

WATERSTONE HOMEOWNERS ASSOCIATION (WHOA)

RULES, REGULATIONS, AND INFORMATION FOR THE ENJOYMENT OF LAKE WATERSTONE, THE WALKING PATH ON LAKE WATERSTONE (LAKE PATH), OTHER LAKES, AND OTHER COMMON/EASEMENT AREAS

1) PRIVATE PROPERTY:

- a. **ALL USE IS RESTRICTED TO WHOA MEMBERS.** "WHOA Member" refers to the legal owners of a WHOA home and the residents of that home (minors and adults w/ proof of residency). Examples of proof of residency include display of a Waterstone pool tag, a current driver's license, Indiana ID card, or a picture of a current driver's license.
- b. **GUESTS** are permitted but **MUST** be accompanied at all times by a WHOA Member and are subject to the same rules and restrictions as their accompanying WHOA Member.

2) TRESPASS BY NON-WHOA MEMBERS (or non-accompanied people claiming to be Guests) SHOULD BE REPORTED TO CARMEL POLICE DEPARTMENT AND WILL BE SUBJECT TO ENFORCEMENT PURSUANT TO INDIANA CODE 35-43-2-2.

3) WALKING PATH (LAKE PATH) ON LAKE WATERSTONE

- a. **THE LAKE PATH IS PRIVATE PROPERTY (and as such is different than sidewalks along streets in Waterstone).**
- b. **LAKE PATH IS ONLY FOR USE OF WHOA MEMBERS and is subject to further restrictions as follows:**
 - i. **RESTRICTED HOURS:**
 1. **LAKE PROPERTY OWNERS** (LAKE WATERSTONE LAKEFRONT PROPERTY WHOA MEMBERS) have Unrestricted Hours of Use.
 2. **NON-LAKE PROPERTY OWNERS** (WHOA MEMBERS BUT NOT OWNERS OF A LAKEFRONT HOME ON LAKE WATERSTONE) have Restricted Hours of Use and must stop the use of the Lake Path and exit the area 1 hour after sunset and not enter the area earlier than 1 hour before sunrise.
 3. **GUESTS** are permitted but **MUST** be accompanied by a WHOA Member and are subject to the same rules and restrictions as their accompanying WHOA Member.
 - ii. **LAKE PATH USE** is for walking, jogging, and running **ONLY**. Infant/baby strollers and wheelchairs are acceptable, at one's own risk.
 - iii. **PROHIBITED LAKE PATH USE:** Bikes, skates of any kind, scooters, skateboards, longboards, rollerblades, motorized modes of transportation, or uses similar to any of these are prohibited on the Lake Path at any time.
 - iv. **PETS:** Pets must be leashed per the City of Carmel Leash Ordinance
 - v. **PET WASTE:** Waste from pets must be cleaned up, removed, and properly disposed.

4) FISHING:

- a. **GENERAL FISHING RULES FOR ALL LAKES AND BODIES OF WATER WITHIN WATERSTONE:**
 - i. **All fishing is CATCH AND RELEASE.** Release should be prompt.
 - ii. No minnows are to be used.
 - iii. All fishing rods must be accompanied and tended to by the person fishing. All set rods, rods left overnight, jugs, trot lines or ANY non-accompanied fishing device are PROHIBITED and will be confiscated and disposed of.
 - iv. Stocking of any fish is PROHIBITED. Only the Lakes Committee of WHOA will control stocking of fish.
 - v. **RESTRICTED FISHING HOURS:**
 1. **LAKE PROPERTY OWNERS** (LAKEFRONT PROPERTY WHOA MEMBERS) have Unrestricted Hours of Fishing Use as it pertains to their lakefront property, their boat, and/or their dock (if applicable) **BUT ONLY** on the lake on which they own property. Lake Property Owners are subject to hour restrictions on lakes on which they are not lakefront owners.

2. **NON-LAKE PROPERTY OWNERS** (WHOA MEMBERS BUT NOT OWNERS OF A LAKEFRONT HOME WITHIN WATERSTONE) have Restricted Hours of Use and must stop all use of the area, stop fishing, and exit the area 1 hour after sunset and not enter the area earlier than 1 hour before sunrise.
 - vi. **GUESTS** are permitted but **MUST** be accompanied by a WHOA Member and are subject to the same rules and restrictions as their accompanying WHOA Member.
 - b. FISHING ON LAKE STONEWICK AND OTHER WHOA UNNAMED BODIES OF WATER:**
 - i. WHOA Members may **ONLY** fish on banks in Common Areas. (ie; not anyone's house)
 - ii. Lakefront Homeowners may fish in Common Areas **AND** on the banks of their **OWN** lot.
 - iii. ALL fishing at these locations is subject to the rules and regulations stated herein.
 - c. FISHING ON LAKE WATERSTONE:**
 - i. Non-Lake Property Owners (WHOA Members but not owners of a Lake Waterstone Lakefront home) may **ONLY** fish at three (3) Common Area lake bank locations on Lake Waterstone.
PLEASE NOTE: Use of the following areas is restricted to the common area ONLY and must NOT trespass onto homeowner lake adjacent banks, lots, or docks.
 1. The Common Area of the WHOA boat ramp on Heatherstone Place.
 2. The Common Area lake bank at the Clubhouse
 3. The Common Area lake bank just south of 126th Street along Bayhill Drive.
 - ii. Where applicable, Lake Waterstone Lakefront Property Owners are permitted to fish in the three (3) Common Areas as stated above and are also permitted to fish on their **OWN** dock or the lake-adjacent bank of their **OWN** lot.
 - iii. No WHOA Member or their guests may use another Lake Waterstone Lakefront Property Owner's dock or lake-adjacent bank without being accompanied by that Lakefront Property Owner.
- 5) BOATING ON STONEWICK LAKE OR ANY OTHER UNNAMED BODY OF WATER WITHIN WHOA IS PROHIBITED.**
- 6) BOATING ON LAKE WATERSTONE IS ONLY ALLOWED SUBJECT TO THE FOLLOWING LIMITATIONS:**
- a. BOATING ACCESS, TYPE OF BOATS USED, AND HOURS OF USE VARY based on the type of lot owned by WHOA Member.**
 - i. LAKE WATERSTONE LAKEFRONT PROPERTY OWNERS (Lakefront on Lake Waterstone)**
 1. Sailboats/boards, SUP paddleboards, paddleboats, canoes, kayaks, and motorized boats are allowed (subject to Length and Power restrictions listed below).
 2. All Lake Waterstone Lakefront Property Owner's docked boats **MUST** be registered with WHOA prior to lake use.
 3. Contact KMC 5702 Kirkpatrick Way Indianapolis, IN. 46220 317.570.4358 for registration and a sticker. The WHOA sticker must be visibly attached to the starboard bow (right front) corner of the boat.
 4. Unrestricted Hours of Use
 5. Violation of any of the WHOA rules may prompt revocation of current year's pass.
 - ii. NON-LAKEFRONT PROPERTY OWNERS (WHOA MEMBERS BUT NOT OWNERS OF A LAKE WATERSTONE LAKEFRONT HOME, "Non-Lakefront Property Owners")**
 1. Non-Lakefront Property Owners may **ONLY** use **NON-MOTORIZED** watercrafts.
 2. **MUST** receive an annual WHOA sticker/pass for use on Lake Waterstone.
 3. Contact KMC 5702 Kirkpatrick Way Indianapolis, IN. 46220 317.570.4358 for registration and a sticker. The WHOA sticker must be visibly attached to the starboard bow (right front) corner of the boat.
 4. Such passes will be issued for **ONLY** the following types of **NON-MOTORIZED** watercrafts: sailboats, kayaks, paddleboats, rowboats, and canoes.
 5. Restricted Hours of Use: Must stop the use of boats on Lake Waterstone and exit the area 1 hour after sunset and not enter the area earlier than 1 hour before sunrise.

6. Violation of any of the WHOA rules may prompt revocation of current year's pass.
- iii. **GUESTS** are permitted but **MUST** be accompanied by a WHOA Member and are subject to the same rules and restrictions as their accompanying WHOA Member.

b. ADDITIONAL LAKE WATERSTONE BOATING RULES:

- i. **PARKING AT BOAT RAMP IS PROHIBITED:**
 1. Non-Lake Property Owners, Lake Property Owners, and their respective accompanied Guests must NOT leave a vehicle parked on or blocking any part of the Boat Ramp at any time. Doing so prevents others from removing docked boats for use elsewhere and prevents others from accessing the lake.
- ii. **COMBINATION LOCK AND CHAIN**
 1. Upon registration of a boat or watercraft, a combination code will be provided for access to the Boat Ramp. Use shall require securing the gate with the lock as soon as access to the lake is achieved and upon leaving the area.
- iii. **BOAT LENGTH LIMITS:**
 1. Sailboats not to exceed fourteen (14) feet in length.
 2. All other boat types not to exceed eighteen (18) feet in length.
- iv. **SAFETY AND EQUIPMENT:**
 1. **All boat operators and passengers must comply with the State of Indiana Boating Laws and Regulations and any other WHOA rule listed here, including but not limited to:**
 2. **All State of Indiana Boating Laws & Regulations.**
 3. One Approved life preserver on board for EACH boat occupant.
 4. Approved fire extinguisher on the boat.
 5. No one shall operate a boat while intoxicated or under the influence of any illegal substance.
 6. Trash or foreign matter shall not be thrown into the lake. Please keep the lake clean.
 7. At night, boats must have and use proper lighting.
 8. **Paddleboard/boat, sailboard/windsurfer, small sail boat operators MUST WEAR a life preserver at all times on board.**
 9. No one under the age of 14 shall operate a motor powered boat unless they are accompanied by a related adult or are licensed by the State.
 10. Operating a boat in a reckless or unsafe manner is prohibited.
 11. With oncoming traffic (head-on), steer to your starboard (right) side.
 12. The least maneuverable boat has the right of way at all times.
 13. Do not operate within 40 feet of a dock unless rightfully leaving or entering said dock or the boat ramp.
 14. Be respectful of those rightfully fishing by creating no wake.
 15. Please try to assist boats in distress. Towing any object or person is prohibited except for emergency tow-in.
- v. **POWER AND SPEED LIMITS:** *(APPLICABLE ONLY TO LAKE PROPERTY OWNERS BECAUSE NON-LAKE PROPERTY/NON-LAKEFRONT WHOA MEMBERS CAN NOT USE A MOTORIZED WATERCRAFT on LAKE WATERSTONE)*
 1. Motors/engines shall not exceed ten (10) horsepower.
 2. Gas and/or electric/battery powered engines may be used, however, NO modification to a Lake Property Owner's dock or bank may be made, including installation of electrical lines to accommodate battery/electric powered boats.
 3. Boats must be operated at slow, idle speeds. No wake is allowed at any time.

7) GENERAL PROHIBITED ACTIVITIES (Regardless of Use):

- a. **SWIMMING** -- Swimming is NOT permitted in any WHOA lake.

- b. **ROCK THROWING** – The rocks along the lake banks in Waterstone secure the lake lining. Any throwing of rocks should be reported to the WHOA Board Lake Committee Member. In addition to fines, violators of this rule will be responsible for repair and replacement fees.
- c. **DISTURBING THE PEACE** – The areas are for use and **QUIET ENJOYMENT**. Loud noise, loud music, profanity, obnoxious/lewd/offensive behavior on the lake, the docks, the lake banks, or the walking path are PROHIBITED.
- d. **FEEDING OR FISH OR WATERFOWL** – Feeding of fish and waterfowl is PROHIBITED. Feeding waterfowl (ducks, geese, etc.) attracts them to the area. The waterfowl become a food source for coyotes and other predatory animals. Also, large waterfowl damage lake banks, boats, and rip rap. WHOA Lake Committee Board Members acting in their official capacity are exempt from this rule.
- e. **OTHER PROHIBITED ACTIVITIES** --Pulling or towing anything behind a boat (tubes, boogie boards, etc.), ice skating, any other forms of skating or skiing, jet skis/water bikes, snowmobiles, ice fishing, and walking/running on lake ice are all NOT permitted.
- f. **PARKING ON BOAT RAMP, its access driveway, or blocking any portion of same is prohibited.**
- g. **COMMERCIAL USE** – Using any WHOA Lake or WHOA Common Area for commercial purposes is prohibited. Rides for hire, boat rental, or fishing guides are strictly prohibited.

8) LAKE LOT RULES

- a. THE FOLLOWING ACTIONS ARE NOT PERMITTED
 - i. Installing docks or mooring areas other than those currently installed is prohibited.
 - ii. Installing any decking or other structure(s) adjacent to the water is prohibited.
 - iii. Penetration of the existing grade between the Lake Path and the water’s edge is prohibited. Drainage issues must be referred to the Architectural Review Board (ARB).
 - iv. Penetration or Undermining of Lake Path without prior approval by ARB is prohibited.
 - v. Any changes related to easements or drainage without the approval of the ARB is prohibited. This applies to lake easements, utility easements, walking path easements, and any other form of easement.

9) OTHER RULES AND REGULATIONS

- a. ACTIONS WHICH REQUIRE APPROVAL BY THE ARCHITECTURAL REVIEW BOARD (ARB) include, but are not limited to:
 - i. Treatment of a lake bank---plantings, stone, or any other treatment.
 - ii. Installation of walks or paths.
 - iii. Fences
 - iv. All relevant, material lot improvements and any changes impacting WHOA common areas.
- b. NOTHING may be placed in any lake without approval of the WHOA Lake Committee, and such may also be subject to full WHOA Board review and approval.
- c. No anchors are allowed at any time on Lake Waterstone, to protect rubber liner.
- d. Questions? Contact KMC or WHOA Board Member.
- e. **RESPONSIBILITY FOR MEMBER GUESTS** -- WHOA Members are and will be held responsible for the activities, actions, violations, and consequences of/for their resident family members and guests.

10) PENALTY PROCEDURE AND FINES SCHEDULE

- a. Attachment (A) details the Association’s Current Penalty Procedures and Fines Schedule.