



INCLINE VILLAGE

Lake & Watercraft Rules and Regulations

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Missouri Boating Laws & Regulations will apply on Incline Village Lakes, in addition to the following Rules and Regulations.

Index

- I. Lake and Watercraft General Requirements**
 - 1. Lake Conditions**
 - 2. Water Patrol Officers**
 - 3. Approved Watercraft Operators**
 - 4. Watercraft Regulations**
 - 5. Personal Watercraft**
 - 6. Watercraft Registration and Boat Stickers**
 - 7. Operating Watercraft**
 - 8. Marina Rental Policy**
 - 9. Beach and Beach Pavilion**
 - 10. Hunting, Fishing and Firearms**
 - 11. Lake Swimming**

- II. Corrective Actions for Violations**

I. Lake and Watercraft General Requirements:

The Main Lake and smaller lakes throughout Incline Village are private and reserved for the enjoyment and pleasure of all lot owners in Good Standing. These various lakes are identified on the Incline Village map you may obtain from the Incline Village Business Office.

Good Standing is defined a Lot Owner who is current on lot assessments and not in violation of any restriction contained in the Indenture.

Unsafe boating practices or inappropriate behavior on the lakes or swimming areas are prohibited and may result with an action taken by the Board of Trustees or their agents to correct the violation.

The Indenture empowers the trustees to make reasonable rules and regulations for the operation and use of streets, parks, and common property (Indenture, Article III, Paragraph H) and for, and relating to, the use of bodies of water located on common property. (Indenture, Article III, Paragraph I)

Therefore, unsafe boating practices and inappropriate behavior on the lakes or in swimming areas are prohibited and may result with an action taken by the Board of Trustees or their agents to correct the violation. Inappropriate behavior is indecent or offensive conduct that interferes with the enjoyment of life or property of other lot owners, including but not limited to: loud music, obnoxious conduct and nudity.

Each lot owner who uses the lakes is required to read and understand these rules and regulations. If you have any questions after going through them, please contact any Incline Village Trustee or Water Patrol Officer and clarify your questions prior to accessing the lakes.

The purpose of Lakes and Watercraft (L&W) Rules and Regulations is to promote safety and to ensure the conservation of the lakes for the enjoyment and benefit of all who use them. Incline Village lot owners share the lakes, beach, and common areas, so please be a good neighbor and help provide a safe recreational area for all to enjoy.

Motorized watercraft means any vessel propelled by machinery, whether or not such machinery is the principle source of propulsion, including personal watercraft, such as, jet skis.

PLEASE NOTE: Motorized watercraft are not permitted on the small lakes, the only exception being those with electric trolling motors.

All watercraft launched on the lakes, and their operators, must adhere to the rules and regulations listed herein, as well as to all applicable state and federal laws and regulations.

Missouri Boating/Coast Guard Rules and laws regarding use of any intoxicating substance will be enforced by the Incline Village Trustees or their agents, including Water Patrol Officers or Security personnel.

Lot owners who use the lakes and swim areas of Incline Village expressly, willingly and voluntarily assume the full risks of any kind arising their use.

Lot owners and their dependent families shall have their Village Identification on their person at all times when using Village amenities and shall be required to present them to Board of Trustees or their agents, including Village Security or Water Patrol personnel upon request. (Refer to Use of Amenities in Incline Village Rules & Regulations).

1. Lake Conditions

For the safety of watercraft operators and lake property, lake conditions may require operators to limit or cease all together use of the lakes. Lot owners must comply with the main lake condition flags as posted at both the Marina boat ramp and the water treatment plant #2, located on Village Drive West. Condition definitions are posted at the marina boat ramp and are as follows:

Green Flag: No restrictions exist. Full recreation is permitted.

Yellow Flag: Use of the main lake is restricted to Operators, use caution. No towing activities.

Red Flag: Use of the main lake is prohibited except for Village-approved personnel.

2. Water Patrol Officers

2.1 Water Patrol and Security Personnel are authorized to enforce all Incline Village L&W Rules and Regulations and may request a lot owner or someone other than the lot owner to leave the lake or swim area.

2.2 Any actions or attempts to threaten or intimidate Water Patrol or Security Personnel will not be tolerated and can result in loss of Lake Privilege's and depending on severity may also include contacting local Law Enforcement.

2.3 Lot Owners further agree that to ensure the safety and compliance with the Incline Village L&W Rules and Regulations, the Water Patrol has the right to stop, board and inspect any watercraft for all specified safety devices, equipment, horsepower restrictions, artificial ballast or wave enhancing devices and length restrictions as outlined in this document.

3. Approved Watercraft Operators

- 3.1 Only lot owners may launch watercraft onto any lake in Incline Village. Co-owned boats are allowed only if all owners are separate lot owners in Incline Village.
- 3.2 All watercraft including personal watercraft (PWC) operators must comply with Missouri law and if born after January 1, 1984 are to be in possession of a valid Missouri Boater Education card.
- 3.3 If a watercraft is being operated by someone other than the lot owner, the lot owner is responsible to ensure all Incline Village L&W rules and regulations pertaining to the watercraft are read, understood and complied with by that individual. The lot owner shall be on board the watercraft while it is being operated.
- 3.4 Missouri Boating laws and Regulations will apply. Missouri Law prohibits boating while intoxicated (BWI) -- that is, operating a watercraft while intoxicated due to alcohol or any combination of alcohol, controlled substance, or drugs.

4. Watercraft Regulations: MAIN Lake

- 4.1 Pontoon Boats: Limited to 24 feet or less.
- 4.2 Power Boats: Shall be under 21 feet.
- 4.3 Boat motors may not exceed the boat manufacturer's maximum horsepower requirements.
- 4.4 Watercraft may not exceed 3550 pounds.
- 4.5 All watercraft must meet Missouri state registration and inspection.
- 4.6 Large wakes erode our shorelines and create additional wear and tear to our Marina, private docks and sea walls. Therefore, usage of wake or ballast boats, new or existing, and artificial weighting of boats, are prohibited. Artificial weighting includes but is not limited to water sacks, cooler of water, cement blocks, or any other wake enhancing equipment, or the gathering of passengers at the rear of the boat, that increases the wake of the boat.

5. **Personal Watercraft (PWC)**

Personal watercraft (PWC) is all other approved watercraft, including jet skis, paddle boats, sail boats, canoes, John boats and kayaks. All personal watercraft and watercraft operator must comply with the following applicable rules and regulations:

- 5.1 Motorized PWC shall not be operated above idle speed within 50 feet of any other watercraft or person in the water.
- 5.2 Motorized PWC may not jump or become airborne by any means or operate within 100 feet of another watercraft or Skiers. Trick riding (i.e. doughnuts, nose-diving, etc.) or artificial wake creation is prohibited.
- 5.3 PWC may not impede the operation of other watercraft on the lake. This includes causing other watercraft to swerve and weaving through boat traffic.
- 5.4 All operators must wear approved life vests and utilize the “lanyard kill switch”, if equipped.

6. **Registration and Boat Stickers**

- 6.1 All watercraft, including Personal watercraft (PWC), launched onto any of the lakes must be registered with the Incline Village business office each season. The business office can provide watercraft owners with a complete list of registration requirements.
- 6.2 All watercraft must display a current boat sticker issued by the Village business office upon completion of the registration process.
- 6.3 All newly registered watercraft must pass a watercraft safety inspection. Thereafter, all watercraft must pass inspection at any time designated by the Board of Trustees or by water patrol officers, as required by Missouri law.

7. **Operating Watercraft**

Skier: The term refers to persons being towed behind a boat on a wakeboard, tube, knee board and any other such marine grade device. All Skiers must be towed using a marine grade tow line at a distance of between 50 and 80 feet in length.

Teak surfing: The term refers to the act of a person holding on to the swim deck of a boat while the boat is in motion. Teak surfing is prohibited.

Wake/Wave surfing: Refer to Section 4 regarding wake, ballast or weighting of boats. Wake/Wave surfing is prohibited.

- 7.1 All watercraft at anchor more than 25 feet from shore, between sunset and sunrise, must display a white light that is visible for 360 degrees.
- 7.2 Watercraft operation is allowed after sunset and before sunrise when the watercraft is equipped with proper lighting, as required by Missouri Boating Laws.
- 7.3 A 30mph speed limit is in effect during daylight hours, with a 10mph idle speed limit from sunset until sunrise.
- 7.4 No water sport is allowed from Sunset to 10AM.
- 7.5 Watercraft operators must comply with boat capacity limitations and the capacity plate of the watercraft must be present and clearly visible.
- 7.6 Watercraft must not be fastened to or moored to any safety buoy.
- 7.7 Watercraft passengers are prohibited from riding on any non-designated seats while the boat is in motion, (i.e. gunwales, decking, bows).
- 7.8 Motorized watercraft traffic must move in a counter clockwise direction.
- 7.9 Operators are required to maintain an idle speed when operating within 100 feet of the shoreline, marina, beach area, anchored boats and docks.
- 7.10 Watercraft towing Skiers and tubers are required to have an additional rider other than the driver for the purposes of monitoring and ensuring the safety of the person being towed. Watercraft owners may use a marine grade mirror specifically designed for that purpose in lieu of the additional rider.
- 7.11 Motorized watercraft, other than those with electric trolling motors, are only permitted on the Main Lake.
- 7.12 Watercraft may not be moored further than 100 feet from shore.
- 7.13 Water patrol has the right to require operators to move moored watercraft if they determine that the craft is located in a dangerous area that may threaten them and/or other boaters.

- 7.14 Watercraft operators may not follow directly behind another boat that is towing a person.
- 7.15 Only one Skier and one tuber may be towed at a time unless the device is designed to hold multiple riders. The number of riders must not exceed the recommended allowable number of passengers.
- 7.16 Water Skiers must stay at least 100 feet from the shoreline.
- 7.17 Watercraft are not allowed beyond the spillway safety buoys. All safety buoys in the spillway and dam area must be observed.
- 7.18 All non-motorized watercraft, excluding sail boats, must remain within 100 feet from the shoreline, except when crossing the lake.
- 7.19 Watercraft may not be used for the purpose of hunting or catching animals, except for fish.
- 7.20 While towing a watercraft to the marina, it is prohibited for individuals to ride in/on the towed watercraft while on Incline Village roads.

8. Marina Rental Policy

- 8.1 Marine slips are only rented to lot owners in Good Standing who have a watercraft that is currently approved/registered. The marine rental fee must be paid on or before the due date in order for the lot owner to continue rental of their slip.
- 8.2 A signed copy of the Incline Village Marina Rental Slip Agreement is required prior to assignment of a slip.
- 8.3 The annual marina rental period is from March 1 through November 15.
- 8.4 All watercraft must be removed from the marina by November 15 unless the Board of Trustees approves an extension.
- 8.5 The Board of Trustees has the right to remove any watercraft from the marina at any time if they determine it to be a hazard to other persons or property.
- 8.6 Abandoned watercraft will be removed from the marina at the cost of the watercraft owner.

8.7 Individuals are allowed to park in the beach parking area while accessing the marina.

9. Beach and Beach Pavilion Usage - See the General Incline Village Rules and Regulations

10. Hunting, Fishing and Firearms – See the General Incline Village Rules and Regulations

11. Lake Swimming and Ice Skating

11.1 Swimming at the beach after dusk and before dawn is prohibited.

11.2 Swimming in the beach area outside of the roped off area is prohibited.

11.3 Swimmers may not jump, dive or enter the lake from the Village docks.

11.4 Swimmers must remain within the 100 foot “no wake” areas.

11.5 Walking or ice skating on any lake in Incline Village is prohibited

II. Corrective Actions for Violations

1. Powers of Enforcement

Article III of the Indenture empowers and requires the trustees to compel performance of the restrictions in the Indenture and “any rules or regulations promulgated thereunder.” (Indenture, Article III, Paragraph C.)

The Indentures provides two enforcement tools, i.e.:

(1) regarding violations of any restriction in the Indenture, the trustees (and lot owners of abutting property) may sue the lot owner in violation of the restriction and recover reasonable attorney’s fees if the court determines a violation occurred (Indenture Article VI, Section 6.01)

and,

(2) regarding a failure to keep lots and improvements in good order, the trustees may after 15-days written notice, correct the condition and assess the cost to the lot owner. (Indenture, Article V, Paragraph P.)

2. Corrective Actions

2.1 Immediate Action – Violations Endangering the Safety & Welfare of Other Village Residents

2.1.1 When a violation endangers the safety and welfare of other lot owners or their dependents, and requires immediate corrective action, the Village office will contact the offending lot owner by phone and demand that the violation be corrected immediately.

2.1.2 If not immediately resolved by the lot owner– or if unable to reach the lot owner - documentation will be promptly provided to the trustees for a corrective action to be taken in circumvention of the lot owner.

2.1.3 The trustees’ decision will be documented and the lot owner notified in writing.

2.2 First Occurrence of an Indenture Restriction or Rule Violation

2.2.1 For any rule or Indenture violation that does not pose an immediate threat to the safety & welfare of other Village residents, a courtesy call will be made followed by a letter confirming the conversation, giving the lot owner 15 days to remedy or correct the violation.

2.2.1.1. If the lot owner does not correct the violation within 15-days, the office shall document both the violation and attempt to obtain compliance to the Trustees. A Trustee will phone the lot owner and document the call with a letter to the lot owner;

2.2.1.2. If the lot owner fails to promptly correct the violation after trustee contact, the office shall update documentation and provide to the trustees for an appropriate corrective action to be taken.

2.3 Repeated Violations of the same Indenture Restriction or Rule

2.3.1 A lot owner who violates an Indenture restriction or Rule after having received a 15-day notice for the same restriction or rule violation will be issued a “Final Notice”. The enforcement action specified in the notice will be taken without further notice if it appears, in the judgment of the trustees, that repeated 15-day notices to correct the violation have not been effective. Example: Parking in the street. Lot Owner receives 15-notice,

removes vehicle from street, and notifies office of compliance, then parks in the street again, prompting another 15-day notice.

Signature Approvals

We, the undersigned members of the Incline Village Board of Trustees, approve this March 1, 2021 Revision of the Incline Village Lake & Watercraft Rules and Regulations.

Approved:

By: _____ Date: _____

Eric Weber, Trustee
Incline Village Board of Trustees

By: _____ Date: _____

Eileen Gawriluk, Trustee
Incline Village Board of Trustees

By: _____ Date: _____

Nedra Orf, Trustee
Incline Village Board of Trustees