



## **Emerald Bay Estate Lake Rules**

Emerald Bay Estates Homeowners' Association ("Association") authorizes its members, as defined in the Declaration of Covenants, Conditions, Restrictions, Easements and Disclosures for Emerald Bay Estates (the "Declaration"), to engage in recreational activities on the lake (the "Lake Area") located within Reserve C, Emerald Bay Estates, Wichita, Sedgwick County, Kansas. Accordingly, in order to promote (BUT NOT INSURE) safety, rules regarding the use of the lake within the Lake Area must be promulgated and enforced.

EACH MEMBER AND OTHER AUTHORIZED PARTY, THEIR GUESTS, AND INVITEES WHO UTILIZE THE LAKE AREA FOR RECREATION, DO SO AT THEIR OWN RISK AND SHALL ASSUME ALL LIABILITY FOR THEIR OWN ACTION IN PURSUING ALL LAKE AREA RECREATIONAL ACTIVITIES. Each Member is solely responsible for informing their guests and invitees of ALL of the Lake Area rules. Neither SNAR, LLC, a Kansas limited liability company ("Developer") nor the Association and their respective managers, officers, directors, or employees, or the members of Developer, shall have any liabilities or responsibilities for the acts or omissions of any persons with regard to activities within the Lake Area, or the condition of the Lake Area, and all such persons conducting activities within the Lake Area are deemed to have released and held Developer and the Association, and their respective managers, officers, directors and employees and the members of Developer, harmless from such liabilities or responsibilities.

### **General Rules**

1. The Association, or its designees, shall have complete control regarding enforcement of the rules regarding the Lake Area and shall have the right to take all action it deems appropriate to enforce the same.
2. Approved watercraft shall include ski boats; personal watercraft such as jet skies, wet bikes, wave runners, etc.; pontoon boats; sailboats; and windsurf craft. The maximum permitted length of any watercraft on the lake shall be 21.5' as determined by the manufacturer's specification; provided, however, pontoon boats may be up to 24' in length but shall NOT have enclosed cabins.
3. For safety purposes, no more than four (4) motorized watercraft shall be permitted on the lake within the Lake Ski Area at any one time. There is a 1 hour continuous use time limit immediately followed by at least a 1 hour non-use period for all motorized watercraft operating in the Lake Ski Area. This does not apply if the Lake Ski Area is not at the four watercraft limit at the time. When the Lake Ski Area is at the four watercraft limit, each household may have only 1 motorized watercraft operating within said area.

4. When the lake ski area is at capacity, watercraft wanting to use the lake ski area are to "stage" in the no wake area shown on Figure 1 and may enter the lake ski area as boats using the lake ski area leave the lake ski area. This lets everyone know people are waiting and who is waiting. Line jumping is not permitted.
5. Any motorized watercraft operating at no wake/idle speed and within 50 feet of shoreline is not counted as part of the (4) total. This will accommodate those residents on the main lake that need to move from their house to the "staging" area when the lake is at capacity as well as any resident who may want to fish along the shoreline of the main lake.
6. No waste or sewage may be dumped in the lake.
7. All motorized watercraft shall have a USCG (United States Coast Guard) approved PFD (personal floatation devise) for each person on board when operating on the lake. Children under 13 years of age must wear a USCG approved PFD while on board or being towed by any watercraft.
7. There shall be no activity on the ice on the lake at any time.
9. There shall be no swimming in the portion of the Lake Ski Area beyond a distance of 35' from the shoreline. ANY SWIMMING AND THE USE OF A SWIMMING PLATFORM AND /OR BOAT DOCK SHALL BE AT THE SOLE RISK OF THE SWIMMER/USER. PARTICULARLY, IN VIEW OF BOATING ACTIVITES, SWIMMING OR OTHER SUCH ACTIVITY MAY BE DANGEROUS.
10. No unsafe or reckless operation of any motorized or non-motorized craft on the lake is permitted.
11. All construction along the lake shore must first be approved by the board of the Association (the "Board") prior to construction and must thereafter be maintained in a first class condition.
12. The owner or an age-appropriate immediate family member must be present when any watercraft is being operated on the lake, Guests are not allowed to operate watercraft without a Member of the Association being present. No fishing or skiing shall be permitted without a Member being present.
13. Guests are not permitted to bring their own motorized watercraft to the lake.
14. All appropriate care shall be taken in filling gasoline tanks or putting oil into engines at or near the lake so as not to spill any gasoline or oil.
15. The USCG approved watercraft capacity limits must be followed at all times.
16. No parasailing or aircraft may be used in connection with the lake.
17. Prior to putting any watercraft in the lake, the Association requires a form of identification (provided by the Association) for all watercraft, including a requirement that the same be prominently displayed thereon. Any new watercraft (never launched in the water) will not require an inspection. Used watercraft may (at the option of the Association) require an inspection prior to launch.

18. No watercraft of any type, motorized or not, shall be operated by anyone under the influence of alcohol or drugs.

19. No private boat docks, swimming platforms, piers, moorings, boat houses, slips or similar improvements may be constructed adjoining the Lake Area without written approval by the Design Commission. These items will be utilized at the SOLE RISK of the Members and other authorized parties.

### **Motorized Watercraft**

1. In order to assure safety in the operation of motorized watercraft, all watercraft shall be operated around the Lake Ski Area in a counterclockwise direction. However, if there are no other watercraft in the portion of the Lake Ski Area, a counterclockwise figure eight may be used. Once another watercraft approaches such area, the aforementioned counterclockwise configuration shall apply.

2. The maximum speed limit of any craft on the lake is 40 miles per hour, subject to further limitations contained in these rules.

3. All watercraft motors must have a muffler, underwater exhaust or other device that adequately and affirmatively suppresses the sound of the motor, it being intended hereby that there shall be a minimum of noise generated by such craft.

4. No wake is permitted within the northern portion of the Lake Area, show as cross-hatched on Figure 1 below. The limitation of four (4) motorized watercraft at any one time referenced in General Rule 3 above, shall not apply in the “no wake” area.

5. The watercraft to the right shall have the right-of-way when two watercraft approach each other at right angles.

6. No person under 16 years of age shall operate motorized watercraft unless a person of 18 years of age or older is aboard, except that a person under 16 years of age may operate motorized watercraft so long as such person has successfully completed a safety course approved by the State of Kansas and has received a valid boating safety certificate and has been approved by the Board.

7. A “no wake” speed limit or idle speed limit for all watercraft shall be in effect ½ hour after sunset to ½ hour before sunrise.

8. All watercraft, motor or sail, operating on the lake ½ hour after sunset to ½ hour before sunrise must be lighted with a combination red and green light on the bow and a white light aft, visible 360 degrees.

9. There shall be no towing or a person on water skis, aqua plane, surfboard, or similar device unless there is a mirror providing the operator a wide field of vision to the rear or unless another person in the towing watercraft is continuously watching the person.

10. Waterskiing and similar acts are prohibited between ½ hours after sunset and ½ hour before sunrise of the following day.

11. Water ski ropes may not be longer than 60' in length.
12. Non-motorized watercraft have the right-of-way over motorized watercraft in all situations except when the non-motorized craft is overtaking or passing.
13. All motorized watercraft must have on-board one Coast Guard approved fire extinguisher.

### **Personal Watercraft**

1. Personal watercraft such as jet skis, wet bikes, wave runners, etc., may not operate between sunset and 10:00am the following day.
2. There should be no operation of such craft at greater than a slow, no-wake speed within 100 feet of any shoreline, dock swimmer, swimming raft, any moored or anchored watercraft, or non-motorized watercraft at any time.
3. Use of the manufacturer's equipped lanyard-type engine cut-off switch is mandatory.
4. There shall be no chasing or harassing wildlife.
5. There shall be no weaving through congested watercraft traffic or jumping the wake of another watercraft within 100' thereof.
6. Towing behind personal watercraft, jet skis, wet bikes, etc., will be permitted at age 16 upon completion of Kansas certification, otherwise, at age 18.
7. A PWC (personal water craft) may not be operated unless each person on board is wearing a USCG approved PFD.

### **Fishing**

1. Seining, fish traps and trout lines are prohibited. No fisherman shall use more than two lines at one time, nor more than two hooks on each line. There shall be no limb lines.
2. Size and bag limits are in accordance with the Board's fishing rules for the current year.

### **Consequences**

- 1st Violation of Lake Rules** – Written letter of warning is sent to homeowner in violation
- 2nd Violation of Lake Rules** – Certified Letter indicating loss of lake privileges for 30 days
- 3rd Violation of Lake Rules** – Certified Letter indicating loss of lake privileges for one year

**Violations shall be reported to any board member**

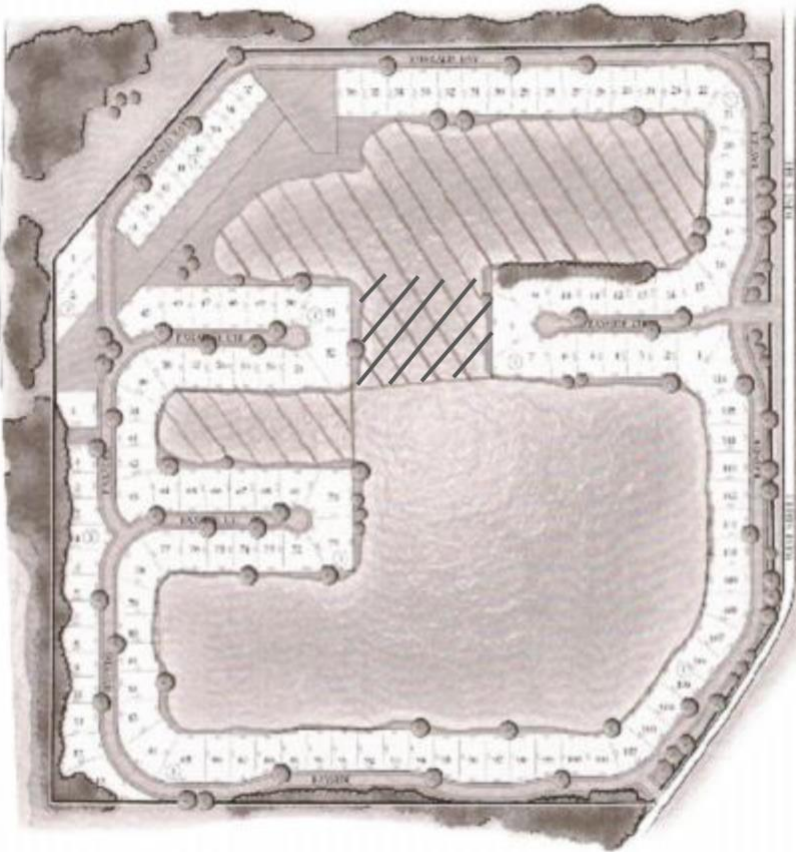
**Launch Ramp maintenance Issues – Call Gaylan @ 316-942-2062 05/13/2013 Revised**

These rules are subject to amendment, restatement, modification, supplementation, withdrawal or additions at any time, and from time to time, by the Board without an approval by the Members.

Figure 1: No Wake and Ski Area

No Wake Zone: 

Staging Area: 



- **Remember to stay 100' from all shorelines and boat docks**