

# Playa del Rey Homeowners Association, Inc.

## Lake and Fishing Rules

Adopted Apr 2003 - Last Revision August, 2019

The following rules and regulations have been set up for the protection of all homeowners; to prevent possible harm to homeowners, guests, property; and to promote proper and reasonable use of the lakes in compliance with Maricopa County Environmental Health Services stipulations for artificial bathing lakes. All persons using the lakes must adhere to these rules.

Any resident witnessing a violation of these rules should contact a Board Member or the Management Company with the complaint. The Association strongly advises residents not to act personally upon any rule violation. Denial of lake privileges will be at the board's interpretation and discretion not residents. In this way, we hope to maintain friendly relations between residents. Any abusive action, verbal or physical, to any member of the Board of Directors and/or the Management Company. or a lake user may result in loss of lake privileges.

The elected Board of Directors will determine the reasonable consequences of the Lake Rules violations. This may include fines and lake use restrictions. The Association has the authority to bar certain lot owners from using the lakes up to one year at a time if they and/or their guests disregard the Association's lake rules.

### **Definitions**

1. Permitted users
  - a. Permanent and bona fide residents of a Lot within the Association
    1. Permitted users do not include Ski Teams, owners of homes owned by multiple persons or groups of guests that excessively ski on the lake. Multiple owners, corporations, LLC, Partnerships, Trusts, etc. shall designate one party to be the primary lake user. No commercial use of the lake is allowed such as equipment demos, lessons, etc.
  - b. At least 16 years old for drivers motorized craft.
  - c. Participants in the insurance programs that are required by the CC&R's of the Association for use of the lakes and other common areas.
2. Common area entry: entry for all permitted users.
3. Lakeside area entry: entry for all permitted users whose residence is on the Ski Lake.
4. Daylight hours: are from Sunrise to sunset per the internet.
5. Direct control (Motorized boating): supervision and/or control from either in the boat, or skiing behind the boat. Jet Skis follows non-motorized direct control rule.
6. Motorized Boating: use of any form of gasoline powered watercraft.
7. Non-motorized boating: use of any form of watercraft not gasoline powered.
8. The fee schedule is as follows:

- a. \$250 boats under 3000 lbs
- b. \$350 boats over 3000 lbs
- c. \$100 jetski
- d. \$5.00 additional watercraft

1. Feeding the ducks, geese, and fish is NOT allowed in Playa Del Rey. Homeowners are responsible for notifying their guests and visitors of this rule. Homeowners will be fined \$250 for disregarding this rule.
2. All community members are prohibited from releasing any creature into any common area as well as harboring any creature that presents a risk of nesting with subsequent release of offspring into any common area. Violators will be fined \$1,000 per incident plus the cost of immediate creature removal.
3. Each lot owner shall maintain the portion of the Lakeshore associated with his/her lot.
4. No vegetation is allowed to touch the water in the Ski Lake, and vegetation is not allowed to damage any lake edge curbing on the owner's property, the island, or in common areas.
5. The lakes are to be used only by permanent bona fide residents and guests of residents. Any ineligible, (non-conforming persons) will be asked to leave. Residents are requested to LIMIT their guests to a reasonable number. Residents are required to accompany their guests when they are utilizing the lakes and common areas of the association.
6. The Homeowners Association Board reserves the right to adjust the acceptable noise level down in order to preserve an enjoyable lake environment. The Board shall be the sole judge to determine what watercraft, and/or sound systems, are excessively noisy and has the authority to prohibit or limit their use on the lake.
7. All lakefront residents are required to turn off all outdoor lighting that is visible from lakeside by midnight.
8. The clubhouse and ramada may be reserved for private parties only if prior arrangements are made and written approval is granted by the Board of Directors. Monetary deposits may be required for particular uses and/or facilities. The Board of Directors or other Committees appointed by the Board of Directors may, with Board approval, have certain functions that may take up the Lake areas for a certain period of time with appropriate advance notice to the community.
9. The lakes shall not be used during periods of repairs or maintenance to the lakes.
10. Access to the islands is allowed only for brief visits. No camping or other extended activities.

### **Ski Lake Water Contact Recreation**

1. For the Ski Lake, there is a \$1,000 fine for putting foreign material into the water such as glass containers, pool backwashing, rocks, liquid soaps, grass clippings, plant material, living or dead branches, roots, dirt, sand, vegetable or hydraulic oil from lifts or engines, etc. and may result in criminal charges.
2. Swimming without a floatation device is prohibited.
3. To avoid encroachment on lakeside homeowners' properties, common area entry shall be permitted only in the areas at the east end of the Ski Lake. Lakeside residents entering from their backyard may not cross another's property for water entry.
4. Water contact recreation in common areas is not permitted when motorized boating is in process and is allowed only on lakeside homeowner's property inside the red buoy line.
5. Permitted users shall be the sole responsible party for any guest they allow to use the Ski Lake for non-submerged water activities.
6. NO pets are allowed to enter the Ski Lake as this violates our use permit and carries a \$250 fine per incident.

7. Children under the age of sixteen (16) and guests of permitted users may participate in water activities only under the direct control of the permitted user who shall be present and responsible for their proper and reasonable use of the Ski Lake.
8. Persons under the influence of drugs or alcohol shall not enter the common area of the Ski Lake especially while operating any watercraft. Such persons will be fined \$250 per incident.

**Motorized Activity (Applies to both boating and jet skiing)**

1. All motorized watercraft using the Ski Lake must be insured, registered to the permanent and bona fide resident and have passed an initial inspection by a Board Designee, prior to the first time the craft enters the water. Subsequent annual inspections to be performed by the craft owner per the terms in the motorized boat registration form. Owner certifies that they comply with the terms in the registration form. Motorized activity without a current registration sticker may result in a \$1,000 fine and/or revocation of lake use for 1 year from incident. In addition, in order to drain, decontaminate, and refill the Ski Lake, violation of this rule for an un-registered craft may result in up to a \$400,000 recovery of repair costs and may result in criminal charges.
2. Due to the prevalence of Mussels in our local lakes, no motorized watercraft test driving on Ski Lake will be permitted. Violation of this rule may result in a \$1,000 fine and/or revocation of lake use for 1yr from incident. In addition, in order to drain, decontaminate, and refill the Ski Lake, violation of this rule may result in up to a \$400,000 recovery of repair costs and may result in criminal charges.
3. The Board of Directors reserves the right to re-inspect any motorized watercraft upon demand at reasonably convenient times.
4. PDR watercraft decal must be displayed clearly on the front right side of the motorized craft's hull.
5. Motorized boating days are Mondays, Wednesdays, Fridays, and Saturdays from 7:00 a.m. until sunset while displaying an Orange flag. Non-motorized days are Tuesdays, Thursdays, and Sundays while displaying a Yellow flag; however, if the lake is not in use by a non-motorized activity, then the Ski Lake may be utilized by motorized boats until a Yellow flag is raised which immediately (you may not complete your 15 min turn) suspends motorized activity until non-motorized activity ends.
6. The flag system for determining order of Ski Lake usage is as follows for both boats & jetskis:
  - a) Boaters must have skiers ready and Orange flag displayed after which they take their 15 minute maximum turn in a counterclockwise rotation then exit the ski area for the next boat's 15 min turn.
  - b) The boat exiting the ski area must signal to the next boat that the exiting boat is "done with their 15 min turn" by the driver tapping the top of their head as the signal of "done with their 15 min turn". When the exiting boat leaves the ski area, the 15 min for the next boat starts regardless of whether the next boat is "ready". The next boat may start skiing as soon as the exiting boat exits the ski area or at the beginning of the 16th minute after the exiting boats time.
  - c) Flags shall be taken down during breaks and end of Ski Lake use.
  - d) Flags shall be displayed at a minimum height of 8 ft above water level to the top of the flag.
  - e) Homeowners that boat from their property will provide a mounting system for the flag that meets the above conditions.
  - f) Owners may launch a boat from the ramp during skiing activities and are required to prepare the launched boat PRIOR to posting the Orange flag. The 15 min time limit for the skiing boat starts when the launched boat is sitting in the water staging area next to the clubhouse and prepared for skiing with the Orange flag posted.

7. No liquid soaps shall be used to lubricate ski or wakeboard bindings. Skiers may apply a small amount of lubrication (such as Binding Slime or Curel Lotion) on their feet.
8. Operators of motorized watercraft must be residents (see Definitions #1) that are at least 16 years of age. However, a non-resident may operate a motorized watercraft under the direct control of a permitted user (see Definitions #6) but must be at least 16 years of age. Violators will be assessed a \$250 fine and forfeiture of the resident's right to use the Ski Lake up to one year.
9. No motorized watercraft shall ever exceed 36 miles per hour at any time.
10. No gasoline-powered watercraft may exceed 22' in length, not including overhanging appendages. Maximum gross weight including everything and everyone in the craft is 6,000 lbs., Maximum draft is 29 inches and maximum noise level are 94 dbs. In addition, inboard/outboard and outboard boats will not be allowed. All boats currently, or previously registered, not meeting these requirements will be allowed to use the lake until that owner sells that boat. No external ballast or "fat sacks" may be used in combination with internal ballast being filled, due to large wake.
11. No more than one motorized craft may be in use on the lake at any one time. This does not include any motorized craft that may be transitioning to the clubhouse flag posting area. Any time motorized boats are actually utilizing the Ski Lake, no other craft use is permitted in the common area, thereby prohibiting the use of electric, paddle and sail boats beyond the red buoys, except while returning non-motorized unmanned craft to its property for safety.
13. No inflatable devices may be pulled by motorized watercraft with the sole exception of a five-seater (seated in a row) "Jumbo Dog".
14. Coast Guard approved life preservers for each crewmember and passenger under 5'8" tall are required on board all motorized boats at all times. Children under 12 years of age and non-swimmers must wear life preservers while boating. Jet skiers of all ages are required to wear life jackets. Any person being towed behind a motorized watercraft must wear a life preserver.
15. Watercraft owners are responsible for any damage caused by the craft itself or its wake on both private property and common areas.
16. Power turns are not allowed by motorized boats. When a boat operator needs to turn around to pick up a skier/ boarder, the boat must slow to a non-wakeless speed, then proceed to make a 180 degree turn at a wakeless speed.

### **Non-Motorized Activity**

Non-motorized craft require inspection by the owner prior to the craft entering the water whenever the craft has been in another body of water other than the Ski Lake. The craft must be inspected for invasive species and requires being dry and stored out of the water for 7 days before entry into the Ski Lake when returning from another body of water. In order to drain, decontaminate, and refill the Ski Lake, violation of this rule for an un-registered craft may result in up to a \$400,000 recovery of repair costs and may result in criminal charges.

2. Non-motorized boating days are Tuesdays, Thursdays, and Sundays and require a Yellow flag to be posted during activity and removed when complete. However, if the lake is not in use on a motorized boating day (Monday, Wednesday, Friday or Saturday), then the lake may be utilized by a non-motorized boater until an Orange flag is posted. Once an orange flag is posted on a motorized day, the non-motorized boat must vacate the lake immediately and remove the Yellow flag until the Ski Lake is no longer in motorized use.
3. The yellow flag will be displayed in a similar method as outlined for the motorized boats at a minimum height of 8 ft above water level to the top of the flag and shall be taken down promptly at the end of Ski Lake use.

4. More than one non-motorized boat is allowed on the lake at any given time and boating may be in any direction. Permitted users shall be the sole responsible party for any guest they allow to use the Ski Lake.
5. Non-motorized boats and boards may not exceed 17 feet in length.
6. Sailboats may not exceed 17 feet in length, 200 pounds in weight, and their sails may not exceed 85 square feet.
7. Non-motorized watercraft must be labeled with owner's lot number in the event they become dislodged from their moorings and drift into the Ski Lake. If they are dislodged and damage motorized boats on the lake the owner of the non-motorized watercraft will be held liable for damages.
8. Non-motorized watercraft require the same parameters for liability insurance as motorized watercraft but shall be covered under your homeowner's policy.
9. Children under 8 years of age and non-swimmers must wear life preservers while boating, paddle-boarding or kayaking.
10. Non-motorized boats may operate after daylight hours, but utmost caution is required to preserve safety and serenity. Excessive noise is absolutely prohibited.
11. Pedal boats that are not self-draining are prohibited and owners will be fined \$25 per boat per incident.

### **Docks & Craft Storage**

1. The Board of Directors has suggested design guidelines available for dock designs and gazebos, and must approve all decks in writing before beginning construction. The location of the dock must also be approved. Any pad or docking device must also be approved prior to installation. It is the responsibility of an owner to maintain his dock and watercraft area in a neat, clean and safe condition.
2. All boats need to be stored at the water edge or stored completely out of view from the street.
3. No more than four (4) watercraft per household may be stored in the water or in the back yard at any time. All other watercraft will be stored/screened out of sight.
4. No bow or stern mooring extending from the shore (Ski Lake edge) by more than 12 feet is permitted. No part of the ramp system may extend past 12 feet from shore line.
5. Any motorized craft that is not registered or is in disrepair must be removed from the Ski Lake. Any nonmotorized craft in disrepair must be removed from either lake and stored out of sight. Violation may result in a \$250 fine.

### **Decorative Lake Recreation (All Human Water Contact Prohibited)**

1. Water contact is prohibited by county ordinance and may result in a criminal penalty from the Environmental Services Department of Maricopa County. No swimming, no entering the water, no partial nor full body contact to the water.
2. There is a \$1,000 fine for putting foreign material into the water such as glass containers, pool backwashing, rocks, grass clippings, plant material, living or dead branches, roots, dirt, sand, etc.
3. All craft are prohibited from the lake except for electric motor pontoon boats equal to or less than 14 ft long and 6 ft wide as well as two-person paddle boats. Pontoon boats require a PDR sticker issued from the management company and paddle boats must be labelled with the owner's lot number.
4. All craft require inspection for invasive species by the owner prior to the craft entering the water whenever the craft has been in another body of water other than the Ski Lake. The craft must be stored out of the water for a minimum 7 days before entry into the Decorative Lake.
5. Non-motorized boating on the Decorative Lake is permitted at any time of day without posting of any flag and multiple craft are allowed simultaneously in any direction.
6. Pets are allowed to wade in ONLY the Decorative Lake.

### **Fishing (Prohibited in the Ski Lake)**

1. Fishing is prohibited in the Ski Lake. Fishing is permitted only in the Decorative Lake.
2. In lieu of a fishing license, fishermen are required to present proof of residency by showing their driver's license if asked.
3. An Association resident must accompany any guest when the guest is fishing. There may be a maximum of two guests allowed fishing per resident. Permitted users shall be the sole responsible party for any guest they allow to use the Decorative Lake for fishing.
4. All fishing is catch and release. Barbed hooks should be crimped, or the barbs cut off.
5. Fishing is to be done with no more than one line per person and no more than one hook per line. Unattended lines are prohibited.
6. Gigs, spears, explosives, firearms, air rifles, electric devices, nets, traps, bows and arrows are prohibited from the lake and are not to be used for fishing purposes.
7. Leaving litter and dead fish on the shoreline or in the water is prohibited.
8. When returning fish to the water, please do not try to remove the hook if the fish has swallowed it. If hooked other than in the lip, cut the line and the fish will absorb the hook.