing their guests of the Club and Lake Rules and shall bear full responsibility for the conduct of guests.

D. GENERAL LAKE RULES

1. Access to the lake for members of the Club whose property does not have lake frontage will be via the Club facilities which include the boat ramp, and/or Club docks. Private boathouses and private docks will not be permitted on Club property. Docks on private waterfront property are for the exclusive use of the lot owners, and other Club members may park there only with permission of the lot owner.

2. To protect lake quality:

a. Leaves, ashes, plants, and grass clippings should not be raked or dumped into lake waters. If leaves are burned on the exposed shoreline when the water level has been lowered, the ashes should be promptly removed. **Warning**

b. Fertilizer should not be used on waterfront slopes or within 20 feet of the shoreline.

c. Eroded or decaying trees near the waterfront should be cut by the lot owner rather than being allowed to uproot. A large tree which has been cut or has fallen may remain in the lake for fish cover unless it protrudes more than 20 feet from the shoreline or presents a hazard, as determined by the Board of Directors. If, for reasons of safety, a tree must be removed from the lake, the lot owner will be notified by the President or other authorized representative of the Board to remove it by a certain date. If this is not done, the Club will have it removed and bill the lot owner for the cost. **Letter then warning**

3. The use of seawalls and other erosion control structures and methods is recommended to protect the lake from soil erosion, sediment buildup, and contamination. For guidance on materials and methods for protecting shorelines and for information regarding the recommended height and depth of seawalls, members should contact the Chairperson of the Lake Management or Building Rules and Regulations Committee. Rock or bedding materials must be clean and free of petroleum-based contaminants. Materials such as concrete, steel, aluminum, plastic, and untreated lumber are encouraged for use for any part of a structure that is located below normal lake level.

4. It is the ongoing responsibility of lot owners to maintain their property. This responsibility includes providing and maintaining an adequate septic system that does not pollute the lake.
5. A septic dye test will be performed on each septic system within the subdivision every five years on the board schedule regardless of when the previous test was performed. The test must be performed by the county sanitarian or an approved agent of the board.
6. Individual lot owners shall not use chemicals to treat the lake. All chemical treatment of the lake for the control of weeds and algae is to be done only by persons authorized by the Board of Directors. **Fine**
7. Snowmobiles or any other powered vehicles are not permitted on the lake when it is frozen. **Fine**
8. A permanent dock, boathouse, or pier may not extend into the lake more than twenty (20) feet from the shoreline. If such structure interferes with access to the lake from other property or creates a safety hazard, then a shorter length may be required. Permanent docks, boathouses, and piers shall not take up more than 50% of the width of an inlet or cove. This limitation includes space used for mooring of boats. Along the main waterway, boathouses may be required to be constructed parallel to the shoreline. All installations shall be subject to the approval of the Building Rules and Regulations Committee and the Board of Directors.

E. LAKE WATER LEVEL RULES

1. The Water Level Marker. The post by the main boat ramp is the official water level marker. Normal lake level is when the water is even with the weir of the dam, which is the V-shaped concrete in front of the spillway. When the entire top of the weir is dry and water is no longer flowing over it, the lake is at "normal" level.
2. Fast Boating. The white area on the water level marker, which is six inches above to twelve inches below normal water level, indicates levels at which fast boating and skiing are permitted. **Warning unless blatant, then fine**
3. Winter Water Levels. Each winter, the water level of Rocky Fork Lake will be lowered five (5) feet below its normal level. The outlet valve of the dam will be opened on October 24 and remain open until the level of the lake has dropped five feet. Then the valve will be closed, and the level maintained until the ice danger has passed. The outlet valve of the dam will not be opened when ice is present on the lake. Beginning in October 1995, and

every fifth year thereafter, the Board has the option to lower the lake level by eight (8) feet below the normal lake water level and to maintain that level until January 1 of the following year, to enable members to work on shorelines and docks, or for other unforeseeable reasons that affect the majority of the members. In any year that the Board elects to lower the lake level eight (8) feet below the normal lake water level, the membership will be notified of this decision by no later than the Annual Meeting.

F. BOATING RULES

1. Each boat or craft of any type (motorized and non-motorized) used on Rocky Fork lakes must display the owner's lot number and an RFL sticker which has been affixed by a Board member after proper registration. Lot numbers and letters shall be a MINIMUM OF THREE (3) INCHES in height, be of a color which contrasts with the background, and shall be located on both sides of the boat. A sticker will be placed on all boats on the right side near the lot numbers, indicating that the boat has been registered and is a boat owned by a Rocky Fork Club member. All new boats to Rocky Fork must be registered with the club PRIOR to launching of the watercraft into the lake. Only boats with stickers provided by the club will be permitted to use the lake. Members placing boats in Rocky Fork Lake without a required stickers and lot numbers will be fined \$100 for a non-motored boat and \$200 for a motored boat. **Fine**

2. Only two (2) motorized boats per ownership shall be in use on the lake at any one time. No lot owner shall permit guests to bring boats to Rocky Fork Lake. Ownership of a boat in common with a non-lot owner shall not give the non-lot owner the right to use that boat on Rocky Fork Lake. **Warning**

3. Serious problems can result from the transfer of nuisance plants, fish, and animals (such as zebra mussels) from one body of water to another. Therefore, any boat or trailer which has been in any other lakes or rivers must be thoroughly washed and meticulously inspected for foreign materials before being launched at Rocky Fork Lake. Live wells and minnow buckets used in other lakes or rivers must be emptied and rinsed prior to use at the Rocky Fork lakes. **Warning**

4. Temporary docking of boats is permitted at available Club docking facilities. Overnight docking at the South Club dock by the beach is prohibited. Only North Lake members are permitted to dock overnight at the North Club dock. **24 hours warning, 24 hours fine**

5. BOAT EQUIPMENT - All persons boating on the lake should be familiar with the boating laws of the State of Indiana, as these provide important guidelines for boating. The following equipment is required on all boats:

- a. a USCG approved flotation device for each occupant;
- b. a fire extinguisher on motorized boats;
- c. a tow line (approximately 25 feet) and an oar or paddle;
- d. a horn, bell, or whistle on motorized boats; and
- e. a light to warn those approaching at night. **Fine**

6. BOAT OPERATION

- a. Lot owners are responsible for the safe operation of their boat(s). If children, young adults, or guests are allowed to operate boats, they must be familiar with and follow Club rules.
- b. Every person operating a boat shall operate it in a careful and prudent manner with due regard for the rights, safety, and property of themselves and others.
- c. No person shall operate any type of boat or be towed on any water sport device while under the influence of alcohol or drugs.
- d. Unlicensed drivers are not allowed to operate a motorized boat on the main water during fast boating hours, unless accompanied by a licensed driver over the age of 18. **Fine**
- e. No occupant shall sit on the sides of a boat when the boat is in motion. **Fine**
- f. All boats entering the main waterway of the lake shall turn to the right. All boats in the main waterway during fast boating hours shall keep to the right. **Warning**
- g. Any driver of a boat pulling any kind of device behind the boat must be a licensed driver over the age of 18. **Fine**
- h. No person shall sit on the front of a boat with feet, legs, hands, arms, or head dangling off the boat while the boat is in motion at any time. **Idle - warning, Fast boating – fine**
- i. No anchoring within 50 feet of second (southernmost) marker buoy located at the south end of the lake since valve and airhose can be damaged. If damaged, member will pay for full repair plus a fine.

7. FAST BOATING

- a. Engine Size – Maximum boat engine size is limited to ninety (90) horsepower for four stroke motors, seventy-five (75) horsepower for two stroke

motors, regardless of boat type. **Warning**

b. Fast Boating Hours – Rocky Fork Lake shall be open for fast boating in the main waterway from 10:30 A.M. to 6:30 P.M. Monday through Thursday and 10:30 A.M. to 7:00 P.M. on Friday, Saturday, Sunday and legal holidays. **<15 minutes warning, > 15 minutes - fine**

c. Fast Boating Water Levels – Lake levels must be within the white area on the official water level marker to permit fast boating. **Warning unless blatant**

d. All fast boating shall occur in the main waterway, which is the area of the lake located between the north and south “No Wake-Idle Speed” buoy signs and twenty-five (25) feet from the shoreline of the lake. Fast boating is not allowed in any of the coves of the lake. The south buoy shall be located at mid-lake, even with the point edge of the docks on Lots W-8 and E-9; the north buoy shall be located at mid-lake, even with the center of the ravine on Lot W-71 and the property line between Lots E-71 and E-72. These buoys shall be placed by the Lake Rules Chairperson or his/her designee and shall not be moved by any other Club member.

e. Motorized boats causing a wake must stay twenty-five (25) feet from docks and shorelines. **Warning**

8. WATER SKIING AND TOWING SPORTS DURING FAST BOATING HOURS

a. Any person skiing or being towed behind a boat must wear a USCG approved life vest. **Fine**

b. A “spotter” (other than the driver) is required when skiing or towing to watch the person(s) behind the boat. The spotter is required to wave an orange flag when a skier or tuber is down in the water. **Warning**

c. A fallen skier should hold up a hand or ski to be more visible to oncoming boats or boats behind the skier.

d. Skiers and persons being towed on any device must stay at least 25 feet from docks, shorelines, and other boats. **Warning**

e. Skiers should start in the straightaways, thus avoiding congestion in the major turnaround areas. Inexperienced skiers should start in the wider areas of the main waterway to avoid congestion in the turn areas.

f. Skiers who start or stop skiing behind the north and south idle speed zones may:

i. begin when the front of the boat is just behind the sign; and

ii. drop off in idle zones as soon as the skier has passed the sign. During the

drop off, the boat must drive straight into the idle zone and reduce to idle speed as soon as the skier has passed the sign.

g. Do not dock a boat with ski ropes, etc., in the water. Ski ropes should be recovered when a skier stops skiing.

h. If possible, do not stop your boat in the traffic pattern. Drivers should pull over to the side of the lake or go above or below the established pattern if they have trouble or decide to rest.

i. No driver of a boat shall cause the boat to go in repeated circular turns, also known as donuts, if there is MORE than one other fast boat anywhere on the lake.

Boats must remain 25 feet from the shore. **Warning**

j. No more than two devices shall be pulled behind any boat. No more than a total of three (3) persons shall be on those two devices. **Fine**

k. Towing passengers on inner tubes, rubber rafts, or any device not specifically designed and manufactured to be towed by boats is prohibited. **Warning**

l. Tubing rules are as follows:

i. The LENGTH of the tow rope should be 45 feet or less from attachment to the boat. (A normal ski rope is 75 feet long.)

ii. The BOAT SPEED SHOULD NOT EXCEED 15 MPH when towing children or 25 MPH when towing adults.

iii. Remember that it is the boat driver who controls where the tube goes. This is different from skiing, where the skier can maintain control. Drivers towing devices should be familiar with the lake, the turns, and how tubes maneuver.

9. SLOW BOATING

a. Slow boating is required on the entire lake between 6:30 P.M. and 10:30 A.M. the following morning.

b. Slow boating, or idle speed, means that the boat is operating with no wash, no wake, and proceeding at the slowest possible speed without the engine dying.

c. When there is fast boating, any boat or watercraft at anchor or operating at slow or idle speed should stay close to shore, in the coves, or a safe distance from such fast boating activity. See 8.f.2. above in regard to fast boats. **Warning**

10. Sailing is not permitted during fast boating hours, when there is fast boating activity.

Warning

11. Jet skis, or any jet-powered vehicles, are prohibited on the lake. **Fine**

G. FISHING

1. Only members, members' families, and houseguests are permitted to fish at Rocky Fork lakes.
2. All persons fishing at the Rocky Fork lakes shall comply with any restrictions approved by the Board of Directors regarding the types, sizes, and numbers of fish to be kept. **Warning**
3. No goldfish, carp, or other rough fish minnow shall be used as bait for fishing in the lake at any time.
4. Ice holes for fishing shall be no more than eight (8) inches in diameter.
5. Unattended fishing lines with bobbers that keep fishing line on or near the surface of the water should not extend more than twenty (20) feet from shore, if they would cause a hazard to the propellers of other boats. **Warning**
6. Any lot owner wishing to place trees or other approved items for fish cover in the lake should do so only after consultation with, and the approval of, the Chairperson of the appropriate committee and the Board of Directors.

H. SWIMMING

1. Only members, members' families, and houseguests are permitted to swim at Rocky Fork lakes.
2. During fast boating hours, swimmers from lots located along the main waterway must stay within their lot boundaries and within twenty (20) feet of the shoreline. **Warning**
3. Distance swimming shall be permitted only during slow boating hours. Swimmers must be accompanied by a person in a boat that stays within twenty (20) feet of the swimmer, and such person accompanying the swimmer must have an extra life preserver. **Fine**
4. Swimming in the slow areas beyond the buoys will be allowed. Swimmers must stay within twenty (20) feet of the shore or within 25 feet of an anchored boat. **Warning**

I. TRASH DISPOSAL

1. Club dumpsters are to be used by members only.
2. All trash and garbage put into the dumpsters must be bagged. **Warning**
3. Items left outside the dumpsters must be labeled with the NAME and LOT NUMBER of

the person leaving such items, who will be billed for the extra handling fee.

4. The following items SHALL NOT be disposed of at the dumpsters: **Fines for all**
 - a. Toxic or hazardous materials (paints, turpentine, oil, etc.)
 - b. Refrigerators, freezers, air conditioners, or any appliance containing Freon.
 - c. No vehicle (acid core) batteries or tires.

J. VIOLATIONS OF THE RULES AND PENALTIES

1. A Safety Patrol will be appointed by the Board of Directors. The Safety Patrol is authorized to issue citations for violations of these Rules and will notify the Board when citations have been issued.
2. For violations of the Rules and Regulations of the subdivisions, as set out in the Article of Restrictions, the Articles of Incorporation, the Building Regulations and Restrictions, the Bylaws, and the General Club and Lake Rules, in addition to other remedies available, the Board may conduct hearings and impose penalties pursuant to the following procedure:
 - a. Upon notification by the Safety Patrol or otherwise that the Rules or Regulations may have been violated, or upon receipt of a written complaint filed by a member, the Board must notify the alleged violator in writing of the complaint. The Board will determine whether the alleged violation or complaint warrants a hearing.
 - b. If a hearing is to be held on the matter, the Board must notify the alleged violator of the date, time, and location of the hearing, which will be at the next regularly-scheduled Board meeting or at a special meeting called for that purpose. Notice of the date, time, and location of the hearing will be sent by certified mail, return receipt requested, at least twenty (20) days before the hearing.
 - c. The Board must consider the matter on the date of the scheduled hearing. If the matter cannot be resolved at that time, the matter may be postponed until the next regularly-scheduled Board meeting or special meeting called for that purpose. Only one such postponement is allowed, and then the matter must be resolved.
 - d. A quorum of the Board must be present at the hearing, and a minimum of five (5) votes is required to impose a continuing monetary penalty or temporarily suspend privileges.
 - e. A fine of not more than \$250.00 may be assessed by the Board for a one-time, single violation. For violations that are ongoing, the Board may, at its option, impose a fine for the first day of the violation and, in addition, assess a fine of not

more than \$25.00 per day for each day that the violation continues.

f. The Board is empowered to deny the use of the lake and the common property for a period not to exceed ninety (90) days in any given calendar year for any continuing violation. A two-thirds (2/3) vote of the total Board is required to deny any member such use of the lake and common property. If the owner is not present at the time of the decision, the lot owner will be notified of such action by certified mail, return receipt requested. If, in addition to the denial of use of the lake and common property, the Board recommends that a member be expelled from membership in the Club, then such action must be approved by the membership at an annual meeting or other meeting of the members as provided by Article 12(c) of the Articles of Incorporation.

3. All fines, costs, interest charges, annual dues, and any special assessments shall be a personal obligation of the owner and/or violator. A lien against the real estate owned by such person may be filed for the collection of these obligations. Fines for violations by guests are attributable to the host and the host's property. At least annually, liens for nonpayment of these obligations will be recorded in the Miscellaneous Records, Parke County Recorder's Office. Nonpayment will be grounds for denying use of all common properties, even if such liens are released by judicial action, such as bankruptcy or tax sale. All costs or fees associated with the filing and clearing of such liens shall be the responsibility of the person originally responsible for payment.

Note: These rules were approved and adopted by the Board of Directors on 8/2/1997, and amended 7/3/ 2006, 4/28/2007, 9/13/2008, 12/6/2008, 6/14/2009, 8/21/2010, 8/20/2011, and 8/18/12.

/cs/ August 2012