

INTRODUCTION

The Hidden Valley Lake [Property Owners Association](#) (HVL POA) Bylaws, Rules and Regulations (Bylaws) contain a wealth of information. This document details how we govern ourselves as an un-incorporated community within the State of Indiana. The goal is to ensure the safety and comfort of HVL residents and to safeguard property values and quality of life.

These rules are the product of ongoing collaboration between committees and the Board. To add a rule or change an existing rule requires a reading at each of two consecutive open [Board of Directors](#) meetings, with the final vote at the second meeting. All Federal, State of Indiana and Dearborn County laws apply within Hidden Valley Lake unless modified by the POA.

We encourage residents to develop a strong sense of community involvement by participating in committees, clubs, events and activities. Our website is designed to provide information residents need to know. Subscribe to [Keep In Touch](#) for email alerts and notifications, find the latest [community news](#) and [calendars](#), and read the *Echoes*.

We request that all HVL POA members, their family members and guests cooperate in understanding and adhering to the rules. It is the duty of the [community manager](#), [deputies](#) and other employees to enforce the Bylaws. Violations may result in citations, assessments, and potential liens on personal property, although members have the right to appeal.

The Administrative General Information part of the Bylaws describes the POA and how it operates. The policies, procedures and practices described in this part are not enforceable as rules, but reflect current practices and are guidelines on how to conduct POA business. The Board may change these administrative polices without a vote as circumstances warrant.

HVL Board of Directors

HVL POA Bylaws, Rules and Regulations

Table of Contents

Introduction to the Bylaws, Rules and Regulations

Part 1 – HVL POA Administrative General Information

Section 101. Hidden Valley Lake Property Owners Association

A.	General Information -----	101-1
B.	Assets and Facilities -----	101-1
C.	Office Information -----	101-2
	1) Mailing Address -----	101-2
	2) Hours of Operation -----	101-2
	3) Phone Numbers -----	101-2
	4) Internet Access -----	101-2
D.	Contact Information -----	101-2
	1) Emergency -----	101-2
	2) Other -----	101-3
E.	Organizational Information -----	101-3
	1) HVL POA Board of Directors - General Information -----	101-3
	2) HVL POA Board of Directors - Powers and Duties of Offices -----	101-4
	3) HVL POA Committees and Panels -----	101-5
	4) HVL POA Employees -----	101-12
F.	HVL Clubs and Organizations -----	101-12
	1) Current Clubs and Organizations -----	101-12
	2) Civic and Social Activity Club -----	101-12
G.	Dues and Assessments -----	101-13
	1) General Information -----	101-13
	2) Schedule of Dues and Assessments -----	101-13
	3) Collection Procedures -----	101-14

Section 102. Enforcement of Rules and Judicial Procedures

A.	Violation Notices -----	102-1
B.	Judicial Panel -----	102-1
C.	Rules Enforcement Procedure -----	102-2
D.	Contesting a Citation to the HVL POA Judicial Panel -----	102-3
E.	Appealing an HVL POA Judicial Panel Decision to the HVL POA Judicial Panel -----	102-4
F.	Appealing an HVL POA Judicial Panel Decision to the HVL POA Board of Directors -----	102-5
G.	Schedule of Violations and Assessment -----	102-5
	1) Judicial - Assessment Schedule -----	102-5
	2) Architecture – General Rules -----	102-5
	3) Architecture – Roadside Ditches and Entrances to Property Rules -----	102-6
	4) Architecture – Dearborn County Building Permits Rules -----	102-6
	5) Architecture – Assessment Schedule -----	102-6
	6) Burning Rules -----	102-7
	7) Burning Rules – Assessment Schedule -----	102-7

8)	Persons, Property, Curfew, Noise, Signs and Solicitation Rules	-----	102-7
9)	Persons Rules – Assessment Schedule	-----	102-8
10)	Property Rules – Assessment Schedule	-----	102-8
11)	Curfew Rules – Assessment Schedule	-----	102-8
12)	Noise Rules – Assessment Schedule	-----	102-8
13)	Signs and Solicitations Rules – Assessment Schedule	-----	102-9
14)	Dog Control Rules	-----	102-9
15)	Dog Control Rules – Assessment Schedule	-----	102-9
16)	Lakes and Water Craft Rules	-----	102-10
17)	Lakes and Water Craft Rules – Assessment Schedule	-----	102-10
18)	Parks and Recreation – Assessment Schedule	-----	102-11
19)	Pool and Beach Rules – Assessment Schedule	-----	102-11
20)	Traffic and Vehicle Operation – General Rules	-----	102-11
21)	Traffic and Vehicle Operation - Motorized Bicycles (MOPEDS), All-Terrain Vehicles (ATV)/Off-Road Vehicles, Motor Scooters Motorized Skateboards and Motorcycles Rules	-----	102-11
22)	Traffic and Vehicle Operation - Stopping, Standing and Parking Rules	--	102-11
23)	Traffic and Vehicle Operation – Assessment Schedule	-----	102-12

Section 103. Selected HVL POA Policies, Procedures, Practices and Rules

A.	Procedure for Creating and Maintaining Policies, Procedures, Practices and Rules	-----	103-1
B.	HVL POA Policies, Procedures, Practices and Rules Forms	-----	103-1
1)	Construction and lot improvement - Architecture Rules	-----	103-1
2)	Obtaining boat registration stickers – Lakes Rules	-----	103-1
3)	Participation in the Deer Management Program	-----	103-2
4)	Obtaining HVL POA Personal Identification cards	-----	103-2
C.	Complaint Procedures	-----	103-2
1)	Personal Complaints	-----	103-2
2)	Organizational Complaints	-----	103-2
D.	POA Meeting Policies	-----	103-3
1)	Regularly-Scheduled Meetings	-----	103-3
2)	Special Meetings	-----	103-3
3)	Meeting Protocol	-----	103-4
E.	Standing Committee & Judicial Panel Membership Procedures	-----	103-5
1)	Membership Qualifications	-----	103-5
2)	New Membership Process	-----	103-6
3)	Resignation of Membership	-----	103-6
4)	Removal from Membership	-----	103-7
F.	POA Board Voting Policies and Procedures	-----	103-7
1)	First Reading Procedures	-----	103-7
2)	Second Reading Procedures	-----	103-7
3)	Motion Approval Requirements	-----	103-8
G.	POA Board Election Policies and Procedures	-----	103-8
1)	Definition of Terms	-----	103-8
2)	HVL POA Membership and Voting Rights	-----	103-9
3)	HVL POA Safety, Security and Elections Committee Responsibilities	--	103-9
4)	HVL POA Board of Directors’ Election Policies	-----	103-9
5)	HVL POA Board of Directors’ Election Procedures	-----	103-10

6)	Special or Referendum Election Procedures	103-11
7)	Election Results Protest procedures	103-12
H.	Deer Management Program Bow Hunting, Deer Culling Rules	103-12
1)	Culling Zones	103-12
2)	Deer Culling Applications	103-13
3)	Hunter's Qualifications	103-13
4)	Harvested Animal Procedures	103-13
5)	Culling Dates	103-14
6)	Rules and Regulations	103-14

Section 104. Selected Financial Policies, Procedures and Practices

A.	Expenditure and Distribution Policies and Procedures	104-1
B.	HVL POA Budgetary Process - Rules, Policies and Procedures	104-1
1)	Definitions of Terms	104-1
2)	Rules	104-1
3)	Policies	104-2
4)	Procedures	104-2
C.	HVL POA Capital Expenditures Budgetary Process Event Timeline Guidelines	104-3
1)	January – February	104-3
2)	March - April – May	104-4
3)	June – July – August	104-4
4)	September	104-4
5)	October	104-4
6)	November	104-4

Part 2 – HVL Rules and Regulations

Section 201. General Definitions of Terms

A.	List of Terms	201-1
----	---------------	-------

Section 202. Architecture

A.	Definitions of Terms	202-3
B.	General Architecture Rules	202-4
C.	House Plans (New Structures) Rules	202-8
D.	House Plans (Additions or Changes to Existing Structures) Rules	202-9
E.	Plot Plans (New Structures) Rules	202-10
F.	Plot Plans (Additions or Changes to Existing Structures) Rules	202-11
G.	Dearborn County Building Permits Rules	202-12
H.	Performance Bonds (New Structures) Rules	202-13
I.	Performance Bonds (Additions or Changes to Existing Structures) Rules	202-14
J.	Road Moratorium Rules	202-14
K.	Set back and Side Lot Dimensions Rules	202-15
L.	Structures and Foundations Rules	202-15
M.	Deck Construction Rules	202-16
N.	Roadside Ditches and Entrances to Property Rules	202-17
O.	Private Docks and Boat Lifts Rules	202-18
P.	Fences Rules	202-19
Q.	Fuel Tanks Rules	202-20
R.	Grading and Drainage Rules	202-21

S.	Lake Water Usage Rules	-----	202-21
T.	Landscaping Rules	-----	202-22
U.	Sheds, Gazebos, Shelters and Other Lot Improvements Rules	-----	202-22
V.	Play Structures Rules	-----	202-23
W.	Retaining Walls Rules	-----	202-24
X.	Seawalls, Shoreline Protection and Shoreline Reclamation Rules	-----	202-25
Y.	TV Antennas, Towers and Satellite Dishes Rules	-----	202-26
Z.	In-Ground and Above-Ground Pools Rules	-----	202-26
AA.	Parking Pads	-----	202-27
Section 203. Architecture Checklists, Forms and Applications			
A.	General Information	-----	203-1
B.	List of Forms	-----	203-1
Section 204. Burning			
A.	Definitions of Terms	-----	204-1
B.	Burning on Community Property within HVL Rules	-----	204-1
C.	Burning Refuse on Private Property Rules	-----	204-1
D.	Other Burning on Private Property Rules	-----	204-1
Section 205. Curfew			
A.	Definitions of Terms	-----	205-1
B.	General Curfew Rules	-----	205-1
C.	Advanced Curfew Times Rules	-----	205-1
Section 206. Dog Control			
A.	Definitions of Terms	-----	206-1
B.	Licensing of Dogs Rules	-----	206-2
C.	Restraint of Dogs Rules	-----	206-2
Section 207. Lakes, Water Craft and Fishing			
A.	Definitions of Terms	-----	207-1
B.	General Lakes Rules	-----	207-2
C.	Main Lake, HVL POA Docks and Spillway Rules	-----	207-3
D.	Small Lakes Rules	-----	207-3
E.	Water Craft Rules	-----	207-4
	1) Water Craft Registration Rules	-----	207-4
	2) Water Craft Length Rules	-----	207-5
	3) Water Craft Operation Rules	-----	207-6
F.	Water Skiing, Tubing, and Wake Boarding Rules	-----	207-8
G.	Water Trampolines and Large Floatation Devices	-----	207-9
H.	Fishing Rules	-----	207-9
Section 208. Noise			
A.	Definitions of Terms	-----	208-1
B.	Noise Rules	-----	208-1
Section 209. Parks and Recreational Facilities			

A.	Definitions of Terms	-----	209-1
B.	Usage Rules	-----	209-1
C.	Scheduling Rules	-----	209-2
D.	Deer Feeding Rules	-----	209-3
1)	Feeding Prohibited	-----	209-3
2)	Removal of Feed	-----	209-3
3)	Penalty	-----	209-4
4)	Exclusion	-----	209-4
Section 210. Persons			
A.	Definitions of Terms	-----	210-1
B.	Persons Rules	-----	210-1
Section 211. Pool and Beach			
A.	Definitions of Terms	-----	211-1
B.	General Swimming Rules	-----	211-1
C.	Opening/Closing and Hours of Operation Rules	-----	211-2
D.	Guest Rules	-----	211-2
E.	Swimming Safety Rules	-----	211-2
F.	Swimming Health Rules	-----	211-3
Section 212. Property Safety			
A.	Definitions of Terms	-----	212-1
B.	Property Rules	-----	212-1
Section 213. Private Property Appearance and Maintenance			
A.	Definitions of Terms	-----	213-1
B.	Private Property Appearance and Maintenance Rules	-----	213-1
Section 214. Signs and Solicitation			
A.	Definitions of Terms	-----	214-1
B.	Signs Rules	-----	214-1
C.	Solicitation Rules	-----	214-2
Section 215. Traffic and Vehicle Operation			
A.	Definitions of Terms	-----	215-1
B.	Stopping, Standing and Parking Rules	-----	215-2
C.	Abandoned Vehicles Rules	-----	215-3
D.	Repair or Restoration of Vehicles Rules	-----	215-3
E.	Muffler Equipment for Motorized Vehicles Rules	-----	215-3
F.	Truck Weight Limitations Rules	-----	215-4
G.	Signs and Barricades Rules	-----	215-4
H.	Refusal to Remove Parked or Stopped Vehicles Rules	-----	215-4
I.	Unlawful Deposits Rules	-----	215-4
J.	Traffic and Vehicle Operations Rules	-----	215-4
K.	Motorized Bicycles (MOPEDS), All-Terrain Vehicles (ATV)/Off-Road Vehicles, Motor Scooters/Motorized Skateboards and Motorcycles Rules	---	215-5

Part 3 – Additional Information

Section 301. Utility Company Information

A. Cable TV	-----	301-1
B. Electrical Power	-----	301-1
C. Natural Gas	-----	301-1
D. Telecommunications	-----	301-2
E. Telephone - Century Link	-----	301-2
F. Telephone - Cincinnati Bell	-----	301-2
G. Trash Pickup	-----	301-3
H. Water and Sewage	-----	301-3

Section 302. HVL Deeds and Covenants and Articles of Incorporation

Section 303. Index to Bylaws, Rules and Regulations

Section 304. Suggestion Form

A. Bylaws, Rules and Regulations Suggestion Form	-----	304-1
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Part 1 - HVL POA Administrative General Information

Section 101. Hidden Valley Lake Property Owners Association

A. General Information

The Hidden Valley Lake Property Owners Association, Inc. (HVL POA) was chartered in 1972 as a Not-For-Profit Corporation in the State of Indiana. The purposes for which the HVL POA is formed are:

- 1) To exercise the powers granted to it in or pursuant to the restrictions and covenants set forth in the Articles of Incorporation, By-Laws and/or deeds in the Hidden Valley Lake Subdivision located in Dearborn County, Indiana.
- 2) To promulgate rules and regulations for the use of all streets, right-of-ways, common lands, parks, recreational facilities, swimming pools, etc. which shall be binding upon all property owners in HVL, their families, guests and their invitees.
- 3) To establish, enforce and collect charges as may be assessed by the HVL POA on members for the purpose of raising funds to pay for the expenses for the maintenance of property of the Hidden Valley Lake Subdivision.
- 4) To provide for the maintenance of parks, recreational facilities and other community enterprises or improvements to the assets of the HVL POA.
- 5) To enter into contracts for the acquisition of land on which streets, parks, recreational facilities or lakes are situated.
- 6) To accept title for such lands on which streets, parks, recreational facilities and lakes are located.
- 7) To promulgate rules and regulations controlling the construction of improvements on lots within Hidden Valley Lake Subdivision.
- 8) To hold all the rights, powers, privileges and immunities to accomplish the purposes defined above.

B. Assets and Facilities

Today, the Hidden Valley Lake Subdivision (HVL) consists of a wide range of assets and facilities maintained for the benefit of its residents. Some of these consist of:

- ◆ 1,746 acres, 561 acres of common ground and recreational areas.
- ◆ A 150-acre main lake stocked with fish native to the area, approximately 1.5 miles long and 100+ feet deep with 4.5 miles of shoreline. The main lake offers the opportunity for powered and non-powered boating as well as swimming.
- ◆ A marina with a boat launch and dock rental facilities.

- ◆ Six (6) additional smaller lakes for fishing.
- ◆ A sandy beach on the main lake with bathhouse, 2 shelters, play area and restroom facilities.
- ◆ Many park, playground and picnic areas scattered throughout the community.
- ◆ A sports complex of fifteen (15) acres with baseball fields, soccer fields, concession stand, shelters and playground.
- ◆ Approximately two and one-half (2 1/2) miles of paved walking paths.
- ◆ Tennis courts with Dynaflex sports surfacing.
- ◆ A paved basketball court.
- ◆ A 5,200 square foot Olympic-type pool plus a children's wading pool.
- ◆ An HVL Community Center with a community meeting room which may be reserved by members of the HVL POA in good standing for approved activities.
- ◆ A fitness Center located in the Community Center with state-of-the-art fitness equipment and group exercise classes.
- ◆ A privately-operated restaurant and sports bar.
- ◆ The Hidden Valley Lake Golf Course, which is owned by the HVL POA, par 72, championship, 18-hole golf course with a pro shop and a 19th Hole Snack Bar for refreshments.
- ◆ POA maintained, paved streets.
- ◆ An HVL POA-operated law enforcement, security and emergency service staffed by Dearborn County-trained Reserve Sheriff's deputies, which are on duty twenty-four (24) hour a day, seven (7) days a week.

C. Office Information

The HVL POA operates its own office currently located in the Community Center.

- 1) **Mailing Address:** Hidden Valley Lake Property Owners Association
19303 Schmarr Drive
Lawrenceburg, IN 47025-8848
- 2) **Hours of Operation:** 7:00 a.m. to 5:30 p.m. Monday – Thursday
8:00 a.m. to 12:00 p.m. on Friday
Closed Weekends & Holidays
- 3) **Phone Number:** Indiana - (812) 537-3091
FAX - (812) 537-1521
- 4) **Internet Access:** Web site address – <http://www.hiddenvalleylakepoa.com>
E-mail address – moemanion@comcast.net

D. Contact Information

- | | | | |
|-------------------------|-------------------------|---------------------|---------------------|
| 1) Emergency | <u>537/539 Exchange</u> | <u>637 Exchange</u> | <u>800 Exchange</u> |
| Emergency Police | 911 | 911 | |
| Dearborn County Sheriff | | | |

Dispatch	(812) 537-3431	(812) 537-3431	(800) 543-1149
Hidden Valley Deputies	(812) 537-9400		
Fire Department and Life Squad	(812) 537-3431	(812) 537-3431	(800) 543-1149
Dearborn County Hospital	(812) 537-1010		(800) 676-5572
Poison Control Center	(812) 537-8240	(812) 537-8240	(800) 872-5111
Animal Control Center	(812) 537-0913	(812) 537-0913	
Natural Gas (24 hour)			(888) 784-6160
2) Other	<u>537/539 Exchange</u>	<u>637 Exchange</u>	<u>800 Exchange</u>
HVL POA Maintenance	(812) 537-3300	(812) 537-3300	
HVL POA Pool	(812) 537-1707	(812) 537-1707	
HVL POA Beach	(812) 537-4151	(812) 537-4151	
HVL Golf Course	(812) 537-5033	(513) 241-6710	
Valley Rural Utility Company	(812) 539-3330	(513) 564-1500	
Natural Gas Customer Service			(888) 863-0032

E. Organizational Information

1) HVL POA Board of Directors – General Information

- a. Under provisions consistent with the laws of the State of Indiana and the Articles of Incorporation of the HVL POA, the HVL POA Board of Directors serves the following purposes:
 1. To conduct the business of the HVL POA.
 2. To exercise, in furtherance of the purposes of the HVL POA, all the powers of the HVL POA without prior authorization or subsequent approval by the members or committees of the HVL POA.
 3. To make, alter, amend or repeal the By-Laws, rules, regulations, policies, procedures and practices for the conduct of the affairs of the HVL POA.

4. To establish officers of the HVL POA and to elect such officers for such duties as it may determine.
- b. Membership in the HVL POA Board of Directors is determined by a vote of the HVL POA membership with the results being announced at the POA Annual Meeting. (See Section 103.F.) The term served is three (3) years with two (2) Board members being elected year one, two (2) Board members being elected year two and one (1) Board member being elected year three. Any member of the HVL POA in good standing can run for the HVL POA Board of Directors.
- c. The HVL POA Board of Directors Meetings are held on the 4th Thursday of the month unless otherwise posted on the information signs at the entrances to Hidden Valley Lake. The HVL POA Board of Directors Meetings are open to the public.
- d. The members of the HVL POA Board of Directors serve as liaisons to the various HVL POA committees and attend committee meetings. The committee liaison assignments change on a yearly basis.
- e. The current HVL POA Board of Directors members are:

<u>Office</u>	<u>Name</u>	<u>Address</u>
President	Pat Hawkins	1234 Sunset Drive
Vice-President	Bill Minnery	20571 Heather Court
Treasurer	Bob Starks	20902 Ridgecliff Court
Secretary	Donna Yetzer	20978 Crestview Court
Member-At-Large	Tom Hamilton	

2) HVL POA Board of Directors - Powers and Duties of Offices

- a. **President.** Subject to the general control of the Board of Directors, the President shall manage and supervise all affairs and personnel of the corporation and shall discharge all of the usual functions of the chief executive officer of a not-for-profit corporation. He or she shall preside at all meetings of members and directors and shall have such other powers and duties as this code of by-laws or the Board of Directors may describe.
- b. **Secretary.** The Secretary shall attend all meetings of members and the Board of Directors and shall keep, or cause to be kept, in a book provided for the purpose, a true and complete record of the proceedings of such meetings, and he or she shall perform a like duty, when required, for all standing committees appointed by the Board of Directors. He or she shall attend to the giving and serving of all notices of the corporation required by this code of by-laws, shall have custody of the books (except books of accounts), records and corporate seal of the corporation, and in general shall perform all duties pertaining to the office of secretary and such duties as this code of by-laws or the Board of Directors may prescribe.

- c. **Treasurer.** The Treasurer shall keep correct and complete records of accounting, showing accurately at all times the financial condition of the corporation. He or she shall have charge and custody of, and be responsible for, all funds, notes, securities and other valuables which may from time to time come into the possession of the corporation. He or she shall deposit, or cause to be deposited, all funds of the corporation with such depositories as the Board of Directors shall designate. He or she shall furnish at meetings of the Board of Directors, or wherever requested, a statement of the financial condition of the corporation, and in general perform all duties pertaining to the office of treasurer and such other duties as this code of by-laws or the Board of Directors may prescribe.

3) HVL POA Committees and Panels

- a. Under provisions consistent with the By-Laws of the HVL POA, there shall be standing committees and panels. The duty and responsibility of each committee and panel is to review, study and recommend to the Board of Directors any decisions, rules, or regulations pertaining to its area of responsibility within the HVL POA as defined by the By-Laws of the HVL POA. The committees and panels shall also perform such other duties as may be from time to time directed by the President of the HVL POA Board of Directors. Any decision of a committee or panel may be appealed to the HVL POA Board of Directors by any person aggrieved by such decision. At their discretion, the Board of Directors may also initiate rules and regulations within committees' areas without a recommendation. No committee duty or responsibility should be interpreted as superseding the Board of Directors.
- b. In particular, HVL POA committees and panels have the responsibility of maintaining the following HVL POA rules, practices and policies:

<u>HVL POA Rules, Practices, Policies</u>	<u>Committee/Panel Name</u>
Architecture	Architecture
Architecture Checklists, Forms and Applications	Architecture
Burning	Safety, Security and Elections
Curfew	Safety, Security and Elections
Deer Management Program	Lakes & Parks
Dog Control	Safety, Security and Elections
Elections	Safety, Security and Elections
Enforcement, Judicial and Assessments	Judicial
Financial	Finance
Lakes, Watercraft and Fishing	Lakes & Parks
Noise	Safety, Security and Elections
Parks and Recreational Facilities	Lakes & Parks
Persons	Safety, Security and Elections
Pool and Beach	Lakes & Parks
Property Safety	Safety, Security and Elections
Private Property Appearance and Maintenance	Architecture

Signs and Solicitations
Traffic and Vehicle Operation

Safety, Security and Elections
Safety, Security and Elections

- c. Any member or member's spouse of the HVL POA in good standing can serve on an HVL POA committee or panel.
- d. All regularly-scheduled HVL POA committee meetings are open to HVL property owners with the exception of Judicial Panel.
- e. To accomplish their individual responsibilities, all committees shall be engaged in activities in cooperation with the HVL POA Board of Directors, POA employees, other POA committees, committee task forces and the POA Judicial Panel.
- f. All POA committees shall conduct business and meeting activities according to the HVL POA General Committee and Panel Guidelines.
- g. The current HVL POA committees and panels and their regularly-scheduled meeting times are:

<u>Committee/Panel Name</u>	<u>Monthly Meeting Date(s) and Time(s)</u>
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Architecture	1st and 3rd Wednesdays at 7:00 p.m.
Finance	3rd Tuesday at 6:00 p.m.
Future Planning and Political Action	2nd Monday at 6:30 p.m.
Judicial	2nd Monday at 7:00 p.m.
Lakes & Parks	2nd Wednesday at 7:30 p.m.
Natural Resources	3rd Monday at 6:00 p.m.
Safety, Security and Elections	1st Tuesday at 6:00 p.m.

h. HVL POA Architecture Committee

- 1. The first purpose of the HVL POA Architecture Committee is to provide policies, procedures, guidance and restrictions to help ensure that the construction of buildings, fencing, walls, docks, decks, sheds, driveways, drainage systems and other structures meet the specifications described in the HVL POA Architectural Rules.
- 2. The second purpose is to provide policies, procedures, guidance and restrictions to help ensure the regular upkeep, maintenance and appearance of private property within HVL.
- 3. To accomplish these purposes, the Committee shall be engaged in activities which include, but are not limited to:
 - Scheduling and holding open meetings for the purpose of addressing all HVL architectural and property maintenance issues within HVL.
 - Scheduling and holding open meetings for the purpose of reviewing and approving all construction plans within HVL

- Recommending and maintaining the POA Architectural Rules and Property Maintenance Rules.
- Determining the number and amount of assessments levied for Architectural and Property Maintenance rules violations.
- Recommending, imposing and monitoring the status of all HVL construction bonds.
- Participating in regular and periodic property inspections within HVL.

i. HVL POA Finance Committee

1. The first purpose of the HVL POA Finance Committee is to review all financial information pertinent to the operation of the HVL POA.
2. The second purpose is to develop and recommend an annual budget to the HVL POA Board of Directors prior to the beginning of each fiscal year.
3. The third purpose is to develop, maintain and monitor a three-year HVL POA financial forecast.
4. To accomplish these purposes, the Committee shall be engaged in activities which include, but are not limited to:
 - Scheduling and holding open monthly meetings for the purpose of addressing all HVL POA financial issues.
 - Collecting pertinent HVL POA financial information from all competent sources.
 - Reviewing the adequacy of dues and membership assessments and recommending to the HVL POA Board of Directors changes when indicated.
 - Reviewing the cash flow of the HVL POA.
 - Recommending and reporting to the HVL POA Board of Directors the results of periodic financial audits.
 - Recommending to the HVL POA Board of Directors the approval or disapproval for significant expenditures for non-budgeted items.

j. HVL POA Future Planning and Political Action Committee

1. The first purpose of the HVL POA Future Planning and Political Action Committee is to develop a working Master Plan that provides the HVL POA with continuity, organization and management goals.
2. The second purpose is to provide information to residents and property owners regarding political issues, elections and referendums that affect the HVL community.

3. To accomplish these purposes, the Committee shall be engaged in activities which include, but are not limited to:
 - Scheduling and holding open monthly meetings for the purpose of addressing all planning and political issues pertinent to HVL.
 - Developing an organized Master Plan to continue the improvement of existing HVL POA amenities and creation of new amenities.
 - Planning and presenting strategic actions that will create income and/or make further enhancements to HVL.
 - Developing community support for a variety of financial elements evolving around the Master Plan.
 - Discussing current events in the community, county and state that will have an impact on HVL and thus delegate certain member(s) to attend local government and related meeting and report back to the HVL POA Board of Directors.

k. HVL POA Judicial Panel

1. The purpose of the HVL POA Judicial Panel is to enforce the rules and regulations of the HVL POA documented in the HVL POA Bylaws, Rules and Regulations.
2. To accomplish this purpose, the Judicial Panel shall be engaged in activities which include, but are not limited to:
 - Scheduling and holding monthly meetings for the purpose of enforcing the rules and regulations of the HVL POA.
 - Requesting the appearance before the HVL POA Judicial Panel of members of the HVL POA and their families for the purpose of offering testimony in a given case.
 - Determining in all cases brought before the HVL POA Judicial Panel whether or not a violation of the rules and regulations of HVL POA has taken place.
 - Issuing warnings to, levying assessments upon, suspending the privileges of members of the HVL POA, their families and guests, and others, according to the schedule of offenses and penalties set forth in Section 102.G below of this Bylaws, Rules and Regulations, and recommending to the HVL POA Board of Directors pursuit of such other actions as may be available, including legal action, against persons who violate the HVL POA rules and regulations.
 - Representing the HVL POA Judicial Panel before the HVL POA Board of Directors in the event of an appeal of the HVL POA Judicial Panel's actions in a given case.
 - Interpreting the Enforcement of Rules and Judicial Procedures section of the HVL POA Bylaws, Rules and Regulations and making recommendations to the HVL POA Board of Directors for its amendment.

- Working with the HVL POA standing committees to maintain the Schedule of Assessments section of the HVL POA Bylaws, Rules and Regulations.

I. HVL POA Lakes & Parks Committee

1. The major purpose of the HVL POA Lakes & Parks Committee is to provide the planning and design of amenities, policies and rules to help ensure clean, beautiful and safe lakes, functional and safe parks, recreation, entrance and greenbelt areas for the enjoyment of Hidden Valley property owners and their guests.
2. To accomplish this purpose, the Committee shall be engaged in activities which include, but are not limited to:
 - Scheduling and holding open monthly meetings for the purpose of addressing all HVL lakes and park and recreational issues.
 - Recommending and maintaining the POA Lakes and Water Craft Rules as well as the Parks, Recreation facilities and Pool and Beach Rules.
 - Recommending the number and amount of fee schedules and assessments levied for Lakes and Parks Facilities and Water Craft, Recreation facilities and Pool and Beach Rules violations.
 - Designing and recommending the docks, dams, spillways, marinas, buoys (including lines and lights) and lake status lights within HVL.
 - Monitoring the quality of water in the HVL lakes.
 - Making recommendations on requests for variances to the rules governing the size, location and features of all docks and boat racks within HVL.
 - Recommending and monitoring the types of water craft and floatation devices allowed on HVL lakes.
 - Planning, recommending, monitoring and scheduling community recreational events involving the HVL lakes, parks, athletic fields, beach, pool, playgrounds, shelters and greenbelt areas within HVL.
 - Serving as the POA liaison to the HVL Fish and Game Club, the Ski and Sports Club, Fitness Center, Garden Club, Valley Farmers and the Athletic Club.
 - Making recommendations regarding safety patrol personnel and equipment for HVL lakes.
 - Working with the Safety Committee to maintain the safety of all of the Lakes, Parks and Recreational facilities and associated facilities, including but not limited to dams, waters, parking lots, docks, ramps, beach and pool.
 - Determining the requirements for and issuing of HVL POA water craft registration stickers.
 - Conducting yearly State of Indiana MS4, Rule 13 inspections of HVL drainage systems.

- Reviewing safety equipment at the marina, main lake and at the small lakes, pool, beach, athletic fields and parks.
- Recommending and approving the annual driver's test for all boat owners applying for boat registrations.
- In cooperation with the POA Community Manager, determining the status of contracts with local, state and Federal organizations that might impact or influence any water functionality or regulation.
- In cooperation with the POA Community Manager, making suggestions regarding the POA Lake Patrol activities.
- In cooperation with the POA Community Manager, making suggestions regarding the status of the lake and when it should be changed.
- Recommending fishing rules and fish limits.
- Coordinating the activities relating to the selection of the lake treatment firm and determining what and how much treatment is done.
- Coordinating with the POA Board of Directors the setting of the rules and regulations regarding the renting of the docks.
- Working with the Community Manager on all projects relating to or involving any of the lakes and the surrounding grounds and the marina area including but not limited to dredging, inspections, and facilities construction and maintenance.

n. HVL POA Safety, Security and Elections Committee

1. The first purpose of the HVL POA Safety, Security and Elections Committee is to recommend policies, procedures, guidance, restrictions and rules that would make HVL a safer, more secure and pleasant place to live.
2. The second purpose is conduct all elections, including but not limited to, elections of members of the HVL POA Board of Directors, recall and referendums.
3. To accomplish these purposes, the Committee shall be engaged in activities which include, but are not limited to:
 - Scheduling and holding open monthly meetings for the purpose of addressing all safety, security and elections issues within HVL.
 - Recommending and maintaining the POA Burning, Curfew, Dog Control, Noise, Persons, Property, Signs and Solicitations and Traffic and Vehicle Operations Rules and Board Election Policies.
 - Determining the number and amount of assessments levied for POA Burning, Curfew, Dog Control, Noise, Persons, Property, Signs and Solicitations and Traffic and Vehicle Operations Rules violations.
 - In cooperation with the Community Manager, developing and maintaining the *HVL POA Deputies' Standard Operating Procedures*. (This SOP Manual coordinates with the Dearborn County document.)

- Reviewing the procedures and duties of the HVL POA Deputies.
- Informing the HVL POA Community Manager of any safety hazards and their possible solutions.
- In cooperation with the Community Manager, reviewing the requirements and recommending the acquisition of safety equipment and vehicles needed to assist HVL staff personnel in enforcing HVL POA safety and security rules.
- Reviewing the requirements and recommending the acquisition, relocation or replacement of public signage needed to ensure safety and security within HVL.
- Recommending the HVL POA Board Election Policies.
- Reviewing safety equipment in the HVL POA office and at all lakes.
- Assisting the HVL Deputies and office staff with safety programs.

4) HVL POA Employees

The HVL POA employs seasonal and full-time employees to carry out daily business, activities and responsibilities and enforcement of the HVL POA rules and regulations. The employees are organized in the following manner reporting to the HVL POA Community Manager:

- a. HVL POA Office Staff consisting of three (3) full-time employees.
- b. HVL POA Maintenance Staff consisting of a Maintenance Supervisor/Building Coordinator, two (2) full-time employees and seasonal employees managing the pool and lifeguarding functions.
- c. HVL POA Security consisting of six (6) reserve deputies.

F. HVL Clubs and Organizations

Residents and property owners of HVL also have a wide variety of clubs and organizations through which they can get involved in community affairs. Information about these clubs and organizations can be obtained from the HVL POA office or on the HVL POA Web site.

1) Current Clubs and Organizations

- HVL Athletic Club
- Bridge Clubs (Days, Evenings and Marathon)
- Children Activities
- Civic and Social Activity Club
- HVL Riders (Motorcycle Club)
- Fish and Game Club
- Garden Club
- Homemakers Club
- Valley Farmers
- Knitting Group
- Pickleball Club

2) Civic and Social Activity Club

In addition to sponsoring a wide variety of social events in HVL, the Civic and Social Activity Club has several other important functions within the HVL POA. All meetings of this club are open to all residents and property owners of HVL.

G. Dues and Assessments

1) General Information

- a. Dues, fees and assessments are billed semi-annually. The first billing is on January 1st, with the dues, fees and assessments to be paid by January 31st. The second billing is on July 1st, with the dues, fees and assessments to be paid by July 31st.
- b. The HVL Board of Directors may from time to time make assessments of the HVL POA membership if deemed to be in the best interests of the community. (By-Laws: Article I: Membership, Section 3, #F) The HVL POA office may be contacted for current assessments.
- c. The HVL POA reserves the right to charge additional fees on delinquent accounts. See schedule of fees and assessments.
- d. No refunds are given on dues and fees on sold property.
- e. Title companies should handle any balance owed on any dues, fees and assessments at the time of closing. Please contact the HVL POA and VRUC for any outstanding account(s) balance due.
- f. Fees not paid by the buyer at closing will be assessed against the lot(s) upon filing of the deed.
- g. Property owners are granted waivers of dues during the time they are deployed or called into active duty. A copy of deployment orders must be submitted to the POA office and approved by the Community Manager.
- h. Renters of property at Hidden Valley Lake have the option to pay an annual Renter Amenities fee in order to use the amenities provided by the HVL POA. Contact the POA Office for more information.

2) Schedule of Dues and Assessments and Fees

Semi-Annual

<u>Amount</u>	<u>Description</u> (effective 7/1/2017)
\$469.00	Semi-Annual dues and assessments for a house *
\$329.00	Semi-Annual dues and assessments for a vacant lot only
\$228.00	Semi-Annual assessments for an additional house *

\$ 88.00	Semi-Annual assessments for an additional lot
\$ 44.00	Semi-Annual assessments for a split lot
\$ 21.00	Semi-Annual rental fee for a 2nd Rumpke trash cart (first one is free)

* Every home will be provided trash removal service.

Every home will have a choice of one (1) 65 or 96 gallon recycling cart, as well as one (1) 65 or 96 gallon trash cart at no additional cost. Rental cost of a second trash cart is stated above.

Renter Amenities Fee (12 Months)	\$300.00
Community Room Rental Fee	\$ 75.00
Upper Beach Shelter Reservation Fee	\$ 25.00
NSF Check Fee	\$ 30.00
Lien Filing Fee	\$ 75.00
Power Boat Dock Rental Fee	\$240.00 (annual fee)
Pontoon Boat Dock Rental Fee	\$310.00 (annual fee)
Moeller Park Dock Rental Fee	\$175.00 (annual fee)
Sandamont/Meercham Dock Rental Fee	\$105.00 (annual fee)
Knollwood/Raylynn Dock Rental Fee	\$105.00 (annual fee)

- a. Any deeds transferring property in the Hidden Valley Lake subdivision shall be subject to an Administrative Deed Transfer Fee. This fee shall be assessed per deed regardless of the number of lots transferred by the deed. The fees will be assessed as follows:

(Effective 1/1/2017)

1. Property with a house - \$400.00
2. Vacant Lot - \$200.00
3. Inter-family transfer or Inter-family trusts - \$100.00

Upon the death of the first person named on the recorded deed (and therefore eligible voter in POA elections), the \$100.00 Administrative Deed Transfer Fee would be waived to change the succeeding name on the POA office records to become the first name. This action must be taken within one year of the death.

3) Collection Procedures

- a. Homes

Any balance left on an account after the due date shall be assessed a 10% finance charge. Each month thereafter a \$10 late fee is added per delinquent account. Forty-five (45) to sixty (60) days after first notice, a letter is sent stating Rumpke service will be discontinued if payment is not made within ten (10) days. If there is not compliance, trash service will be stopped and if rented, the Rumpke waste wheeler will be removed. Once the delinquent account is paid, the waste wheeler will be redelivered at an additional fee of \$10.00. If receivables exceed ninety (90) days after first notice, a copy of the lien to be filed is sent with a letter allowing ten (10) days for payment. If there is no response, a lien on the property is filed and a \$50.00 filing fee is added to the account. The account may then be sent to our collection agency and a fee of thirty per cent (30%) of the balance is added for collection service if sent to

collection. . If receivables exceed \$1,200.00, the POA reserves the right to initiate foreclosure proceedings.

b. Lots

Any balance left on an account after the due date shall be assessed a 10% finance charge. Each month thereafter a \$10 late fee is added per delinquent account. After an account is delinquent for sixty (60) days, a letter is sent advising the property owner of our collection procedures. When the account is over ninety (90) days after first notice, a letter is sent with a copy of the lien that will be filed if the account is not paid or a payment plan has not been arranged within ten (10) days. The customer will be informed of a \$50.00 lien filing fee and a fee of thirty per cent (30%) of the balance for collection service if sent to collection. If there is no response, a lien will be filed and the account may be sent to our collection agency.

NOTE: A reasonable effort is made to communicate with the debtor and to arrange payment plans before legal action is taken. The POA reserves the right to file a lien any time after POA accounts reach 90 days past due.

If a property owner's account is sent to an attorney for collection, the property owner shall also be responsible for any attorney fees, filing fees and court costs.

Section 102. Enforcement of Rules and Judicial Procedures

The power to enforce the rules described in this HVL POA Bylaws, Rules and Regulations is contained in the restrictive covenants as recorded in each lot owner's Chain of Title and the remedies available for enforcement are both legal and equitable. The HVL POA Articles of Incorporation and By-Laws contain additional information about the authority of HVL POA to:

- Promulgate rules and regulations for the use of all streets, right-of-ways, common lands, parks, recreational facilities, swimming pools, etc. which shall be binding upon all property owners in HVL, their families, guests and their invitees.
- Promulgate rules and regulations controlling the construction of improvements on lots within Hidden Valley Lake Subdivision.

A. Violation Notices (Citations)

- 1) Violation notices for alleged violation of the rules and regulations of the HVL POA may be issued by any on-duty security personnel (HVL POA Deputies) or other HVL POA employees authorized by the HVL POA Board of Directors.
- 2) HVL POA Deputies or authorized HVL POA employees may issue a violation notice based upon their personal knowledge of the alleged violation or upon the personal knowledge of a witness to the alleged violation. If the violation notice is issued based upon the personal knowledge of a witness, then such a witness account of the incident shall be reduced to writing and signed by the witness.
- 3) Violation notices shall be issued at the time of the alleged violation, except if any individual covered under this article shall remove or secret himself in an attempt to thwart the HVL POA personnel in carrying out their duties or the alleged violator is not present at the time the alleged violation occurs. In these cases, the violation notice may be issued and forwarded to the alleged violator by mail.
- 4) A copy of each violation shall be returned to the HVL POA office and entered on a docket known as the Judicial Panel Docket.

B. HVL POA Judicial Panel

- 1) Based on the Articles of Amendment (dated 4/27/95) to the Articles of Incorporation, the purpose of the HVL POA Judicial Panel is to enforce the rules and regulations of the HVL POA, specifically:
 - a. Requesting the appearance before the HVL POA Judicial Panel of members of the HVL POA and their families for the purpose of offering testimony in a given case.
 - b. Determining in all cases brought before the HVL POA Judicial Panel whether or not a violation of the rules and regulations of HVL POA has taken place.

- c. Issuing warnings to, levying assessments upon, suspending the privileges of members of the HVL POA, their families and guests, and others, according to the schedule of offenses and penalties set forth in Bylaws, Rules and Regulations Section 102.G, and recommending to the HVL POA Board of Directors pursuit of such other actions as may be available, including legal action, against persons who violate the HVL POA rules and regulations and/or provisions of this article.
- d. Representing the HVL POA Judicial Panel before the HVL POA Board of Directors in the event of an appeal of the HVL POA Judicial Panel's actions in a given case.
- e. Interpreting this article and making recommendations to the HVL POA Board of Directors for its amendment.

C. Rules Enforcement Procedure

- 1) Each and every violation notice shall be acted upon by the HVL POA Judicial Panel, and no violation notice shall be considered a violation of the HVL POA rules and regulations until it has been acted upon and determined to be a violation of the HVL POA rules and regulations.
- 2) In those cases in which the HVL POA Judicial Panel determines that a violation of the HVL POA rules and regulations has taken place, the HVL POA Judicial Panel shall then impose a penalty or penalties upon the violator in accordance with Bylaws, Rules and Regulations Section 102.G.
- 3) In cases involving alleged violations committed by minor children, other dependents or guests of an HVL POA member, the HVL POA member shall be responsible for the payment of all monetary penalties (assessments). HVL POA members shall receive notice by the HVL POA office of an alleged violation involving their minor children, other dependents or guests. The HVL POA member shall receive this notification by the first Monday of the month.
- 4) The procedure for HVL POA rules enforcement is as follows:
 - a. A violation notice (citation) is issued by an HVL POA Deputy or authorized HVL POA employee.
 - b. A copy of each citation shall be returned to the HVL POA office on a weekly basis and entered on the Judicial Panel Docket.
 - c. The citations along with the Judicial Panel Docket shall be presented to the HVL POA Judicial Panel for their decisions during their regularly scheduled meetings.
 - d. The HVL POA Judicial Panel shall determine whether or not violations of the rules and regulations of HVL POA have taken place and, if so, the amount of the penalties or assessments is entered on the Judicial Panel Docket and returned to the HVL POA office with the citations.

- e. If an alleged violator is not present at the regularly scheduled HVL POA Judicial Panel meeting, and is an HVL property owner and the decision of the HVL POA Judicial Panel is to issue an assessment, the HVL POA office shall invoice that party's account for the assessment amount.
- f. If an alleged violator is not present at the regularly scheduled HVL POA Judicial Panel meeting, and is not an HVL property owner and the decision of the HVL POA Judicial Panel is to issue an assessment, the HVL POA office shall mail an invoice for the assessment amount to that party and send a copy to the HVL property owner as appropriate.
- g. If an alleged violator is present at the regularly scheduled HVL POA Judicial Panel meeting, and is an HVL property owner, and the decision of the HVL POA Judicial Panel is to issue an assessment and the alleged violator does not contest the assessment, the HVL POA office shall invoice that party's account for the assessment amount.
- h. If an alleged violator is present at the regularly scheduled HVL POA Judicial Panel meeting, and is not an HVL property owner, and the decision of the HVL POA Judicial Panel is to issue an assessment and the alleged violator does not contest the assessment, the HVL POA office shall mail an invoice for the assessment amount to that party and send a copy to the HVL property owner as appropriate.
- i. If the alleged violator wishes to contest the citation, the procedure listed in Bylaws, Rules and Regulations Section 102.D must be followed.
- j. In the event the violator of an HVL POA rule or regulation shall fail to comply with the terms of the penalties imposed by the HVL POA Judicial Panel, then the HVL POA Judicial Panel shall report the failure to comply to the HVL POA Board of Directors, together with the recommendations for appropriate legal sanctions, including but not limited to the filing of a lien and assessment against said violator.

D. Contesting a Citation to the HVL POA Judicial Panel

- 1) Any person who receives a citation has the right to a hearing before the HVL POA Judicial Panel to contest a citation, but said hearing shall be held only at the request of the accused person, and upon his or her written notification to the HVL POA office of his or her desire to exercise this right, which request shall be duly entered upon the Judicial Panel Docket.
- 2) The hearing must be scheduled no more than two consecutive regularly scheduled HVL POA Judicial Panel meetings after the meeting in which the citation was originally presented and requests for a hearing must be made to the HVL POA office no later than the Friday prior to the regularly scheduled HVL POA Judicial Panel meeting. If the alleged violator originally received the citation by letter, the HVL POA office must be notified of the request for a hearing within five (5) days of the date of the letter.
- 3) During the hearing the alleged violator has the right to:

- a. Question the HVL POA Deputy or authorized employee.
 - b. Call witnesses in his or her behalf.
 - c. Be represented by an attorney.
 - d. Present any evidence to support his or her defense.
- 4) During the HVL POA Judicial Panel meetings, any alleged violator scheduled for a hearing must sign in upon his or her arrival at the meeting. Citations being contested are heard on a first-come-first-served basis and will be heard one at a time.
 - 5) Only those persons involved with the current citation hearing will be present during the hearing.
 - 6) After the HVL POA Judicial Panel has heard the case, a majority vote will determine their decision.
 - 7) If an alleged violator requested a hearing to contest a citation through the HVL POA office but was unable to attend the original hearing date, he or she can request a new hearing date up to two (2) consecutive HVL POA Judicial Panel meetings from the original hearing date. For example, if an alleged violator was issued a citation in January, he or she could schedule a hearing in February. The new date can be requested for March or April.
 - 8) The HVL POA Judicial Panel will not hear a contest of a citation unless it has been scheduled through the HVL POA office. A written notice requesting a new hearing date to contest a citation must be submitted to the HVL POA office no later than the close of the last business day of the month prior to the HVL POA Judicial Panel meeting in which they are eligible to attend. For example, if a hearing was originally scheduled for an HVL POA Judicial Panel meeting in February but the alleged violator was unable to attend, the request to attend the April meeting must be submitted to the HVL POA office by close of last business day in March.
 - 9) If an alleged violator notified the HVL POA office that he or she would attend a scheduled HVL POA Judicial Panel meeting to contest a citation and was unable to attend that meeting, their right to reschedule a new meeting is automatically terminated unless he or she notifies the HVL POA office by 12:00 p.m. (noon) the day of the scheduled meeting. If notification is not received by the HVL POA office prior to this time, the alleged violator shall be subject to an additional assessment.

E. Appealing an HVL POA Judicial Panel Decision to the HVL POA Judicial Panel

- 1) An alleged violator has the right to appeal an HVL POA Judicial Panel's initial decision to the HVL POA Judicial Panel whether or not the alleged violator attended the meeting in which the initial decision on the citation was made.
- 2) The HVL POA Judicial Panel will not hear an appeal to an initial decision unless it has been scheduled through the HVL POA office. The alleged violator will be allowed only one (1) opportunity to reschedule the appeal hearing. To schedule a hearing to appeal the initial decision the HVL POA Judicial Panel, the alleged violator must either provide written notice

to or phone the HVL POA office no later than the Friday before the regularly scheduled HVL POA Judicial Panel meeting.

- 3) If an alleged violator notified the HVL POA office that he or she would attend a scheduled HVL POA Judicial Panel meeting to contest a citation and was unable to attend that meeting, their right to reschedule a new meeting is automatically terminated unless he or she notifies the HVL POA office by 12:00 p.m. (noon) the day of the scheduled meeting.

F. Appealing an HVL POA Judicial Panel Decision to the HVL POA Board of Directors

- 1) All alleged violators who receive a violation notice have the right to appeal the action of the HVL POA Judicial Panel to the HVL POA Board of Directors.
- 2) Before an appeal of an HVL POA Judicial Panel decision to the HVL POA Board of Directors shall be scheduled, the appellant must first appear at least once before the HVL POA Judicial Panel.
- 3) An appeal to the HVL POA Board of Directors of a decision made by the HVL POA Judicial Panel must be scheduled within three (3) consecutive HVL POA Board of Directors' meetings from the date the alleged violator attended the HVL POA Judicial Panel meeting.
- 4) To schedule the appeal, a written notice requesting an appeal must be given to the POA office no later than the close of business on the Friday before the regularly scheduled HVL POA Board of Directors meeting.

G. Schedule of Violations Subject to Assessments

The following schedule includes, but is not limited to, a list of HVL POA rules and regulations violations subject to penalties and/or assessments. The HVL POA Judicial Panel and the HVL POA Board of Directors reserves the right to change this schedule at any time. The most current schedule is available from the HVL POA office. Multiple citations may be subject to increased assessments.

The following Assessment Schedules are intended only as a guideline to be used by the HVL POA Judicial Panel when it has been determined that an assessment is in order. The Judicial Panel may increase or decrease the assessment amount according to the circumstances of each citation. The Judicial Panel reserves the right to dismiss the citation if it determines an assessment is not in order or to reduce the citation to a warning.

1) Judicial - Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Failure to notify the HVL POA office in time of the cancellation of a hearing to contest a violation.	\$50 - \$500
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

2) Architecture – General Rules

- a. Mud on street
- b. Debris fallen or blown on street
- c. Unsightly construction site/area
- d. Stop work orders
- e. Violations including but not limited to violations of Architecture approval
- f. Unauthorized use of electric and/or water

3) Architecture – Roadside Ditches and Entrances to Property Rules

- a. Culvert/driveway not prepared before digging starts
- b. Not using prepared driveway to enter lot
- c. Ingress not properly established or installed
- d. Culvert improperly installed
- e. Undersize culvert
- f. Incorrect culvert material
- g. Culvert bent or plugged to disrupt proper flow
- h. Ditch line blocked in any manner
- i. Insufficient gravel

4) Architecture – Dearborn County Building Permits Rules

- a. Improper or not displaying permits
- b. Affixed to trees
- c. Affixed to community property within HVL

5) Architecture – Assessment Schedule

In the case of Architecture violations, the HVL POA reserves the right to place a stop work order on a job site at the issuing of a citation. An architecture violation may receive a citation along with a 24-hour period to remedy the violation before a failure to comply citation would be issued. Sundays and holidays may be excluded.

<u>Violation Description</u>	<u>Assessment Amount</u>
Proper driveway not prepared before digging starts, proper ingress is not established (road damage, culvert improperly installed, undersized culvert (less than 15 inches), incorrect culvert material, etc.	\$500 + Damages
Not using prepared driveway to enter lot, multiple access to building site.	\$100 - \$500
Culvert bent or plugged, or ditch line blocked in any manner to disrupt natural water flow.	\$100 - \$500
Insufficient gravel: First citation plus 24 hours to remedy.	\$100
Insufficient gravel: Second citation plus 24 hours to remedy (Citations thereafter will increase in \$100 increments).	\$200
Building permit affixed to trees or any HVL property or no permit.	\$20 - \$50

Mud or debris on street to be cleaned up as soon as possible or by end of workday (At officers discretion).	\$100
Mud or debris on street if after normal working hours.	\$200
Theft of utilities (Third violation may result in banning from HVL by HVL POA Board of Directors' action)	\$100 - \$500 + Damages
Unightly construction site.	\$100 - \$500
Other violations including but not limited to architecture approved plans, dimensions, location, failure to comply, etc.	\$500 - \$2,000 + Stop Work Order
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs
Stop Work Order Administrative Fee.	\$100

6) Burning Rules

- a. Unattended burn
- b. After dark burn
- c. Burning of material other than wood or paper
- d. Burning in improper container, or no container
- e. Burns out of control (requires Deputy and/or Fire Department)

7) Burning Rules – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Daylight (attended or unattended).	\$100
After dark (attended).	\$100
After dark (unattended).	\$200
Spills over barrel and burns on ground (attended).	\$100
Spills over barrel and burns on ground (unattended).	\$200
Burning material other than wood or paper.	\$500
Using improper container or no container.	\$500
If officer has to extinguish fire.	\$100
If fire department is called.	\$500
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

8) Persons, Property, Curfew, Noise, Signs and Solicitation Rules

- a. Littering
- b. Abuse and/or harassment of HVL POA employee, agent and/or volunteer
- c. Fluid leaks (oil or gas) on HVL POA property
- d. Sign violations
- e. Sign affixed to community property within HVL, trees, signs, etc.
- f. Curfew violations
- g. Disorderly conduct
- h. Mischief
- i. Vandalism

- j. Trespassing
- k. Property damage
- l. Invalid or lack of HVL POA identification card
- m. Failure to comply with HVL POA regulations or lawful order of an HVL POA Deputy
- n. Firearm violation
- o. Noise violations

9) Persons Rules – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Abuse and/or harassment of an HVL POA employee, HVL POA committee member or resident.	\$75 - \$500
Disorderly conduct or mischief.	\$25 - \$500 + Damages
Invalid HVL POA identification card.	\$10 - \$50
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

10) Property Rules – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Property damage, vandalism.	\$25 - \$500 + Damages
Trespassing.	\$25 - \$200 + Damages
Littering or unlawful deposit.	\$100 - \$500
Firearm violation.	\$100 - \$1,000
Disturbance of or damage to community property within HVL.	\$50 - \$1,000 + Damages
Theft of utilities. \$100 - \$500 + Damages	
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)	\$25 - \$2,000 + Damages + HVL POA costs

11) Curfew Rules – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Violation of curfew hours.	\$25 - \$200
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)	\$25 - \$2,000 + Damages + HVL POA costs

12) Noise Rules – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Improper noise.	\$80
Dog noise nuisance (first citation).	\$25
Dog noise nuisance (every citation thereafter).	\$50
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

13) Signs and Solicitations Rules – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Sign violation (real estate, political, etc.).	\$10 - \$50
Sign affixed to HVL property, trees, etc.	\$20 - \$50
Building permit affixed to trees or any HVL property.	\$20 - \$50
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

14) Dog Control Rules

- a. Dog control violations
- b. Dog running free and unsupervised
- c. Dog trespassing on improved lots where landscaping has begun
- d. Dog being public nuisance

15) Dog Control Rules – Assessment Schedule

In the case of Dog Control violations, every incident involving an actual dog bite will be subject to vicious dog assessments even if it is the first offense. Citations or warnings for dangerous and vicious dogs will not be void after twelve (12) months, but will remain active and on record for the life of the dog.

<u>Violation Description</u>	<u>Assessment Amount</u>
Dog running loose (first offense).	Warning
Dog running loose (every citation thereafter). Note: If the violation involves a dangerous or vicious dog, then dangerous or vicious, dangerous or vicious dog assessments apply	\$100
Dog noise nuisance (first citation).	\$25
Dog noise nuisance (every citation thereafter).	\$50
Vicious dog (first offense). Note: The owner will receive a letter declaring their dog as “vicious” and will be advised dog must be contained.	\$100
Vicious dog (next violation of any kind).	\$250 & removal of dog from HVL
Dangerous dog (first offense) Note: The owner will be advised dog must be contained.	Warning
Dangerous dog (second offense).	\$250
Dangerous dog (third offense).	\$250 & removal of dog from HVL
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

16) Lakes and Water Craft Rules

- a. Operating boat in excess of 35 mph or high speed boating
- b. Reckless operation/failure to yield right of way
- c. Not maintaining minimum of 300 ft. to rear of a water skier
- d. Going the wrong way in wake zone
- e. Powerboat failing to yield right of way to non-power boat
- f. No wake zone violation
- g. Discarding or discharging waste into lake or littering
- h. Non-property owner using property owner’s boat without written permission from owner
- i. Non-property owner boating on lake
- j. Boat sticker not secured and properly displayed by May 1st
- k. Boat sticker not secured and properly displayed by June 1st
- l. Skiing, tubing or flotation violation
- m. Lake status violation
- n. No wake/idle speed only during regulated hours violation
- o. Boat/trailer parking violation
- p. Required equipment violation
- q. Possession of boat and/or trailer without permission of owner
- r. Unlawful swimming
- s. Hunting and fishing violations

17) Lakes and Water Craft Rules – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Operating in excess of thirty-five (35) MPH.	\$50 - \$100
Lake status violation.	\$50 - \$100
No wake/idle speed only during regulated hours violation.	\$50 - \$100
Not maintaining minimum of three hundred (300) feet to rear of water-skier.	\$50 - \$100
Failure to have a second person in the boat while towing a person	\$50 - \$100
Missing required equipment (life jackets, operating running lights, etc)	\$25 - \$200
Skiing, tubing or flotation violation.	\$50 - \$100
Going the wrong way in high-speed zone.	\$50 - \$100
Creating wake in no wake zone.	\$25 - \$100
Failure to yield right of way or reckless operation.	\$100 - \$500
Non-property owner boating on lake.	\$100 - \$300
Boat sticker not secured and properly displayed.	\$25 - \$100
Boat or trailer parking violation.	\$25 - \$100
Discarding or discharging waste in the lake or littering.	\$100 - \$500 + Damages
Unlawful swimming.	\$20 - \$100
Hunting or fishing violation.	\$25 - \$1,000
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

18) Parks and Recreation – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Firearm violation.	\$100 - \$1,000
Hunting or fishing violation.	\$25 - \$1,000
Property damage, vandalism.	\$25 - \$500 + Damages
Littering or unlawful deposit.	\$100 - \$500
Disturbance of or damage to community property within HVL	\$50 - \$1,000 + Damages
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

19) Pool and Beach Rules – Assessment Schedule

<u>Violation Description</u>	<u>Assessment Amount</u>
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

20) Traffic and Vehicle Operation – General Rules

- a. Disregarding a traffic control device
- b. Speeding
- c. Reckless operation
- d. Spinning tires - excessive acceleration of a vehicle
- e. Fish tailing - excessive acceleration of a vehicle
- f. Loud noise which causes annoyance
- g. Improper or illegal parking (fire zone, handicap parking, snow emergency, etc.)
- h. Failure to comply with lawful order of an HVL POA Deputy
- i. Fleeing and eluding a HVL POA Deputy
- j. Abandoned vehicle
- k. Operating a vehicle over 7,000 pounds gross vehicle weight on Hidden Valley Drive or posted areas
- l. Invalid, expired, lack of or no license plate and/or driver's license
- m. Road moratorium violation
- n. Operating unsafe vehicle
- o. Operating a motor vehicle in greenbelt areas without permission

21) Traffic and Vehicle Operation - Motorized Bicycles (MOPEDS), All-Terrain Vehicles (ATV)/Off-Road Vehicles, Motor Scooters/Motorized Skateboards and Motorcycles Rules

- a. Operating in greenbelt areas without permission
- b. Not equipped with muffler
- c. Improper or no head, tail, stop or turn signal lights
- d. Operating motorcycle or moped on dam, beach or parking lot (except to park)

- e. Reckless operation/operating motorcycle without both front and rear wheels in contact with surface of road simultaneously
- f. Failure to wear protective equipment while operating (under 18 and passenger)
- g. Excessive speed
- h. All mechanical equipment violations
- i. Operators permit, age restriction, seating capacity or license violation
- j. Operating a modified motorcycle or moped

22) Traffic and Vehicle Operation - Stopping, Standing and Parking Rules

- a. Restriction of road usage
- b. Exceeding limited parking (8 hours)

23) Traffic and Vehicle Operation – Assessment Schedule

Anyone under the age of 18 receiving traffic citations must appear before the Judicial Panel with a parent or legal guardian and no prepayment of citation shall be allowed.

<u>Violation Description</u>	<u>Assessment Amount</u>
Assessment for all traffic violations.	\$128.00
Speeding violations twenty (20) mph and over the posted speed limit (In lieu of writing two (2) citations for speeding & reckless operation)	\$228.00
Second moving violation citation within a ninety (90) day period amount	Double original assessment
Fluid leaks on HVL property (oil, gas, etc.).	\$100 - \$500
Commercial vehicle parking violation (eight (8) hours) and/or restriction or blocking of road usage (daylight).	\$100
Commercial vehicle parking violation (eight (8) hours) and/or restriction or blocking of road usage (dark).	\$200
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel).	\$25 - \$2,000 + Damages + HVL POA costs

Traffic assessments will be updated to correspond to Dearborn County fines. This will not require action of the HVL POA Board of Directors.

Section 103. Selected HVL POA Policies, Procedures, Practices and Rules

The HVL POA creates and maintains policies, procedures, practices and rules for the purposes documented in Bylaws, Rules and Regulations Part 1. This section of the HVL POA Bylaws, Rules and Regulations contains a selection of some of the more important of those policies, procedures, practices and rules. If more information is needed, please contact the HVL POA Office. The office hours are listed in Bylaws, Rules and Regulations Section 101. Most forms can be found online at www.hiddenvalleylakepoa.com.

A. Procedure for Creating and Maintaining Policies, Procedures, Practices and Rules

The policies, procedures, practices and rules governing HVL are created and maintained by the HVL POA standing committees and Judicial Panel and are enacted by the HVL POA Board of Directors. If you are a member in good standing of the HVL POA and feel that change(s) to a current set of rules or creation of a new rule(s) is required, the standard procedure to accomplish this is as follows:

- 1) The POA member in good standing shall present suggestions for the rule(s) change(s) or new rule(s) to the appropriate HVL POA standing committee during one of its regularly scheduled meetings.
- 2) The HVL POA standing committee or Judicial Panel shall review, study and recommend to the Board of Directors any rule(s) change(s) or new rule(s) that it feels is appropriate and necessary.
- 3) The HVL POA Board of Directors will review, study and vote upon the recommendation from the HVL POA standing committees or Judicial Panel during regularly scheduled HVL POA Board of Directors' meetings or special meetings. Bylaws, Rules and Regulations Section 103.F documents the approved POA Board Voting Policies and Procedures.

B. HVL POA Policies, Procedures, Practices and Rules Forms

Many of the HVL POA policies, procedures, practices and rules are implemented using pre-designed forms, copies of which may be obtained at the HVL POA Office. It is recommended that an HVL resident review the documented policy, procedure, practice or rule to determine if authorization forms are needed. Examples of some of the policies, procedures, practices and rules requiring forms are:

1) Construction and lot improvement - Architecture Rules

A variety of forms are required for building construction and lot improvements within HVL

2) Obtaining boat registration stickers – Lakes Rules

Boat registration stickers are required for all water craft used within Hidden Valley Lake and must be placed on the designated location on the water craft.

3) Participation in the Deer Management Program

Participation in this program requires several application forms to be completed and approval must be given by the HVL POA Community Manager.

4) Obtaining HVL POA Personal Identification cards

Personal photo identification cards are required for all residents, HVL property owners and members of their immediate family living in their household. Identification cards will have a bar code attached to be scanned for admittance to various amenities. Identification card photos may be updated every five (5) years. Current identification cards are required to use HVL POA facilities.

C. Complaint Procedures

From time to time, incidents happen in Hidden Valley Lake, which result in members wanting to file a complaint. Complaints fall into two categories: personal and organizational.

1) Personal Complaints

- a. Personal complaints involve the conduct of an individual(s) who is an employee, officer, committee member or board member. These complaints are personal in nature and are dealt with in accordance with proper personnel procedures.
- b. Complaints regarding employees or officers must be filed in writing. The appropriate form is available at the HVL POA office and must be returned to the HVL POA office where it is logged and scheduled for review.
- c. Complaints regarding committee members or Board members are to be directed first to the HVL POA Board of Directors President or committee chairperson. If not satisfactorily resolved, the complaint should then be directed to the Board of Directors as a whole.

2) Organizational Complaints

- a. Organizational complaints are those complaints that apply to the HVL POA but do not relate to a specific individual's conduct.
- b. These complaints are normally concerns that can be simply telephoned to the HVL POA office. If your intent is to file a formal complaint, then you will need to complete a complaint form. Generally, only formal complaints will be acted upon. The HVL POA office maintains a complaint logbook where specific concerns are noted.
- c. All complaints and concerns are heard and reviewed and the effort is made to have resolution in a timely manner. However, not all complaints or concerns may have an immediate solution.

D. POA Meeting Policies

1) Regularly-Scheduled Meetings

All regularly-scheduled POA meetings shall be open to all residents and property owners of Hidden Valley Lake (HVL). These meetings include the POA Annual Meeting, monthly POA Board of Directors Meetings and regularly-scheduled monthly or quarterly POA standing committee meetings. Monthly Judicial Panel Meetings shall not be open to all residents and property owners of HVL due to the personal nature of the business conducted in these meetings. Attendance at monthly Judicial Panel Meetings shall be by appointment or invitation only.

All final decisions concerning rules, policies and the expenditures of funds will be made at an open HVL POA Board of Directors Meeting.

The monthly POA Board of Directors Meetings are conducted on the fourth Thursday of each month at 7:00 p.m.

The regularly-scheduled HVL POA standing committee and Judicial Panel meetings are conducted at the following times:

<u>Committee/Panel Name</u>	<u>Monthly Meeting Date(s) and Time(s)</u>
Architecture	1st and 3rd Wednesdays at 7:00 p.m.
Finance	3rd Tuesday at 6:00 p.m.
Future Planning and Political Action	2nd Monday at 6:30 p.m.
Judicial	2nd Monday at 7:00 p.m.
Lakes & Parks	2nd Wednesday at 7:30 p.m.
Natural Resources	3rd Monday at 6:00 p.m.
Safety, Security and Elections	1st Tuesday at 6:00 p.m.

From time to time, holidays may alter the meeting schedules listed above as well as the monthly POA Board of Directors Meetings. The alternate dates are available from the POA Office and on the POA Web site.

All regularly-scheduled and special Board of Directors Meetings of members and Directors shall be held at any place within a radius of fifty (50) miles from the main entrance of HVL whether said place be within or without the State of Indiana, provided only that such place be stated in the notice of such meeting.

All other POA meetings not specifically stated as open are not subject to the meeting guidelines listed above.

2) **Special Meetings**

From time to time open, special meetings of the Board of Directors may be held pursuant to a resolution of the Board of Directors to such effect or may be held upon the call of the Board President or of any three (3) members of the Board upon forty-eight (48) hours notice specifying the time, place and general purpose of the meeting, given to each director either personally or by mail, telegram, telephone or e-mail. Residents and property owners of HVL shall be notified of special Board meetings by posted printed notice, e-mail notice and POA Web site posted notice also upon forty-eight (48) hours.

3) **Meeting Protocol**

The Hidden Valley Lake Property Owners Association Board of Directors (HVL POA Board), HVL POA standing committees, task forces and sub-committees conduct open meetings for the purpose of transacting HVL POA business.

It is the intention of the HVL POA to conduct all such business meetings in an environment that encourages a sense of dignity and respect to those who volunteer for the HVL POA, are employed by the HVL POA and other meeting participants and attendees. Community issues that are addressed in these meetings will be addressed openly and cordially, however feedback and constructive criticism are welcome.

The HVL POA recognizes that an environment of respectful discussion is the best approach to conducting business and will be encouraged. It is believed that this approach is best in fostering cooperation and respect among the meeting attendees. However, opinion and debate can also be conducted in a very effective manner resulting in these same goals.

It is also believed that dissent and criticism are less likely to result in cooperation and respect, but will not necessarily be curtailed by the presiding officer unless a deterioration in the meeting environment results.

Should one or more participants in a meeting engage in personal attacks, rudeness, disruptiveness, inappropriate subjects or disruptive conduct, the presiding officer of the meeting will take definitive action to prevent a continuance of this behavior.

a. Recommended Protocol for Meeting Participants:

The HVL POA Board recommends that participants in a business meeting follow these guidelines:

1. It is anticipated that reports, presentations, discussions and debates are the primary activities of all HVL POA-related business meetings. These activities are expected to be fundamentally impersonal in nature. All of these activities should be addressed to the presiding officer of the meeting and must never be directed at any other specific individual.
2. A motion – its nature and consequences – may be attacked vigorously, but it is never permissible to attack the motives, character or personality of a person

either directly or by innuendo or implication. It is the motion, not the person proposing the motion that is the subject of debate. Meetings shall discuss measures, not people.

3. Reports, presentations, arguments and opinions should be stated as concisely as possible. A speech is made not for the pleasure of the speaker or for the entertainment of others, but to assist the assembly in arriving at a decision on the question under discussion.
4. Debate over a motion, report, presentation, argument or opinion should not take place until the presiding officer opens the floor to such debate. It is not the responsibility of any other participant in the meeting to start such debate until given the floor.

b. Chairperson's Actions:

To ensure that the working environment in all HVL POA business meetings meets the standards described above, the presiding officer over these meetings has the authority to:

1. Limit the time spent on meeting subjects due to time constraints and/or the inappropriateness of the subject.
2. Warn persons engaged in personal attacks, rudeness, disruptiveness, inappropriate subjects or disruptive conduct that their behavior will not to be further tolerated and deny their right to the floor.
3. Eject persons from a business meeting when their behavior, as defined above, continues even after a warning from the presiding officer.
4. Apply further sanctions for personal bad behavior by refusing to allow that person to participate in discussions concerning the same topic in future HVL POA business meetings.

E. Standing Committee & Judicial Panel Membership Procedures

1) Membership Qualifications

- a. The specific membership qualifications for an HVL POA standing committee and the Judicial Panel shall be determined by each individual organization with the exception of the following:
 1. To qualify as a candidate for active membership in an HVL POA standing committee or the Judicial Panel, a person shall be a member or member's spouse in good standing of the HVL POA.

2. Two or more persons from the same HVL household shall not be active members on the same HVL POA standing committee or the Judicial Board during the same time period.
 3. Candidates for membership in the Judicial Panel must be unanimously approved by the chairpersons of all POA Standing Committees. The current chair of the Judicial Panel shall poll all standing committee chairs to determine this approval. After approval of the committee chairs is obtained, the candidate is presented to the Board of Directors for approval.
- a. At any time, an HVL POA standing committee or the Judicial Panel may change the membership qualifications for that organization with the exception of the qualifications listed above.

2) New Membership Process

- a. The process of adding a new member to an HVL POA standing committee or Judicial Panel shall be as follows:
1. The organization shall, in a regularly-scheduled meeting, conduct an internal simple majority vote whether to accept the qualified person as a new member.
 2. In the event that the person is accepted by the organization's internal vote, the organization shall then recommend to the HVL POA Board "That (person's name) be accepted as a new member of the (HVL POA standing committee or the Judicial Panel)).
 3. In the event that the HVL POA Board moves, seconds and passes by a simple majority vote to accept the person as a new member of that organization, the person immediately becomes a member of the organization making the recommendation.
 4. In the event that the HVL POA Board by vote accepts the person as a new member of the organization, the organization shall record the new membership acceptance in the minutes of its next regularly-scheduled meeting. The acceptance of the new membership shall also be recorded in the minutes of HVL POA Board Meeting in which the vote was conducted.

3) Resignation of Membership

- a. A person may notify an HVL POA standing committee or the Judicial Panel at any time that he or she wishes to resign from that organization. No vote to accept or acknowledge the resignation shall be required. The resignation shall take effect the moment the HVL POA standing committee or the Judicial Panel chair is notified and can verify the information.

- b. The organization shall record the resignation information in the minutes of its current or next regularly-scheduled meeting and notice of the resignation shall be reported at the next HVL POA Board Meeting.

4) Removal from Membership

- a. At any time, an HVL POA standing committee or the Judicial Panel may conduct a simple majority vote to remove a member from their active membership list during a regularly-scheduled meeting.
- b. The organization shall record the removal from membership information in the minutes of its current regularly-meeting and notice of the removal of membership shall be reported at the next HVL POA Board Meeting.

F. POA Board Voting Policies and Procedures

In the event that a new rule(s), change(s) to an existing rule(s) or a change(s) to the existing HVL POA By-laws is recommended to the HVL POA Board, there shall be two “readings” of the rule before a final vote on the recommendation is conducted. Final voting on a new rule(s), change(s) to an existing rule(s) or a change(s) to the existing HVL POA By-laws shall only occur in regularly-scheduled or special Board meetings.

The word “recommendation” shall be used in this description of POA Board Voting Policies to represent the complete body of the recommendations being considered.

1) First Reading Procedures

The first reading of the recommendation shall be conducted in a regularly-scheduled or special HVL POA Board Meeting and is for the purpose of publicizing the recommendation to the HVL residents before a final vote on the recommendation is conducted by the Board. The recommendation shall be presented in written form to meeting attendees and an open discussion period shall be conducted.

After this meeting, the Community Manager will publicize the recommendation to the HVL residents through *The Echoes* and the POA Web site.

2) Second Reading Procedures

The second reading of the recommendation shall be conducted at the next HVL POA Board Meeting unless otherwise indicated during the meeting in which the first reading of the recommendation occurred, or a subsequent meeting if the second reading was postponed or rescheduled. The recommendation or amended recommendation shall be presented again to meeting attendees in written form.

During this meeting, the Board shall exercise one of the following options:

- a. Move that the original recommendation be adopted as written, conduct an open discussion period and a final vote.

- b. Move that the recommendation be adopted as amended and submit the amended recommendation to another first reading. Recommendation amendments that the Board considers significant in nature shall require another first reading.
- c. Move that the recommendation be adopted as amended, conduct an open discussion period and a final vote. Recommendation amendments that the Board considers insignificant in nature shall not require another first reading.
- d. Move that the recommendation and its amendments be tabled for purposes of additional research and discussion.

3) **Motion Approval Requirements**

There is a requirement that at least three (3) positive votes are needed to approve a motion by the HVL POA Board of Directors. A Board member unable to attend a Board meeting may vote on a motion by phone at the time of the vote. The Board president or Board member presiding over a Board meeting in the absence of the Board president shall vote on all motions.

G. **POA Board Elections Policies and Procedures**

The HVL POA Safety, Security and Elections Committee and the HVL POA Board of Directors have approved the following Elections Policies and Procedures within Hidden Valley Lake. These policies and procedures shall remain in force until changed or amended upon recommendation by the HVL POA Safety, Security and Elections Committee and approved by the HVL Board of Directors.

1) **Definition of Terms**

For the following HVL POA Elections Policies and Procedures, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Ballot deadline date** – A date specified by the HVL POA Board of Directors as the deadline for receiving all ballots in an annual, special or referendum election.
- ◆ **Counting Team** – HVL members reporting to the Elections Sub-committee for the purpose of tallying HVL POA votes according to the most current Vote Tally Procedure.
- ◆ **Date of election** – The HVL POA Annual meeting in the case of Annual HVL POA Board of Directors’ elections or the specified ballot deadline date for special or referendum elections.
- ◆ **Elections Sub-committee** – A group of HVL members appointed by the Safety, Security and Elections Committee for the purpose of administering all HVL POA elections made up of a Chairperson and Vice chairperson and the Counting Team.
- ◆ **Incumbent HVL POA Board members** – Those Board members who are currently seated.
- ◆ **List of Eligible Voters** – A complete list of all HVL POA members entitled to vote in any election, arranged in alphabetical order, with the address of each member.

- ◆ **Member voting rights** – One vote per HVL qualified membership is given the right to vote in all HVL POA elections.
- ◆ **Open HVL POA Board Positions** – Those positions on the Board that are being filled by the current election.
- ◆ **Qualified candidate** – Any current POA member who meets the following criteria:
 - Is an HVL POA member, at least 21 years old, listed on the property deed, and in good standing.
 - Must have a personal email address accessible on a daily basis for confidential communication.
 - Must be insurable under current HVL POA insurance policies without increased cost to the community for bonding.
 - Is not currently an employee of the HVL POA.
 - Is not currently a vendor/contractor of the HVL POA.
 - Is a qualified member of HVL.
- ◆ **Qualified member and/or membership** – Any current HVL member or membership with no outstanding dues, fees, fines, or assessment payments.
- ◆ **Special or referendum election** – An election conducted by the HVL POA Board of Directors from time to time to help conduct the business of the POA.
- ◆ **Vote Tally Procedure** – A documented process for counting ballots developed and maintained by the HVL POA Safety, Security and Elections Committee.

2) HVL POA Membership and Voting Rights

- a. Each membership in good standing of the HVL POA shall have one vote in HVL POA Board of Directors' elections, recounts, recalls, and special or referendum elections.

3) HVL POA Safety, Security and Elections Committee Responsibilities

- a. The HVL POA Safety, Security and Elections Committee shall choose from its membership a Chairperson and Vice-chairperson of the Elections Sub-committee.
- b. The Chairperson and/or the Vice-Chairperson of the Elections Sub-committee shall be in charge of all elections, recounts, recalls, and special or referendum elections.
- c. The Elections Sub-committee shall appoint the Counting Team.

4) HVL POA Board of Directors Election Policies

- a. The HVL POA shall conduct elections in each calendar year for the purpose of electing members of the HVL POA Board of Directors.
- b. To be a member of the HVL POA Board, a person must be a qualified candidate.
- c. The annual elections shall be conducted such that two, two, and one members of HVL POA Board of Directors shall be elected on alternate years. The term for an HVL POA Board of Directors' member is three years.

- d. Recall elections may be conducted in the event special conditions exist.
- e. Election recounts may be conducted in the event of the filing of an election protest with the HVL POA Board of Directors.
- f. If at any time and for whatever reason the HVL POA Board shall not have enough members between elections to fill all available positions, the incumbent HVL POA Board members may fill the open position(s) by appointment. The process for eligibility by appointment (Bylaws, Rules and Regulations Section 103.5.m) shall apply.

5) HVL POA Board of Directors Election Procedures

- a. The nomination forms for the HVL POA Board of Directors shall be made available on-line at the HVL web site or at the POA office. A notice of the registration deadline will be made public at least one month prior to the deadline.
- b. Nominations shall be closed and forms received in the HVL POA Office by the deadline. In order to be valid, a current photo, resume of the nominee, and the Candidate Resume Outline must accompany the Nomination Form. The above four items shall be submitted to the HVL POA Office by the candidate in person and not by an agent or representative of the candidate.
- c. After the nominations are closed, candidate nominations shall be validated at the HVL POA Office to assure that each candidate is qualified to run for election.
- d. A ballot, ballot return envelope, and candidate resumes shall be mailed to all HVL POA members. All ballots in their signed and sealed ballot return envelopes shall be returned by mail or in person to the HVL POA Office by the election deadline date.
- e. All ballots returned after the election deadline date or not returned in a signed and sealed ballot return envelope shall be considered invalid.
- f. All signed and sealed ballot return envelopes shall be checked against the List of Eligible Voters by POA office personnel. They shall also check for the correct signature which must be on the deed, and then place them in the locked ballot box. The key to the ballot box shall be kept by the Chairperson of the Elections Committee who shall open the box in the presence of the Counting Team.
- g. On the chosen deadline date or shortly after, the Elections Sub-Committee shall open the envelopes and tally the votes. The ballot box is opened by the Chairperson with the counters present. They then proceed to open the outside envelope and separate the two envelopes. After all the ballot outside envelopes are opened the second envelope is then opened. The teams divide the votes and go to separate rooms to tally the votes. If there are any irregularities found, that ballot is given to the Chairperson for later consideration. If necessary, the teams can trade tallies and recount if a vote is close.
- h. The Elections Chairperson will oversee the opening of the envelopes, the vote tally, and write down the final count. The Chairperson will sign the tally sheet. The votes, envelopes, and count will then be locked back in the ballot box.
- i. On completion of the voting procedure, the vote summary shall be given directly to the person presiding over the HVL POA Annual Meeting in a sealed envelope. The

results shall be read at the HVL POA Annual Meeting. No results shall be announced by any member of the Elections Sub-committee prior to this time.

- j. After the HVL POA Annual Meeting, all ballots with their ballot return envelopes shall be kept in the locked ballot box in the HVL POA office for a period of at least three months.
- k. At the HVL POA Annual Meeting, the open HVL POA Board positions shall be awarded to the persons receiving the highest number of votes in descending sequence until all the open positions are filled.
- l. If at the end of the nomination period, there is exactly the same number of candidates running in the current election to fill all the open HVL POA Board positions, then an election shall not be required and the candidates running shall fill the open HVL POA Board positions.
- m. If at the end of the nomination period, there are less than enough candidates running in the current election to fill all the open HVL POA Board positions, then an election shall not be required, the candidates running shall fill open HVL POA Board positions and the sitting HVL POA Board members may fill the additional open position(s) with the appointment of a qualified candidate(s). To qualify for appointment to the HVL POA Board, a person must submit an application to the Board in writing that indicates his or her desire to be a Board member and a list of his or her eligibility, qualifications and credentials.

6) Filling a Vacancy in the Membership of the HVL POA Board of Directors

- a. In the event of the vacancy of a member position on the HVL POA Board of Directors, for whatever reason, it shall be the responsibility of the remaining HVL POA Board members to nominate, vote upon and assign a replacement member to complete the remaining term of the vacated position.
- b. In the event of a tie in the HVL POA Board members' vote to fill the Board member vacancy, a majority of votes of the Chairpersons of the HVL POA existing standing committees and Judicial Panel Chair shall cast votes on the same set of candidates nominated by the Board of Directors.
- c. Upon written communication signed by the existing standing committee Chairpersons and, if necessary, the Chairperson of the Judicial Panel; the HVL POA Board of Directors shall ratify the vote and assign the elected member replacement to serve out the remaining term of the vacated position.
- d. Upon completing the member replacement of all HVL POA Board members, the Board shall vote upon and assign the new Board of Directors committee liaison positions in the same manner employed by the Board of Directors after the completion of the HVL POA Annual Meeting.
- e. If the Committee Chairs and the Judicial Panel Chairperson cannot reach an agreement the candidate selection will be determined in a general election

7) Special or Referendum Election Procedures

- a. A ballot and ballot return envelope shall be mailed to all HVL POA members. All ballots in their signed and sealed ballot return envelopes shall be returned by mail or in person to the HVL POA office by the ballot deadline date.
- b. Any ballot returned after the deadline date or not returned in a signed and sealed ballot return envelope shall be considered invalid.
- c. All signed and sealed return envelopes shall be checked against the List of Eligible Voters by POA office personnel. They will also check that the signature name is on the property deed. Then the ballot is placed in the locked ballot box. The key to the ballot box shall be kept by the Chairperson of the Elections Committee who shall open the box in the presence of the Counting Team on the vote counting date.
- d. On the designated date, the Elections Sub-committee shall, in a closed meeting, open all signed and sealed ballot return envelopes and tally the votes according to section 103,#4,g&h.
- e. Upon completion of the voting tally, the final totals shall be presented directly to the President of the HVL POA Board in a sealed envelope. No results shall be announced by any member of the Elections Sub-committee prior to this time.
- f. After the voting results have been presented, all ballots with their ballot return envelopes shall be kept in the locked ballot box in the HVL POA Office for a period of at least three months.

8) Election Results Protest Procedures

- a. Any HVL POA member in good standing wishing to protest the results of an HVL election may do so by submitting his/her protest in writing to the HVL POA Board of Directors within thirty (30) days after the announcement of the election results.
- b. A letter written to protest election results must include the name, address, and lot number of the HVL POA member making the protest and the reason for the protest.
- c. The previously constituted HVL POA Board of Directors shall determine by vote if the protest submitted is valid. A simple majority shall determine the validity of the protest.

H. Deer Management Program Bow Hunting, Deer Culling Rules

The following Hidden Valley Lake Property Owners Association Deer Management Bow Hunting, Deer Culling Rules have been created for the specific purpose of defining how and when deer shall be culled within Hidden Valley Lake (HVL) Subdivision during times certified only by the HVL POA Board of Directors. During the certified culling times, an **HVL POA Deer Culling Tag** shall be issued to approved hunters for the express purpose of granting them 1) permission to discharge a bow-type weapon within HVL, 2) to harvest deer within HVL and 3) to hunt only in approved culling zones within HVL.

1) Culling Zones

- a. All community property within HVL may potentially be designated as an approved culling zone.
- b. All culling zones shall be approved by the HVL POA Community Manager and the locations shall be documented at the HVL POA Office. Any person desiring information about the locations of these culling zones may obtain that information from the HVL POA Web site or from the HVL POA Office.
- c. Private property may be used to extend the size of a culling zone provided the property owner gives written permission by signing a **Property Owner's Waiver**.
 1. The property owner shall be provided the names of the hunters assigned to use the approved culling zone that includes their property.
 2. Any private property approved for the use of extending the size of a culling zone shall be adjacent to community property within HVL.
 3. More than one hunter may be assigned a single culling zone and/or a single hunter may be assigned more than one culling zone.

2) Deer Culling Applications

- a. An **HVL POA Deer Culling Permit Application** shall be submitted in person to the HVL POA Office. Incomplete applications, late or faxed applications and duplicate applications shall not be accepted.
- b. Applicants must be twenty-one (21) years old or older and first priority for qualification shall be given to HVL POA members in good standing. Hunters between the ages of eighteen (18) and twenty (20) may apply to the HVL POA Community Manager for special consideration.

3) Hunter's Qualifications

- a. Each licensed hunter candidate shall participate in and pass an **HVL POA Archery Proficiency Test**. To qualify, the candidate shall place four (4) out of five (5) arrows in an eight (8) inch circle with the equipment the applicant plans to use during the HVL deer culling season. The distance for the **HVL POA Archery Proficiency Test** shall be twenty (20) yards. Candidates shall be allowed two (2) opportunities to qualify. The proficiency test shall be supervised by the HVL POA Community Manager on a date to be announced.
- b. Each hunter submitting an application shall show proof that he/she has successfully completed a State of Indiana or federally-approved **Hunter Safety Education Course**.

- c. The HVL POA shall issue an **HVL POA Deer Culling Tag** to qualified hunters that shall be worn visibly displayed at all times when hunting.

4) **Harvested Animal Procedures**

- a. Qualified hunters shall record all harvested animals at a State of Indiana Check-in Station and shall submit a separate **HVL POA Deer Cull Report** to the HVL POA Office.
- b. In the event that a disabled or killed deer is located on unapproved private property, the following procedure shall be followed:
 - 1. The hunter shall immediately notify the POA Office (if open) or the HVL POA Deputies by phone before entering the private property and attempting to remove the deer.
 - 2. An HVL POA Deputy shall be dispatched to notify the private property owner and shall request that the hunter be allowed to remove the deer from the property.
 - 3. Upon successfully notifying and gaining permission from the property owner, the hunter shall enter the property and, under the deputy's supervision, shall properly remove the deer.
 - 4. In the event that the private property owner cannot be successfully notified, the hunter shall be authorized by the HVL POA Deputy to enter the private property and, under the deputy's supervision, shall properly remove the deer.
 - 5. In the event that the property owner is successfully notified and refuses to give permission to allow the deer to be removed from the property, the responsibility of disposing of the deer shall lie with the property owner.

5) **Culling Dates**

Culling dates and times shall be determined by the HVL POA Board of Directors each year as needed. The dates shall generally fall within the Indiana Department of Natural Resources' (INDR) hunting season subject to any extension granted by obtaining a special IDNR Fish and Wildlife Permit to extend the cull season or request certain exceptions to the standard IDNR requirements for bow hunting. Should that permit be applied for and granted, the HVL POA shall notify all persons involved in the HVL Deer Management Program of the new Culling Date Schedule and/or Deer Culling Program Rules changes.

6) **Rules and Regulations**

- a. Each qualified hunter shall attend a mandatory **Orientation Meeting** conducted prior to the start of the HVL deer culling season. The meeting will cover HVL POA Deer Culling Program Rules, reporting instructions, hunter etiquette and hunting zone assignments. During the meeting, a **Hunter's Liability Waiver** shall be signed by

each qualified hunter in attendance and the original copies shall be filed with the POA Office.

- b. Upon assignment of qualified culling zones, all hunters assigned culling zones that include private property shall collect a signed **Property Owner's Waiver** from the property owner(s) involved. The original copy of each signed **Property Owner's Waiver** shall be filed with the POA Office and a copy of the appropriate form shall be carried by the hunter at all times when hunting.
- c. Hunters shall hunt at all times from a surface elevated from the deer.
- d. Hunters shall only hunt within their assigned culling zone(s).
- e. A hunter physically located on private property shall only shoot in the direction of an approved culling zone.
- f. Hunters are encouraged to communicate with other hunters in adjacent zones before selecting a stand site in their culling zone.
- g. All hunters shall use a safety belt or rope while occupying a tree stand.
- h. All tree stands shall be removed after the culling season is completed.
- i. Hunters shall be provided with the phone number of a food pantry that can be notified if they determine that they do not want the deer meat that they harvest. If the hunter chooses to donate the deer meat, the HVL POA shall reimburse the hunter for the cost of the Indiana State Deer Tag.
- j. After field dressing a deer, the hunter shall remove and place all carcass and other remains in an HVL POA-designated area determined by the HVL POA Community Manager.
- k. All deer culling counts and deer gender quantities shall be determined yearly by the HVL POA Board of Directors.
- l. Still-hunting, defined as the continuous movement of a hunter through an animal's environment, shall not be allowed.
- m. The use of decoys shall not be allowed.
- n. No harvested deer shall be openly displayed within HVL.
- o. All arrows used in an HVL POA Deer Cull shall be clearly marked with the hunter's HVL POA-assigned Deer Culling Permit number.
- p. Should a hunter need to access an assigned culling zone outside of the approved culling times, the hunter shall first notify the HVL deputies.

- q. In addition to the Hidden Valley Lake Property Owners Association Deer Management Bow Hunting, Deer Culling Program Rules, all State of Indiana DNR Hunting Rules apply.
- r. The HVL POA Board of Directors and/or the HVL POA Community Manager reserve the right to suspend or cancel all deer culling privileges within HVL at any time and certain violations of the Hidden Valley Lake Property Owners Association Deer Management Bow Hunting, Deer Culling Program Rules may be subject to POA assessments of up to \$1000.00.

Section 104. Financial Policies, Procedures and Practices

This section of the Bylaws, Rules and Regulations contains selected policies, procedures and practices endorsed by the HVL POA Finance Committee and approved by the HVL POA Board of Directors. For more information, please contact the HVL POA Office.

A. Expenditure and Distribution Policies and Procedures

- 1) All HVL POA expenditures and distributions shall require prior HVL POA Board of Directors approval including, but not limited to, the full or partial forgiveness of any debt including any reduction in assessments and shall be transacted in an open HVL POA Board of Directors meeting.
- 2) All new HVL POA expenditures that exceed fifteen per cent (15%) of the HVL POA Annual Budget in dollar amount shall require a majority vote by the HVL POA members for approval.
- 3) Sealed bids are required for projects or purchases over \$10,000.

B. HVL POA Budgetary Process - Rules, Policies and Procedures

1) Definitions of Terms

For the following HVL POA Financial Rules, Policies and Procedures, unless the context otherwise indicates when used in conjunction with the term, the definition of the following terms apply:

- ◆ **Cash Reserves** - Represents two months of operating expenses to be set aside for emergencies; review annually.
- ◆ **Escrow Fund** - Funds allocated for significant capital projects, capital improvements or maintenance expenditures identified at time of contribution.
- ◆ **Operating Budget** - Revenues minus expenses without depreciation, a non-cash item, showing a net profit/cash flow total.
- ◆ **Capital Budget** - A prioritized list of community project requests over \$2,000 each.
- ◆ **Balanced Budget**- Operating budget minus debt service and capital expenditures equals a positive cash flow. Capital expenditures include the required contribution to the escrow fund plus capital expenditures for items not covered by the escrow fund. Funds distributed from the escrow funds do not affect the Balanced Budget status.

2) Rules

- a. Any capital project over fifteen per cent (15%) of the POA annual budgeted revenues needs prior approval of property owners. See Bylaws, Rules and Regulations Section 104.B.4.g for the procedure for approval.

- b. The Budgets must be approved by the Board of Directors and be balanced as defined above.

3) Policies

- a. Capital projects approved in the current budget year and escrowed over several years need only one Board approval for completion of project and distribution of funds. Any additional distributions from Escrow funds which were not approved through the annual Capital Budget must be approved in a separate motion that clearly indicates that the source of funds is the Escrow account.
- b. Escrow funds may be used only for a designated item for which funding was intended. Any unused escrow funds for completed or cancelled projects can be allocated for future capital projects or returned to the operating budget at the annual escrow review or by special vote of the Board of Directors.
- c. If cash reserves fall below two months operating expenses, funds must be allocated to the cash reserves at the next annual budget meeting.

4) Procedures

- a. It is the responsibility of the Community Manager to develop a balanced operating budget to submit for approval to the finance committee at their November meeting and to the Board of Directors for their approval at their November board meeting. The Community Manager is to coordinate this with the committees and POA staff.
- b. It is also the responsibility of the Community Manager to develop a capital budget within the parameters of funds available from the operating budget and escrow funds to submit for approval to the Finance Committee at their November meeting and to the Board of Directors for approval at their November meeting.
- c. The Finance Committee will review and suggest adjustments to the operating and capital budget including a review of current escrow fund requirements and contributions required from the operating budget and any reimbursement due to replenish the cash reserves back to two months operating expenses.
- d. A capital projects meeting may be held in October with Committee Chairs, Board of Directors, the Community Manager and his staff and any interested parties, to review and prioritize capital projects. Prior to the meeting the Community Manager will notify meeting attendees of an estimated amount available for capital items to be included in the budget. Priorities will be discussed and requests for use of the escrow funds to be distributed in the budget year as prioritized will be reviewed.
- e. A meeting may be held in early November with Committee Chairs, Board of Directors, the Community Manager and his necessary staff and any interested parties to review the operating budget.

- f. The Board of Directors will approve the operating and capital budget, including distribution of escrow funds for the coming year, at their November meeting.
- g. The process for property owner approval when required under Section 104, A.2, shall be conducted in a manner similar to electing a HVL POA Board member.
 - 1. Ballots will be prepared and sent to all property owners in good standing.
 - 2. Forms shall be mailed back to the HVL POA office within thirty (30) days of receipt by the property owner.
 - 3. Ballots will remain sealed until opened by the Elections Committee.
 - 4. A simple majority of ballots will determine the outcome.
 - 5. Elections Committee Chairman will report results to the HVL POA Board of Directors.

C. HVL POA Capital Expenditures Budgetary Process Event Timeline Guidelines

The yearly HVL POA budgetary process for capital expenditures starts each January and culminates with the Annual Budget Meeting usually conducted in November.

It is recommended by the POA Finance Committee that each POA Committee, with projects requiring capital expenditures, follow the budgetary timeline of events listed below.

It should be noted, any capital expenditure project exceeding 15% of the POA annual budgeted revenues requires prior approval of the property owners.

These timelines are subject to change depending upon the duration / timing of the project.

1) January - February

Committee, in conjunction with the Community Manager, will create timeline for each individual project to be completed within the current year. This timeline will include dates for the following:

- a. **Create RFQ:** Committee will review the capital budget costs allocated for the project and start work on the creation of POA RFQ's necessary to select the appropriate vendors. RFQ's and sealed bids are necessary for all capital expenditures exceeding \$10,000.
- b. **Completed RFQ:** Working with the POA Community Manager, the Committee will create the wording for the current year's RFQ's and release them to the appropriate vendors/contractors after Board of Directors approval.
- c. **Bid Opening:** Bids will be opened at an open meeting and are reviewed by the Committee and all necessary parties.
- d. **Capital Project Request Form Revision:** Committee will revise the Capital Project Request Form for the project and submit it to the Community Manager and the Finance Committee.

- e. **Motion to accept changes**: If necessary, the Committee will prepare motion recommendations for the Board of Directors (BOD) for any changes required to the project's capital budget costs.
- f. **Board of Directors bid selection**: Board will select winning bids from RFQ responses.
- g. **Update Five-Year Plan**: Should it be necessary, the Committee will report all required changes to the Future Planning & Political Action Committee (FP&PA) for the purpose of updating the Five-Year Capital Expenditures Plan. The updated plan along with the required changes should also be forwarded to each Committee.

2) March - April - May

- a. Committees will identify projects planned for the future year's budget.

3) June – July - August

- a. Committees will report projects for the following year's budgetary request to the FP&PA Committee. Preliminary cost estimates for the following year's projects should be provided at this time. Committee will work with Community Manager who will be the vendor contact for these estimates.

4) September

- a. Community Manager will finalize the cost estimates for the following year's projects and report estimates to the appropriate Committees. Committee will submit Capital Project Request Form to FP&PA Committee as well as the Finance Committee.
- b. Committee will prioritize projects for the following year's budget request.
- c. The FP&PA Committee shall provide the annual update to the Five-Year Plan to all Committees and the BOD.

5) October

- a. The FP&PA Committee shall conduct the Capital Expenditures Pre-Budget Meeting for the purpose of prioritizing the following year's capital budget requests from all Committees and create a final consolidated list for the Annual Budget Meeting.

6) November

- a. The BOD shall conduct an open meeting to review the Annual Budget.
- b. The Finance Committee shall present the following year's budget request to the HVL POA Board of Directors for final approval.

Part 2 – HVL Rules and Regulations

Section 201. Definitions of Terms

The following definitions of common terms apply to the entire set of rules, procedures, policies, practices and information contained within the HVL POA Bylaws, Rules and Regulations. In addition to these common terms, other specific terms are defined within the Bylaws, Rules and Regulations sections to which they apply.

A. List of Terms

- ◆ **Community property within HVL** – Property owned and maintained by the HVL Property Owners Association (POA) for the use of HVL property owners and their guests. This includes, but is not limited to, streets, roadways, right-of-ways, parking areas, greenbelt areas, hiking trails, swimming pool, sports complexes, lakes, parks and beaches.
- ◆ **County** – Dearborn County, Indiana.
- ◆ **County Commissioners or CC** – The Board of County Commissioners of Dearborn County, Indiana.
- ◆ **Majority Vote** – A majority of those who voted in an HVL POA election or referendum.
- ◆ **Easement** – A grant by a property owner of the specific use of said land to the public generally to a person or persons, corporation or utility.
- ◆ **Greenbelt area** – Any common space owned by the HVL POA designated by plat with “R numbers”.
- ◆ **HVL POA Board of Directors** – A five-person committee elected by the HVL Property Owner’s Association (POA) membership for the purpose of conducting POA business.
- ◆ **HVL POA Deputy** - The Dearborn County Sheriff has certified the Deputies as Reserve Deputies and will be referred to throughout the Bylaws, Rules and Regulations as HVL Deputies.
- ◆ **HVL POA identification** – A picture identification card issued by the HVL POA office to an HVL POA member, a family member or other individual approved by the HVL POA.
- ◆ **HVL POA member** – The first party listed on an HVL property deed.
- ◆ **HVL POA member in good standing** – Any HVL POA member whose dues or assessments are current.
- ◆ **Lawful Order** - Such orders pertaining to rules and regulations as passed by the HVL POA Board of Directors to ensure the safety and rights of all HVL property owners and their guests.

- ◆ **Person** - Any property owner, renter or guest of a property owner or renter, or anyone else while on Hidden Valley Lake property.
- ◆ **Private property** – Property owned by individuals, which is not to be used by the public in general without specific permission by the owner.
- ◆ **Property owner** – Any person, firm, or corporation, or any other legal entity listed on an HVL property deed.
- ◆ **Protective covenants** – Contracts entered into between private parties or subdivision restrictions which constitute a restriction on the use of all private property within a subdivision for the benefit of property owners, and provide mutual protection against undesirable aspects of development which would tend to impair stability of values.
- ◆ **Right-of-way** - An HVL POA street or roadway to which HVL property owners, their immediate families, their guests and renters have the right to use.
- ◆ **Valley Rural Utility Company (VRUC)** – The utility company, located in Hidden Valley Lake and owned and operated by the HVL property owners, which provides water, sewage and natural gas services.

Section 202. Architecture

The purpose of this Building Code and Restrictions is to carry into effect the conditions, restrictions, covenants and agreements contained in the Contracts of Purchase and Deeds of Conveyances of lots in Hidden Valley Lake Subdivision, and to provide specific minimum standards for preserving the original nature and intent of Hidden Valley Lake by regulating the type and location of residential construction to be consistent with a residential community containing recreational facilities in a private, owner-regulated development, and in conjunction with the above to include by reference the Single Family Dwelling Code of the Indiana Department of Fire and Building Services as basic written body of construction regulations and the Dearborn County Zoning Ordinance #12-1980.

The provisions of this Building Code and Restrictions apply to the construction, alteration, repair, use, placement on lot, occupancy and maintenance of detached single family dwellings, docks, decks, sheds, or any other structure. The provisions also apply to construction use, alteration of lot and preservation of the original nature of the development. This code applies to the restrictions administered by the HVL POA and approved by the HVL POA Architecture Committee and does not imply or indicate compliance with the regulations of the Indiana Department of Fire and Building Services, the Dearborn County Zoning Ordinance, or any other governmental regulations.

All structures over eight (8) inches high and all on-site improvements that shall be built or placed within Hidden Valley Lake on any private property must have prior approval by the HVL POA Architecture Committee or have Administrative Approval by the HVL POA. All structures over eight (8) inches high and all on-site improvements that shall be built or placed within HVL or on any property owned and/or operated by the HVL POA must be submitted to the HVL POA Architecture Committee for review or have Administrative approval by the HVL POA.

The HVL POA Architecture Committee shall have the right to disapprove any plans, specifications or details submitted to them in the event the same are not in accordance with all the restrictions, rules and regulations set forth or when, 1) the design or color scheme of the proposed building or other structure is not in harmony with the general surroundings of such lots or with the adjacent buildings or structures, 2) the plans and specifications submitted are incomplete or 3) the HVL POA deems the plans, specifications, or details or any part thereof to be contrary to the interest, welfare or rights of all or any of the property subject hereto or the owners thereof. Proposed buildings not in harmony with the general surroundings or adjacent buildings include, but are not limited to, buildings or structures with appearance or style substantially similar to adjacent buildings. For example, a bi-level building will not be approved if it is to be built next to an existing bi-level similar in appearance.

The decision of the HVL POA Board of Directors of the Association shall be final. Neither the HVL POA nor its agents shall be responsible for structural deficiencies or any other defects in plans or specifications submitted, revised or approved in accordance with the foregoing provisions. Building approval by the HVL POA Architecture Committee does not imply nor indicate compliance with the regulations of the Administrative Building Council of Indiana or any other governmental regulations.

Indiana State and Dearborn County Building Codes are recognized in Hidden Valley Lake. The HVL POA Architecture Committee reserves the right to enhance the Indiana State and Dearborn County Building Codes. Please contact Dearborn County for current Building Permit requirements.

Violations of HVL POA Architecture Rules will result in stop-work orders and assessments. There will be an Administrative Fee of \$100 posed on each Stop Work Order issued. Please refer to Part 1, Section 102 of this Bylaws, Rules and Regulations for the current schedule of assessments.

The Valley Rural Utility Company (VRUC) and other utility companies maintain a seven and one half (7 1/2) foot easement on both sides and the rear of the property lots and a fifteen (15) foot easement in the lot front. In addition, if there are any utility company lines (water, sewer, gas, electric, cable, etc.) installed other than along the property perimeter, an easement also accompanies that utility line. In addition to submitting construction plans to the HVL POA Architecture Committee, it may also be necessary to submit them to the VRUC for approval. It is the responsibility of the property owner to assure that the construction plans were received at the VRUC. VRUC approval of construction plans may be necessary to obtain a Dearborn County building permit. Please refer to Part 3, Section 301 Utility Company Information in this Bylaws, Rules and Regulations on how to contact the VRUC.

This Architecture Section of the Bylaws, Rules and Regulations consists of the following subsections:

- A. Definitions of Terms
- B. General Architecture Rules
- C. House Plans (New Structures) Rules
- D. House Plans (Additions or Changes to Existing Structures) Rules
- E. Plot Plans (New Structures) Rules
- F. Plot Plans (Additions or Changes to Existing Structures) Rules
- G. Dearborn County Building Permits Rules
- H. Performance Bonds (Structures 900 Square Feet and Larger) Rules
- I. Performance Bonds (Structures Under 900 Square Feet) Rules
- J. Road Moratorium Rules
- K. Set back and Side Lot Dimensions Rules for Structures
- L. Structures and Foundations Rules
- M. Deck Construction Rules
- N. Roadside Ditches and Entrances to Property Rules
- O. Private Docks and Boat Lifts Rules
- P. Fences Rules
- Q. Fuel Tanks Rules
- R. Grading and Drainage Rules
- S. Lake Water Usage Rules
- T. Landscaping Rules
- U. Sheds, Gazebos, Shelters, Dog Runs and Other Lot Improvements Rules
- V. Play Structures Rules
- W. Exterior Walls Rules (includes Retaining Walls)
- X. Seawalls, Shoreline Protection and Shoreline Reclamation Rules
- Y. TV Antennas, Towers and Satellite Dishes Rules
- Z. In-Ground and Above-Ground Pools Rules
- AA. Parking Pads

A. Definitions of Terms

For the following HVL POA Architecture Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Architecture Logbook** – An HVL POA log by date of every structure approved by the HVL POA Architecture Committee, which is kept and maintained by the HVL POA office.
- ◆ **Buildable part of the lot** – That area of a lot that is defined within the specified set backs.
- ◆ **Certificate of Occupancy** – A statement from the Dearborn County Building Department certifying that the structure is suitable for occupancy.
- ◆ **Concrete truck** – Any vehicle used to carry un-poured mixed concrete.
- ◆ **Concrete pumper truck** – Any vehicle used to pump concrete from a concrete truck onto the construction site.
- ◆ **Contiguous Lot Agreement** - An HVL POA document that grants permission to a property owner to build on or across lots side yard boundaries lines only, which must be signed by the property owner, notarized and recorded at the Dearborn County Recorder’s Office.
- ◆ **Corner lot** – A lot situated at the intersection of two streets, the interior angle of such intersection not exceeding 135 degrees.
- ◆ **Dock** – A structure on or over the water to which a boat may be moored.
- ◆ **Double frontage lot (or through lot)** – A lot having frontage on two non-intersecting streets as distinguished from a corner lot. Both street lines shall be deemed front lot lines.
- ◆ **Front yard** – A yard extending along the full length of the front lot line between the side lot lines.
- ◆ **Grade** – The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.
- ◆ **Hard Surface** – Any surface constructed of concrete, gravel, paver blocks, turf blocks or asphalt.
- ◆ **HVL central sewer system** – Service provided by the VRUC.
- ◆ **HVL central water supply** – Service provided by the VRUC.
- ◆ **HVL POA Building Coordinator** – An employee of the HVL POA responsible for the inspection of all building activity within Hidden Valley Lake.
- ◆ **Inoperative motorized vehicle** – A vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.
- ◆ **Large vehicle** – Any vehicle including, but not limited to, dump trucks, flatbed trucks, box trucks, buses, semis or other vehicles over eight thousand (8,000) pounds curb weight, excluding recreational vehicles (RV’s), boats and campers.
- ◆ **Lot depth** – The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
- ◆ **Lot width** – The horizontal distance between the side lot lines of a lot, measured at right angles to the lot depth at the established front building line.
- ◆ **Outdoor wood fired boiler or outdoor wood fired furnace** – A wood burning appliance or device located outside of a dwelling or garage or principal building which heats water or another substance to provide heat or hot water to the dwelling, garage or principal building. Any such device which burns other types of solid fuels shall also be considered an outdoor wood fired boiler or outdoor wood fired furnace.
- ◆ **Plan record of HVL** – The current architecture plan on file at the HVL POA office.

- ◆ **Poly wire** - A wire composed of 3, 6 or 9 strands of metal filament braided with strands of brightly colored polyethylene.
- ◆ **Rear yard** – A yard extending along the full length of the rear lot line between the side lot lines.
- ◆ **Retaining wall** – An exterior wall that holds back soil or rock from a building, structure or area. Retaining walls prevent down slope movement or erosion, and provide support for vertical or near-vertical grade changes.
- ◆ **Rip-Rap** – A method of providing bank stabilization consisting of geo-fabric or other appropriate filter fabric covered with at least two layers of natural crushed rock (not concrete) roughly 4 inches to 8 inches in diameter.
- ◆ **Side yard** – A yard extending along a side lot line from the front yard to the rear yard.
- ◆ **Structure** – Any improvement eight (8) inches or higher affixed to the land or attached to something affixed to the land, built for the support, enclosure, shelter or protection of persons, animals, chattels or movable property of any kind. In addition to houses and garages, the above includes, but is not limited to such items as gazebos, decks, large play-sets, storage sheds and sheds. Structures do not include public utility communication and electrical transmission lines and equipment and facilities supporting the same and/or incidental thereto.
- ◆ **Unlicensed motorized vehicle** – Any motorized vehicle not having a current vehicle license plate displayed on the vehicle.
- ◆ **Utility trailers** – Any trailer not designed and used to transport watercraft or not designed and used primarily as a recreational vehicle (RV) and camper.
- ◆ **Yard** – An open space on the same lot with a building or structure.

B. General Architecture Rules

- 1) An approved building permit from the HVL POA Architecture Committee with a stamp of approval by the VRUC and an approved building permit from the Dearborn County Building Department are required before any construction is permitted. Permits from the Dearborn County Health Department may also be required. The HVL POA Board of Directors shall establish HVL permit fees.
- 2) Construction plans shall be prepared to conform to the HVL Building Code, the Administrative Building Council (ABC) code of the State of Indiana and the Dearborn County Zoning Ordinance #12-1980. Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that the structure shall conform to the provisions of this Building Code and all the relevant laws, ordinances, rules and regulations.
- 3) Only the owner of the property or the general contractor is authorized to present plans to the HVL POA Architecture Committee.
- 4) One of the intents of this Building Code is to promote continuity and completion of all individual single family dwellings and all other on-site improvements. To that end, once construction has been approved by the Architecture Committee all structures 900 square feet and larger, the building exterior, lot improvement and landscaping, as authorized by the permit, shall be completed within twelve (12) months of the HVL POA Architecture Committee’s approval of the “Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements”. All construction of structures under 900 square feet, including house additions, garages, decks, docks, fences,

sheds, gazebos, shelters, dog runs, play structures, retaining walls, sea walls, and pools, shall be completed within six (6) months of the HVL POA Architecture Committee's approval of the "Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements". All persons applying to the HVL POA Architecture Committee for a construction permit shall execute and deliver all required HVL construction forms along with the required performance bond, the amount of which is determined by the HVL POA Board of Directors and is described in Subsections H and I in this section of the Bylaws, Rules and Regulations. If construction is not completed within the allowable time limit, it is mandatory that an extension be requested to the HVL POA Architecture Committee. All structures 900 square feet and larger are subject to a non-refundable fee of \$200.00 paid to the HVL POA for the first three (3) months, \$300.00 per month for the following six (6) months, and thereafter at the HVL POA Board of Director's discretion. A further application of a performance bond shall be that if construction is not begun within six (6) months of the date of issuance of the permit, the bond may be requested for return, less a 10 per cent administrative charge not to exceed \$250.00.

- 5) HVL POA Building Permits shall only be issued to HVL POA members in good standing and shall not be issued to any property owner and/or builder who has outstanding HVL assessments or citations.
- 6) No new building permits shall be approved to a property owner or builder if there is any other present construction by the same individual that exceeds the completion periods as described in paragraph 4 above.
- 7) The property owner shall be ultimately responsible for following all rules and requirements of the HVL POA, and shall be responsible to keep informed in his/her own right and to inform any and all subcontractors and suppliers of the rules and requirements, and shall be held ultimately responsible for the actions of all contractor employees, subcontractors and suppliers working on the site.
- 8) Upon presentation of proper credentials, the HVL POA Building Coordinator, members of the HVL POA Architecture Committee or its duly authorized representative can, at reasonable times, enter any site in the jurisdiction to carry out their duties regarding enforcement of the HVL POA Architecture Rules.
- 9) The Builder/Owner shall conform to the provisions of erosion control as prescribed by the Indiana Storm Water Quality Manual. All lake lots shall have two (2) rows of silt fence in place, on the lake side, from lot line to lot line, for the duration of construction. All other lots shall have one (1) row of silt fence in place, in ditch line/ culvert area or rear area, from lot line to lot line (around corner on corner lots) for the duration of construction.
- 10) No more than one single-dwelling house shall be erected or constructed on any one HVL lot.
- 11) No more than one free-standing structure for garage or storage purposes shall be erected or constructed on any one HVL lot.
- 12) No structure of any other kind shall be erected prior to the construction of a dwelling on any one HVL lot.

- 13) No accessory or temporary building or trailer shall be used or occupied as living quarters.
- 14) No structure shall have tarpaper, roll brick siding or similar material on outside walls.
- 15) No house trailers, campers, tents, shacks, boats or storage of "any" type or similar structures shall be erected, moved to or placed upon any undeveloped lot or lots.
- 16) Erecting a tent or canopy in a side yard of a lot, front yard of a lot or on a dock is prohibited. There is a three (3) day limit on having a recreational tent or canopy erected behind a dwelling.
- 17) Permanently attached awnings on dwellings may be permitted with the written approval from the HVL POA Architecture Committee.
- 18) Outside toilets may be permitted on a construction site during construction until inside plumbing is operational. Outside toilets shall be self-contained units (i.e. "Port-O-Let") and may be subject to approval of the HVL POA Building Coordinator. No outside toilets shall be allowed on individual premises after the completion of the operational plumbing.
- 19) Discharging untreated waste on any property within HVL or into any lake located in HVL is prohibited. No individual septic tanks shall be allowed on any HVL property.
- 20) No individual domestic water wells shall be permitted on an HVL lot. Each residence shall use the HVL central water supply. Cisterns and wells not for domestic water purpose are permitted but may not be connected to either the central water or sewer systems.
- 21) No building, fencing or structure of any kind shall be located on any lot nearer to the front lines than the minimum building setback lines shown on the plan of record in the HVL POA office.
- 22) The HVL POA Architecture Committee shall approve all construction on right-of-ways.
- 23) Metal chimneys and heating vents on the exterior of structures shall be framed in and sided with materials compatible with those of the remainder of the structure. The vents may be exposed above this construction only to the minimum dimension recommended by the manufacturer.
- 24) All construction and construction delivery noise is prohibited before 7:00 a.m. and after 7:00 p.m. or sunset (whichever comes first) on weekdays and not before 8:00 a.m. on weekends and holidays. Roofers with written permission from the HVL POA Community Manager, or in his absence a designated representative, may start at 6:00 a.m., weekdays only, during the months of July and August.
- 25) It is neither permitted, nor allowed, for any builder, contractor or subcontractor to use any utilities from any of the neighboring properties for their construction project(s), or any other related use, without the express written permission of the neighboring property owner in advance of such use. A copy of the written permission shall be given to the HVL POA office

before these utilities can be used. Any violation of this rule shall be cited by the HVL POA on first occurrence and referred to the Dearborn County Sheriff's Department for citation and prosecution for any subsequent infringement.

- 26) Removing or altering the location of any construction stakes and/or utility flags within the limits of Hidden Valley Lake is prohibited. If removing or altering the location of the stakes and/or utility flags results in either having the property re-surveyed or loss of a utility to an HVL resident, the property owner shall be responsible for the violation and shall be liable for all costs involved as a result of their actions.
- 27) Community property within HVL shall be cleared daily of all mud and debris created by construction activities by the end of the workday.
- 28) If any structure or addition to an existing structure is to be constructed across more than one lot, an HVL POA "Declaration of Contiguous Lots" duly recorded at the Dearborn County Recorder's Office shall be required.
- 29) A house shall not exceed a height of twenty-six (26) feet from the point where the foundation touches the highest point on the lot (soil) to the roof overhang. The height of other structures shall not exceed twelve (12) feet from the highest point where the foundation touches the lot to the roof overhang.
- 30) The following items may be approved administratively before the change is started, under the current architecture guidelines, and referred to the Architecture Committee at their next meeting: color changes, shingle replacements, texture changes, fences, culvert extensions, fuel tanks over twenty (20) pounds (fuel tanks 20 lbs or less need no approval), play sets size 6' x 12' and under of normal structure and certain sheds that meet the following criteria: pre-fabs; 100 sq. ft. or less; matching or coordinating main house color, (not house trim color) if shingled, to match house shingles; 3 feet or less from back of house or under deck within buildable part of lot.
- 31) Any variance requested to a new or existing structure shall be submitted to the HVL POA Office to begin variance approval procedures along with a \$50.00 variance filing fee. A sign, defining a variance request, will be placed on the property where the variance is requested 30 days prior to a vote on the variance. A letter describing the variance being requested will be sent to adjoining property owners at least one (1) week prior to an Architecture Committee meeting. The variance request will then go to the Architecture Committee for their recommendation on the variance to the HVL POA Board of Directors. The variance is then presented to the HVL POA Board of Directors for approval. Certain variances may also require VRUC and/or Dearborn County approval. All approved variances are valid for no longer than twelve (12) months and are not transferable.
- 32) The HVL POA has restrictions regarding the parking of concrete trucks and concrete pumper trucks at or near the construction site. The explanation of these restrictions is found in the HVL POA Bylaws, Rules and Regulations in Section 215. Traffic and Vehicle Operation Rules, Subsection B. Stopping, Standing and Parking Rules.

- 33) A combined total of one (1) trailer, motorized boat, camper, RV, motor home is permitted to be stored outside. A combined total of two (2) is permitted to be stored outside if two (2) or more full size lots are contiguous. Boats, cars, trailers, campers, RV's and motor homes must be placed on a hard surface. (Effective 10/24/13)
- 34) With approval from the Hidden Valley Lake POA Office, a temporary storage unit (POD or equivalent) may be placed on a private lot within Hidden Valley Lake for a period not to exceed thirty (30) days. One thirty (30) day extension may be granted at the discretion of the Hidden Valley Lake Community Manager. Contiguous lots shall be considered as one lot for POD purposes. The POD must be placed on a hard surface.

C. House Plans (New Structures) Rules

- 1) All new houses require HVL POA Architecture Committee approval prior to being constructed. When applying for approval, the following items shall be submitted at the HVL POA office by 4:00 p.m. on the Thursday prior to the HVL POA Architecture Committee meeting:
 - a. Four (4) copies of the floor plan(s) consisting of the basement level and all other levels including decks and porches. This must include the square footage of the living space.
 - b. Four (4) copies of the exterior elevations (all sides).
 - c. Four (4) copies of the cross sections of footing, foundations, walls and roof (showing details).
 - d. Four (4) copies of the cross sections indicating materials to be used in building such as frame, masonry, insulation, etc., including exterior finishes.
 - e. Color photos of the residences adjacent to and across the street from the proposed new construction.
 - f. Color samples of the siding, shingles, front door color, trim color and shutter color.
 - g. One (1) copy of the Contiguous Lot Agreement if applicable.
 - h. Color photos of the roadways and ditch lines at the new construction site, adjacent to and across the street from the new construction site.
- 2) The copies of the items provided shall be distributed after they are approved and shall be stamped by the HVL POA Architecture Committee as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the builder.
 - c. Two (2) copies to the property owner.
- 3) Dearborn County requires a building permit for the construction of a new house. The property owner is responsible for contacting the county to apply for the permit.
- 4) The HVL POA Architecture Committee requires a \$3500.00 Performance Bond for the duration of the new house construction. (See Subsection H of this section of the Bylaws, Rules and Regulations).
- 5) Houses on lot numbers: 1487 – 2053, 2343 – 2421, 2422 – 2658, 2708 – 2724, 3154 – 3188, 3212 – 3292, 3293 – 3299, 3300 – 3303, and 3304 – 3322 have been designated by deed restriction as requiring a higher minimum square footage and appraised value.

- 6) Any house on a lot that is not designated in Architecture Rule C.5 shall have a minimum of nine hundred (900) square feet of living area (exclusive of porches, garages and decks) on a single level, or projected to a single horizontal plane if more than one level (i.e. the “footprint” of the house).
- 7) The appraised value of a house and associated lot improvements that is not designated in Architecture Rule C.5 shall be at least \$160,000.00*. At least one (1) per cent of the appraised value shall be for landscaping. The appraised value of the lot shall not be included in this amount.
- 8) Any house on a lot that is designated in Architecture Rule C.5 shall have a minimum of twelve hundred (1200) square feet of living area (exclusive of porches, garages and decks) on a single level, or projected to a single horizontal plane if more than one level (i.e. the “footprint” of the house).
- 9) The appraised value of a house and associated lot improvements that is designated in Architecture Rule C.5 shall be at least \$180,000.00*. At least one (1) per cent of the appraised value shall be for landscaping. The appraised value of the lot shall not be included in this amount.
- 10) The HVL POA Architecture Committee may request an appraisal by an HVL POA-approved; Indiana certified appraiser on any house plan submitted at the owner’s expense.
- 11) The square footage for an A-frame building shall be determined from inside the knee-wall or from inside truss to inside truss at a point on the truss thirty (30) inches from the finished floor grade.
- 12) The area on each floor, with the exception of the basement level, shall have minimum of eight (8) feet of headroom between the finished floor and the ceiling per the State of Indiana Building Code.

* The minimum appraised value of a house and associated lot improvements is subject to change. The HVL POA Architecture Committee is required to review the minimum appraised value requirements for new home construction every September, and if a change is recommended, present the suggested change to the HVL POA Board such that it takes effect on the following January 1st.

D. House Plans (Additions or Changes to Existing Structures) Rules

- 1) All additions or changes to a house require HVL POA Architecture Committee approval prior to being constructed. When applying for approval, the following items shall be submitted:
 - a. Four (4) copies of the floor plan(s) consisting of the basement level and all other levels including decks and porches. This must include the square footage of the living space.
 - b. Four (4) copies of the exterior elevations (all sides).
 - c. Four (4) copies of the cross sections of footing, foundations, walls and roof (showing details).

- d. Four (4) copies of the cross sections indicating materials to be used in building such as frame, masonry, insulation, etc., including exterior finishes.
 - e. Four (4) copies of the square footage of addition/change.
 - f. Color photos of the residences adjacent to and across the street from the proposed new construction.
 - g. Color samples of the siding, shingles, front door color, trim color and shutter color.
 - h. Color photos of the structure(s) being added to or changed.
 - i. One (1) copy of the Contiguous Lot Agreement if applicable.
 - j. Color photos of the roadways and ditch lines at the existing construction site, adjacent to and across the street from the existing construction site.
- 2) The copies of the items provided shall be distributed after they are approved and shall be stamped by the HVL POA Architecture Committee as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the builder.
 - c. Two (2) copies to the property owner.
 - 3) Dearborn County requires a building permit for the construction of the house addition or change. The property owner is responsible for contacting the county to apply for the permit.
 - 4) The HVL POA Architecture Committee requires a \$3500.00 Performance Bond for the duration of the house addition or change if the total square footage of the addition or change is nine hundred (900) or over. (See Subsection H of this section of the Bylaws, Rules and Regulations).
 - 5) The HVL POA Architecture Committee may require a \$500.00 Performance Bond for the duration of the house addition or change if the total square footage of the addition or change is equal to or less than nine hundred (900). The HVL POA Architecture Committee shall make this determination based on the type of addition or change being proposed. (See Subsection I of this section of the Bylaws, Rules and Regulations).
 - 6) The area on each floor of a house addition or change, with the exception of the basement level, shall have minimum of eight (8) feet of headroom between the finished floor and the ceiling per the State of Indiana Building Code.

E. Plot Plans (New Structures) Rules

- 1) All new houses require HVL POA Architecture Committee approval prior to being constructed. When applying for approval, a plot plan stamped by a registered Indiana surveyor consisting of the following information shall be submitted:
 - a. Location of house on the lot showing the distances to all property lines. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
 - b. Elevation of all corners.
 - c. Exterior dimensions of house including overhang and any decks or porches. (See Subsection M of this section of the Bylaws, Rules and Regulations.)
 - d. Location and size of culvert for drive if required. (See Subsection N of this section of the Bylaws, Rules and Regulations.)
 - e. Location of water meter and gas meter if applicable.

- f. Location and elevation of sewer line.
 - g. Location of electrical, telephone and cable TV lines and gas line if applicable.
 - h. Elevation of basement or ground floor (on slab).
 - i. Drainage plan. (See Subsection R of this section of the Bylaws, Rules and Regulations.)
 - j. Name of township (Miller or Lawrenceburg).
 - k. Location of propane tank to be buried. (See Subsection Q of this section of the Bylaws, Rules and Regulations.)
 - l. Ditch and driveway provisions. (See Subsection N of this section of the Bylaws, Rules and Regulations.)
 - m. Distance of culvert pipe(s) from the side property line(s).
- 2) Five (5) copies of the plot plan shall be submitted. They shall be distributed after they are approved and shall be stamped by the HVL POA Architecture Committee and the VRUC as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the VRUC office.
 - c. Three (3) copies to the property owner, two of which are taken to the Dearborn County Building Department to obtain a county building permit.
 - 3) Utility line locations for water, sewer, electrical, telephone and cable TV, and gas lines if applicable, are available by contacting the appropriate utility office.
 - 4) Property owners shall notify all utility companies before any excavation is undertaken in an area of underground utilities.
 - 5) In order that all the required plot plan information be properly documented and correctly designated, it is necessary that all plot plans shall be stamped by an Indiana registered surveyor.
 - 6) The building location shall be staked out on the lot by a registered Indiana surveyor before plot plans are submitted to the HVL POA Architecture Committee. Lot corners, front of the house, rear of the house, and offsets from property lines and other such points shall be staked by an Indiana registered surveyor to indicate the location of the house.
 - 7) House stakes shall be checked by HVL POA personnel prior to the approval of the plot plan by the HVL POA Architecture Committee.
 - 8) Offset stakes shall remain in place until the poured footers have been checked by HVL POA personnel.

F. Plot Plans (Additions or Changes to Existing Structures) Rules

- 1) All additions or changes to existing houses require HVL POA Architecture Committee approval prior to being constructed. A new plot plan consisting of the following information shall be submitted for all detached garages and any addition or changes equal to or greater than nine hundred (900) total square feet. If the addition or change is less than nine hundred (900) square feet, the owner or builder may indicate the additions or changes on a copy of the

original plot plan if one exists. If the original plot plan does not exist, then a new plot plan containing the following information shall be submitted:

- a. Location of house on the lot showing the distances to all property lines. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
 - b. Elevation of all corners.
 - c. Exterior dimensions of house including overhang and any decks or porches. (See Subsection M of this section of the Bylaws, Rules and Regulations.)
 - d. Location and size of culvert for drive if required. (See Subsection N of this section of the Bylaws, Rules and Regulations.)
 - e. Location of water meter and gas meter if applicable.
 - f. Location and elevation of sewer line.
 - g. Location of electrical, telephone and cable TV lines and gas line if applicable.
 - h. Elevation of basement or ground floor (on slab).
 - i. Drainage plan. (See Subsection R of this section of the Bylaws, Rules and Regulations.)
 - j. Name of township (Miller or Lawrenceburg).
 - k. Location of propane tank to be buried. (See Subsection Q of this section of the Bylaws, Rules and Regulations.)
 - l. Ditch and driveway provisions. (See Subsection N of this section of the Bylaws, Rules and Regulations.)
 - m. Distance of culvert pipe(s) from the side property line(s).
- 2) Five (5) copies of the plot plan shall be submitted. They will be distributed after they are approved and shall be stamped by the HVL POA Architecture Committee and the VRUC as follows:
- a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the VRUC office.
 - c. Three (3) copies to the property owner, two of which are taken to the Dearborn County Building Department to obtain a county building permit.
- 3) Utility line locations for water, sewer, electrical, telephone and cable TV, and gas lines if applicable, are available by contacting the appropriate utility office.
- 4) Property owners shall notify all utility companies before any excavation is undertaken in an area of underground utilities.
- 5) In order that all the required plot plan information be properly documented and correctly designated, it is necessary that all plot plans shall be stamped by an Indiana registered surveyor.
- 6) The building location shall be staked out on the lot by a registered Indiana surveyor before plot plans are submitted to the HVL POA Architecture Committee. Lot corners, front of the house, rear of the house, and offsets from property lines and other such points shall be staked by an Indiana registered surveyor to indicate the location of the house.
- 7) House stakes shall be checked by HVL POA personnel prior to the approval of the plot plan by the HVL POA Architecture Committee.

- 8) Offset stakes must remain in place until the poured footers have been checked by HVL POA personnel.

G. Dearborn County Building Permits Rules

- 1) An approved Dearborn County Building Permit shall be granted before all new structures over eight (8) inches high may be constructed within Hidden Valley Lake.
- 2) Prior to application for a Dearborn County Building Permit, the HVL POA Architecture Committee and VRUC shall have approved and stamped all required house and plot plans and HVL POA water and sewer tap-in fees (if needed) shall be paid.
- 3) Dearborn County currently requires that two (2) copies of the plot plan and one (1) copy of the house (or addition) plan shall be submitted to the Health Department, the Planning and Zoning Office and the Building Department in that order.
- 4) Nailing or screwing building permits to trees on community property within HVL is prohibited.

H. Performance Bonds (Structures 900 Square Feet and Larger) Rules

- 1) For new houses, a payment of a \$3,500 Performance Bond is required when the plans are submitted for approval to the HVL POA Architecture Committee. This bond is comprised of a \$1,500 building permit fee and a \$2,000 cash bond. The \$2,000 cash bond may be returnable upon completion of construction.
- 2) For additions or changes comprising 900 square feet and larger to an existing structure, a payment of a \$3,500 Performance Bond is required when the plans are submitted for approval to the HVL POA Architecture Committee. This bond is comprised of a \$1,500 building permit fee and a \$2,000 cash bond. The \$2,000 cash bond may be returnable upon completion.
- 3) Application for this performance bond shall be made by completing an “Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements” form and an “Application for Performance Bond for Construction” form available from the HVL POA office.
- 4) After HVL POA Architecture Committee approval, information pertaining to the performance bond is recorded in the Architecture Logbook. The check is then deposited in the bank.
- 5) Upon completion of the construction, the owner or builder may request the return of the \$2,000 cash bond. Application for the return of the cash bond shall be made through the HVL POA office by completing an “Application for Performance Bond Return” form”. Completion of construction is defined as follows:
 - a. Obtaining an Occupancy Permit from the Dearborn County Building Inspector's office.

- b. Completing the exterior of the structure (including paint, stain etc.).
 - c. Completing landscaping with a minimum value of one (1) per cent of the value of the house.
 - d. Cleaning up the building site and restoration of adjacent lots.
 - e. Completing of an inspection of roadway, culvert and ditch line conditions.
 - f. Completing of the final grading, seeding and strawing (or sodding) of all disturbed ground areas.
- 6) When the request is made for the return of a cash bond, the “Application for Performance Bond Return” form shall be submitted with a copy of the occupancy permit to the HVL POA office. The property shall be inspected by an HVL POA designated person and/or the HVL POA Community Manager. If both have approved the request, it may then be approved at the next scheduled HVL POA Board of Directors Meeting before a check for the return amount is written. The check is returned to the person or company who submitted the check originally. The complete process of returning a cash bond usually takes about six (6) to eight (8) weeks. Information of the return amount is then recorded in the Architecture Logbook.
- 7) A charge of ten (10) per cent of the total road bond deposit shall be forfeited as an administrative fee should the property owner or builder elect not to build within six (6) months of the date of Architecture Committee approval.

I. Performance Bonds (Structures Under 900 Square Feet) Rules

- 1) For structures comprising less than (900) square feet, a payment of a \$500 Performance Bond may be required when the plans are submitted for approval to the HVL POA Architecture Committee. The \$500 Performance Bond may be returnable upon completion.
- 2) Application for this Performance Bond shall be made by completing an “Application for Performance Bond for Construction” form available from the HVL POA office.
- 3) After HVL POA Architecture Committee approval, information pertaining to the Performance Bond is recorded in the Architecture Logbook. The check is then deposited in the bank.
- 4) Upon completion of the construction, the owner or builder may request the return of the \$500 Performance Bond. Application for the Performance Bond return shall be made through the HVL POA office by completing an “Application for Performance Bond Return” form. Completion of construction is defined as follows:
 - a. Obtaining an Occupancy Permit (if applicable) from the Dearborn County Building Inspector's office.
 - b. Completing the exterior of the structure (including paint, stain etc.).
 - c. Completing landscaping to a minimum value of one (1) per cent of the cost of structure.
 - d. Cleaning up of building site and restoration of adjacent lots.
- 5) When the request is made for the return of a cash bond, the “Application for Performance Bond Return” form shall be submitted with a copy of the occupancy permit to the HVL POA

office. The property shall be inspected by an HVL POA designated person and/or the HVL POA Community Manager. If both have approved the request, it may then be approved at the next scheduled HVL POA Board of Directors Meeting before a check for the return amount is written. The check is returned to the person or company who submitted the check originally. The complete process of returning a cash bond usually takes about six (6) to eight (8) weeks. Information of the return amount is then recorded in the Architecture Logbook.

A charge of ten (10) per cent of the total performance bond deposit shall be forfeited as an administrative fee should the property owner or builder elect not to build within six (6) months of the date of permit.

J. Road Moratorium Rules

- 1) A road moratorium on all construction within Hidden Valley Lake is in force from January 31st through March 31st. Due to weather conditions, the HVL POA Board of Directors may change the dates.
- 2) With the exception of seawalls and boat docks, no concrete footers and foundations shall be started during the road moratorium.
- 3) After construction starts, concrete footers and foundations shall be completed and all concrete forms shall be removed from the site by January 31st.
- 4) If construction has been started, all concrete footers and foundations have been completed, all concrete forms have been removed and the condition of the roads permits, construction from January 31st through March 31st may be continued using vehicles weighing a maximum of 5000 pounds per axle, not including the steering axle (3 yards for concrete trucks).
- 5) All truck loads shall carry a weight slip for verification. Trucks are subject to being stopped by HVL POA Deputies.

K. Set Back and Side Lot Dimensions Rules for Structures

- 1) All above-ground building projections shall be at least the following distances from the lot lines:
 - a. Front – forty (40) feet.
 - b. Sides (non-corner lot) - ten (10) feet.
 - c. Street side (corner lot) – twenty-five (25) feet.
 - d. Rear (non-corner lot) – twenty-five (25) feet.
 - e. Rear (corner lot) – ten (10) feet.
 - f. Rear (main lakefront lots) – fifty (50) feet from the summer pool waterline.
 - g. Rear (small lake lots) - fifty (50) feet from the shoreline or lot line, whichever is closer.
- 2) No portion of any main lake lakefront structure shall be constructed at a point below 645 feet elevation.

- 3) No visual obstruction shall be located closer than fifteen (15) feet from the road pavement at any intersection.
- 4) No detached garage shall be located closer to the street property lines than the house it serves.
- 5) Although the Board may allow variance for rear and front set backs, no side setback variances will be allowed.

L. Structures and Foundations Rules

- 1) The HVL POA Architecture Rules, at a minimum, follow the requirements set forth in the Code for single family dwelling units of the Indiana Department of Fire and Building Services.
- 2) Hillside footings shall be stepped in accordance with the most current Dearborn County Building Code.
- 3) Four (4) basic types of foundations are permitted: slabs, concrete blocks, poured concrete, or wood.
- 4) Post or pier-type foundations of steel or concrete may be used only for porch or balcony support or partial building support providing they only comprise twenty (20) per cent of the linear measurement of the total outbuilding design.
- 5) A wood foundation, if used, shall be designed in accordance with the most current Dearborn County Building Code.
- 6) A building utilizing crawl space construction shall have the total crawl space, to the outside of the building line, enclosed with masonry or other suitable material.
- 7) The exterior building facing or covering shall be treated, if necessary, to give required protection.
- 8) No pre-assembled walls or building units more than sixteen (16) feet in length may be erected at one time without the specific approval by the HVL POA Architecture Committee.
- 9) No pre-assembled wall may be erected that does not permit on-site inside wall inspection.
- 10) Modular homes, doublewide mobile homes and single mobile homes, pre-fabricated or like structures, are prohibited.
- 11) Porch railings shall be installed in accordance with the current State of Indiana and Dearborn County Codes.

M. Deck Construction Rules

- 1) All decks require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the deck on the lot.
 - b. Five (5) copies of a picture or a drawing showing the deck size, elevation and the construction materials to be used.
- 2) For deck approval, a survey at the owner's expense by an Indiana-registered surveyor may be required at the discretion of the HVL POA Architecture Committee.
- 3) All decks shall meet the set back requirements for the lot. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
- 4) The HVL POA Architecture Committee may require a \$500 returnable Performance Bond for the duration of the deck construction. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 5) Dearborn County may require a building permit for the deck construction. The lot owner is responsible for contacting the county to determine if a permit is required.

N. Roadside Ditches and Entrances to Property Rules

- 1) All ditches and entrances to property require HVL POA administrative or Architecture Committee approval prior to being constructed. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the ditches and entrances on the lot.
 - b. One (1) copy of the "Application for Ditch/Driveway Culvert Permit" form if applicable.
- 2) An HVL POA representative shall inspect the ditch(s) along the roadway of the property (lot line to lot line) for proper water flow. If any corrections are necessary, the owner shall be notified and the corrections shall be completed prior to installing a culvert pipe.
- 3) Culvert pipe installed for an entry driveway shall be a minimum of a fifteen (15) inch corrugated metal pipe to maintain flow of water in the ditch. The HVL POA Building Coordinator and the Architecture Committee may approve a twelve (12) inch corrugated metal pipe or double-walled plastic pipe when one or all of the following factors are present.
 - a. The property is located close to crest of hill.
 - b. The top of the fifteen (15) inch corrugated metal pipe culvert pipe, when placed in the ditch, would be above the road elevation.
 - c. The surveyor or engineer provides a written and stamped letter stating that a twelve (12) inch corrugated metal pipe culvert pipe or double-walled plastic pipe can handle the water flow of the worst storm in the past fifty (50) years.

- 4) Culvert pipe shall be installed at proper height and shall be surrounded and covered with two (2) inches of crushed limestone or dense road base (IN-DOT CA#2). Dirt shall not be used as fill on directly on top of or around the culvert pipe.
- 5) The length required for a culvert pipe under a driveway is twenty (20) feet. However, a longer pipe may be approved. To request an extension of a culvert pipe beyond the minimum length, an “Application for Ditch/Driveway Culvert Permit” form must be submitted and approved by the HVL POA Architecture Committee. An “Application for Ditch/Driveway Culvert Permit” form may be obtained from the HVL POA office.
- 6) The following rules apply to the construction of a temporary or construction entrance:
 - a. The dirt shall be cut away eight (8) inches deep and two (2) feet away from the edge of the road surface prior to the installation of the road base or crushed limestone material.
 - b. Dense road base or crushed limestone shall be used at a depth of not less than six (6) inches and a minimum of two (2) inches above the culvert pipe extending a minimum of forty (40) feet back from the road surface onto the property.
 - c. The entrance shall be the only one used by vehicles entering or exiting the property.
 - d. The entrance shall be properly maintained throughout the construction period.
- 7) The following rules apply to the construction of a permanent property entrance:
 - a. When using concrete, the concrete surface when poured shall be no closer than twelve (12) inches from the edge of road surface. The gap between the road and concrete driveway shall be filled with asphalt.
 - b. When using asphalt, the asphalt surface can be laid to the edge of road surface.
 - c. The primary driveway between street and garage and/or house on all new construction, must be surfaced with a suitable hard surface material (i.e. blacktop, concrete, pavers, etc.).
 - d. Below the hard surface material, a dense road base or crushed limestone shall be used at a depth of not less than six (6) inches and a minimum of two (2) inches above the culvert pipe.
- 8) Dearborn County may require a building permit for constructing ditches and entrances to property. The lot owner is responsible for contacting the county to determine if a permit is required.

O. Private Docks and Boat Lifts Rules

- 1) The following list of HVL lots are defined as “main lake front lots” and are the only lots approved for the purpose of building a dock on the main lake. The lots are: 101 – 131, 456 – 459, 469 – 471, 555 – 557, 654 – 666, 1062 – 1100, 1134 – 1149, 1523 – 1533, 1569 – 1571, 1590 – 1593, 1624 – 1632, 1674 – 1680, 1705 – 1720, 1782 – 1796, 1874 – 1897, 1928 – 1930, 2153 – 2157, 2271 – 2276, 2456 – 2469, 2471, 2539 – 2544, 2569 – 2570 and 2643 – 2651.
- 2) Any “non-lake front lots” that have prior approval for a dock may continue to have that approval.

- 3) If an HVL POA greenbelt area exists between a private lot and listed in Hidden Valley Lake Bylaws, Section 202, O., 1), and the main lake, the property owner may build and have private use of a dock and may maintain the greenbelt area including shoreline preservation with rip-rap, but the greenbelt area shall remain the property of the HVL POA.
- 4) If public docks exist in front of a private lot, the property owner shall build to avoid them, but has preference in renting a public dock.
- 5) All docks and boat lifts require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the dock and/or boat lift on the lot.
 - b. Five (5) copies of a picture or a drawing showing the dock and/or boat lift size, elevation and the construction materials to be used.
- 6) All docks and/or boat lifts shall meet the set back requirements of ten (10) feet from the side of the lot.
- 7) Docks may be constructed as free-floating or stationary.
- 8) Docks shall be constructed only of non-ferrous materials. Boat lifts shall be constructed of either non-ferrous materials, stainless steel, or galvanized steel.
- 9) A dock and a boat lift shall not have covers.
- 10) Docks may have a maximum of two (2) levels with a maximum separation between levels of eighteen (18) inches.
- 11) A dock shall have no closed structure more than two (2) feet in height.
- 12) The maximum railing height permitted on a dock is four (4) feet.
- 13) A dock shall not extend more than eight (8) feet into the water from the shoreline.
- 14) The frame of a boat lift shall not extend more than twelve (12) feet into the water from the shoreline.
- 15) The outside of the boat lift that protrudes into the lake shall be marked with a reflector of some kind that can be seen both day and night.
- 16) A dock and/or boat lift may be constructed on a lot prior to the erection of a dwelling.
- 17) The HVL POA Architecture Committee may require a \$500.00 returnable Performance Bond for the duration of the dock and/or boat lift construction. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 18) Dearborn County may require a building permit for the dock and/or boat lift construction. The lot owner is responsible for contacting the county to determine if a permit is required.

- 19) Boat docks and boat lifts are not permitted on the small lakes.
- 20) Before any construction begins, any proposed variance to private docks and boat lifts must be reviewed by the HVL POA Lakes Committee and a recommendation regarding the proposed variance will be made to the HVL POA Board of Directors.

P. Fences Rules

- 1) All fences require HVL POA administrative or Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the fence on the lot.
 - b. Five (5) copies of a picture or a drawing showing the fence size, elevation and the construction materials to be used.
- 2) A fence will not be approved by the HVL POA or Architecture Committee if it obstructs the view of a neighbor or is determined to be an eyesore, at the discretion of the committee.
- 3) Previously approved fences shall retain approval unless changes to the fencing are made. If so, they shall be resubmitted to the HVL POA for administrative or Architecture Committee approval following any new rules and regulations.
- 4) In general, fences may follow the property line in the rear yard only (from back corner of house), which includes corner lots and must not exceed four (4) feet in height.
- 5) In general, fencing material shall be split rail, chain link, vinyl or PVC. Woven wire farm fencing may only be used in conjunction with split rail fence.
- 6) On a corner lot, the fencing material used at the portion of the back yard that faces on a street shall be limited to split rail with woven wire or decorative fencing.
- 7) Security fences for swimming pools shall meet the Dearborn County building code.
- 8) Privacy fences shall be built on the buildable part of the lot, are not to exceed six (6) feet in height and shall be constructed of wood, vinyl or masonry materials compatible with the style of the house.
- 9) Fencing in front and side yards shall be used for decorative purposes only and cannot be used to enclose the yard.
- 10) Any fence on the golf course side or lakeside of a lot shall be constructed in the buildable part of the lot and galvanized chain link fencing material is prohibited.
- 11) Invisible fences are permitted and do not require HVL POA Architecture Committee approval. However, they may not be placed in the roadway easement area, which is typically

the area eleven (11) feet from edge of the roadway. Any electrical equipment used shall meet applicable codes.

- 12) A UL-listed, poly wire, electric fence may be installed to protect landscaping, but it must be approved by the HVL POA Architecture Committee. All electric fences must be no taller than 30", and contain no more than 2 separate wires. All electric fences shall be no more than 20 feet from the house façade facing a street, and at least 5 feet inside the side and rear lot lines. On main lakefront lots, no electric fence may be closer than 25 feet to the summer pool waterline or lot line, whichever is closer to the house. On small lake lots, no electric fence may be closer than 25 feet to the shoreline or lot line, whichever is closer to the house. On the golf course side of any lot abutting the golf course, no electric fence may be closer than 25 feet to that lot line. Fence operations, safety issues, and liability are the full responsibility of the homeowner. The approval by the HVL POA Architecture Committee only concerns the aesthetics of the fence.

Q. Fuel Tanks Rules

- 1) All fuel tanks require HVL POA Architecture Committee approval prior to being installed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the fuel tank on the lot.
 - b. Five (5) copies of a picture or a drawing showing the fuel tank size.
- 2) The maximum allowed capacity of a fuel tank is five hundred (500) gallons.
- 3) All fuel tanks over two hundred (200) pounds shall be buried in the ground at a minimum setback of the following:
 - a. Front – twenty-five (25) feet.
 - b. Side – ten (10) feet.
 - c. Rear – twenty-five (25) feet.
 - d. Rear (lakefront lot) – fifty (50) feet from the summer pool waterline.
- 4) Buried fuel tanks shall meet all applicable manufacturer's recommendations and codes and shall be coated with a protective material.
- 5) All fuel tanks shall be located a minimum of ten (10) feet from structures and external sources of ignition (such as air-conditioning compressor, heat pump, etc.).
- 6) Fuel tanks over twenty (20) pounds and up to two hundred (200) pounds shall be hidden from sight by a decorative cover with a minimum of lattice sides or picket fencing.
- 7) Gasoline storage tanks larger than ten (10) gallons capacity are not permitted on, nor may be buried in private lots.
- 8) Dearborn County may require a permit for the fuel tank. The lot owner is responsible for contacting the county to determine if a permit is required.

- 9) All unused fuel tanks, above-ground or buried, shall be removed from the property within one year of the last day of use and notification of the removal shall be given to the HVL POA office.

R. Grading and Drainage Rules

- 1) Any change in grading must be approved by the POA.
- 2) Property grading shall be done so that the existing natural ground drainage of the area is not impeded and that storm runoff to adjoining properties is not increased.
- 3) Diverting water onto or under the road is prohibited.
- 4) All water from roof gutters and foundation drains shall be piped separately underground and drained to the nearest/closest watercourse. If no watercourse is available then the water shall be dispersed through rip-rap.
- 5) No new concentrated water flow may leave the property lines by any other means.
- 6) Directing storm water flow into VRUC lines is prohibited.

S. Lake Water Usage Rules

- 1) All heating, cooling, and lawn-watering systems requiring lake water usage require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the general description and type of the water system.
 - b. Five (5) copies of the water system plan (may hand-drawn on a copy of original plot plan) showing the location of the system and lines on the lot.
 - c. Five (5) copies of the description of the materials.
- 2) Parties using lake water on their property do so at their own risk without any liability on behalf of the HVL POA.
- 3) The maximum size for the system intake is three (3) inches and one and one half (1.5) inches for the primary system.
- 4) The intake pipe opening shall be at least ten (10) feet below normal high water level and shall not interfere with boating, fishing or swimming, or shall be concealed out of site under a dock.
- 5) System piping shall not cross a road, community property within HVL, or another property owner's lot.
- 6) All system piping in the lake or in contact with lake water shall be made of non-ferrous materials.
- 7) All lake water used shall be returned to the lake.

- 8) Lake water connections to VRUC water or sewer lines is prohibited.
- 9) All system pumps shall be covered and all exposed piping must be concealed.

T. Landscaping Rules

- 1) All homes are to be landscaped. In general, landscaping shall include foundation plantings and mulch to fit the aesthetics of the community. All landscaping must be maintained. Note: Gravel or stones are considered to be mulch. (Effective 10/24/13)
- 2) Railroad ties, large stones and decorative stone walls may be included in the total value of the landscaping but will not count for more than ten (10) per cent of the total required value.
- 3) Credit may be given for an aggregate maximum of fifteen (15) per cent of total required value for out-of-pocket extraordinary measures to preserve mature trees or shrubs pre-existing on the site.
- 4) The landscaping value specifically does not include any excavation, grading, fill dirt, topsoil, structurally-required retaining walls, sod, seeding, mulch or annual plantings.
- 5) Any part of the lot that is cleared or disturbed from its natural state during house construction shall be fine-graded and seeded with grass or other suitable ground cover approved by the HVL POA Architecture Committee.

U. Sheds, Gazebos, Shelters, Dog Runs and Other Lot Improvements Rules

- 1) All sheds, gazebos, and shelters require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the building plan (may hand-drawn on a copy of original plot plan) showing the location of the structure on the lot.
 - b. Five (5) copies of a picture or a drawing showing the structure size, elevation and the construction materials to be used.
 - c. If the colors of the improvement do not match the existing house, then color photos or samples of the siding, shingles, trim color and shutter color.
- 2) All structures or lot improvements shall meet the set back requirements for the lot and shall be placed in the side or back yard. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
- 3) More than one shed on a lot is prohibited.
- 4) Only one (1) gazebo or shelter on a lot is permitted.
- 5) Gazebos, shelters, sheds and dog runs shall not be placed closer than fifty (50) feet from the main lake at summer pool.

- 6) The HVL POA Architecture Committee may require a \$500.00 Performance Bond for the duration of the construction of the structure or lot improvement. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 7) Dearborn County may require a building permit for the structure or lot improvement. The lot owner is responsible for contacting the county to determine if a permit is required.
- 8) If your planned structure or lot improvement is not covered by one of the rules above, please contact the HVL POA Community Manager to discuss the correct course of action to obtain HVL POA Architecture Committee approval.
- 9) Outdoor wood fired boilers and outdoor wood fired furnaces are prohibited.

V. Play Structures Rules

- 1) All permanently-attached or anchored swing sets, wooden play sets, playhouses and other play structures require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the play structure on the lot.
 - b. Five (5) copies of a picture or a drawing showing the play structure size, elevation and the construction materials to be used.
 - c. If the colors of the planned play structure do not match the existing house, then color photos or samples of the siding, shingles, trim color and shutter color.
- 2) All swing sets, wooden play sets, playhouses, trampolines or other play structures shall meet the setback requirements for the lot and shall be placed in the side or back yard. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
- 3) Only one (1) wooden play set or swing set per lot is allowed.
- 4) The HVL POA Architecture Committee may require a \$500.00 returnable Performance Bond for the duration of the construction of the swing set, wooden play set, playhouse, trampoline or other play structure. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 5) Dearborn County may require a building permit for the swing set, wooden play set, playhouse, trampoline or other play structure. The lot owner is responsible for contacting the county to determine if a permit is required.
- 6) If your planned play structure is not covered by one of the rules above, please contact the HVL POA Community Manager to discuss the correct course of action to obtain HVL POA Architecture Committee approval.

W. Retaining Walls Rules

- 1) All retaining walls over eighteen (18) inches high require HVL POA Architecture Committee approval prior to being constructed on a lot. Any exterior wall, even those 18 inches high or

less, constructed with a concrete footer or using mortar or poured concrete in the construction, also requires POA Architecture Committee approval prior to being constructed on a lot. When applying for approval, the following items shall be submitted:

- a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the exterior wall on the lot.
 - b. Five (5) copies of a picture or a drawing showing the exterior wall size, elevation and the construction materials to be used.
- 2) Although exterior walls eighteen (18) inches less in height do not require Architecture Committee approval prior to construction, the walls must still adhere to the specifications in Section W, as applicable.
 - 3) All exterior walls shall be constructed in accordance with the manufacturer's design specifications or engineer's design specifications.
 - 4) All hollow exterior walls shall have a childproof cap or be filled with aggregate.
 - 5) All retaining walls over four (4) feet in height shall have a security fence that meets the Dearborn County same code requirements for deck railing or have a three-rail split rail fence with a mesh liner.
 - 6) Exterior walls shall be constructed of poured concrete, concrete blocks, brick, stone, or wood. The design or color scheme of the exterior walls shall be in harmony with the general surroundings or with adjacent buildings or structures.
 - 7) Provisions for drainage of the backfill shall be made either by means of weep holes in the retaining wall or with perforated pipe of four (4) inch minimum diameter laid at the base of the backfill and having proper gradient to an outlet.
 - 8) Concrete blocks with reinforcing rods and poured concrete may be used in the construction of exterior walls. However, the face of the wall shall be finished so that the concrete block is no longer exposed.
 - 9) The HVL POA Architecture Committee may require a \$500 returnable Performance Bond for the duration of the construction of the exterior wall. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
 - 10) Dearborn County may require a building permit for the exterior wall construction. The lot owner is responsible for contacting the county to determine if a permit is required.

X. Seawalls, Shoreline Protection and Shoreline Reclamation Rules

- 1) A lakefront property owner, at his/her own expense, may construct a seawall to protect or reclaim his/her property at the lakefront.
- 2) All seawalls require HVL POA Architecture Committee approval prior to being constructed or placed on a lot. When applying for approval, the following items must be submitted:

- a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the new shoreline construction on the lot.
 - b. Five (5) copies of a picture or a drawing showing the new shoreline construction size, elevation and the construction materials to be used.
- 3) The HVL POA Architecture Committee requires a \$500 returnable Performance Bond for the duration of the shoreline construction project. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
 - 4) The property line at the lakeside shall be surveyed by an Indiana-registered surveyor and staked prior to the start of the shoreline construction project. A seawall may extend to the property line.
 - 5) Property may be reclaimed to the property line or water line at normal low pool, whichever is less.
 - 6) Seawall construction shall follow the contour of the water at normal low pool.
 - 7) A seawall shall be built of natural materials or concrete. Non-locking concrete block shall not be used in the construction of seawalls.
 - 8) The top of a seawall shall not be constructed higher than twenty-four (24) inches above the water at normal high pool.
 - 9) All backfill material used in seawall construction shall be natural material.
 - 10) Any existing seawall that is altered, added to, or changed in any manner shall be required to conform to the current rules.
 - 11) Construction of a new seawall with sandbags or bagged concrete is prohibited.
 - 12) Erection of seawalls, the placement of shoreline protection or shoreline reclamation may be undertaken on a lot prior to the erection of a dwelling.
 - 13) Dearborn County may require a building permit for the construction of seawalls or other shoreline protection. The lot owner is responsible for contacting the county to determine if a permit is required.
 - 14) Before any construction begins, any proposed variance to seawalls, shoreline protection and shoreline reclamation must be reviewed by the HVL POA Lakes Committee and a recommendation regarding the proposed variance will be made to the HVL POA Board of Directors.
 - 15) Any dredging requests are required to attend a Lakes Committee meeting with their plans and get approval prior to dredging.

Y. TV Antennas, Towers and Satellite Dishes Rules

- 1) TV antennas and towers shall be attached to the main residential structure and shall not exceed a height of fifteen (15) feet above the highest point of that structure.
- 2) Installing a satellite dish one meter (39 inches) or larger in diameter at its widest point is prohibited within Hidden Valley Lake.
- 3) A satellite dish less than one meter (39 inches) in diameter at its widest point may be installed without prior HVL POA Architecture Committee approval provided it is placed in an inconspicuous location and does not interfere with the welfare or property rights of another owner in Hidden Valley Lake.

Z. In-Ground and Above-Ground Pools Rules

- 1) All in-ground and above-ground pools require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the building plan (may be hand-drawn on a copy of original plot plan) showing the location of the pool on the lot.
 - b. Five (5) copies of a picture or a drawing showing the pool size, elevation and the construction materials to be used.
 - c. For above-ground pools, color photos or samples of the siding and color of the pool.
- 2) All pools shall meet the set back requirements for the lot and shall be located only in the back yard. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
- 3) Any pool surrounds and pool fencing shall be located within the buildable part of the lot. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
- 4) Only one pool is permitted on a lot.
- 5) Pools shall not be placed closer than fifty (50) feet from the main lake at summer pool.
- 6) In-ground pool corners and offsets from the property lines and other such points shall be staked by an Indiana-registered surveyor to indicate the location of the pool on the lot.
- 7) The HVL POA Architecture Committee requires a \$500.00 Performance Bond for the duration of the construction of the pool. (See Subsection I of this section of the Bylaws, Rules and Regulations.). A Dearborn County Certificate of Occupancy Letter for pools is required.
- 8) All in-ground and above-ground pools shall conform to the provisions of the Dearborn County Building Code and all the relevant laws, ordinances, rules and regulations.
- 9) Dearborn County may require a building permit for the pool. The lot owner is responsible for contacting the county to determine if a permit is required.

AA. Parking Pads

- 1) Gravel parking pads shall be constructed with a plastic underlayment or other underlayment suitable for controlling weed growth. Gravel will be a minimum of four (4) inches deep surrounded by a permanent border to contain the gravel. Note: This rule pertains to new parking pads only. (Effective 10/24/13)

- 2) Parking pads shall be contiguous and parallel to either the street or to the driveway and between 8' – 10' wide and no larger than 360 square feet per lot. Multiple parking pads are permitted but the total square footage of all parking pads on any lot shall not exceed 360 square feet. Contiguous lots shall be considered as one lot. This rule pertains to parking pads constructed after (date of rule approval). Requests for exceptions will be considered by the Architectural Committee on a case by case basis.

Section 203. Architecture Checklists, Forms and Applications

A. General Information

Section 202. Architecture of the Bylaws, Rules and Regulations references a number of different checklists, forms and applications required complete architectural and construction work within HVL. Copies of these documents are available from the HVL POA Office.

B. List of Forms

- 1) Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements
- 2) Application for Ditch/Driveway Culvert Permit
- 3) Application for Performance Bond for Construction
- 4) Application for Performance Bond Return
- 5) Building Permit Checklist for Additions or Changes to Existing Structures
- 6) Building Permit Checklist for New Structures
- 7) Declaration of Contiguous Lots
- 8) Declaration of Discontiguous Lots
- 9) Disclaimer of Contiguous Lots
- 10) General Rules for Construction of New Structures or Additions or Changes to Existing Structures

Section 204. Burning

A. Definitions of Term

For the following HVL POA Burning Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following term applies:

- ◆ **Non-combustible container** – A container that is vented to induce combustion with enclosed sides and bottom.

B. Burning on Community Property within HVL Rules

- 1) Burning on community property within HVL is prohibited without the use of a non-combustible container and a permit from the HVL POA Board of Directors.
- 2) The HVL POA Board of Directors from time to time may allow, by permit:
 - a. Bonfires and fires for cooking on community property within HVL and may place restrictions on these permits as they see fit.
 - b. Burning of refuse on community property within HVL when such refuse is the result of disaster, providing that a declared disaster exists.

C. Burning on Private Property Rules

- 1) Burning on private property is prohibited unless a non-combustible container is used.
- 2) Burning on private property is permitted during daylight hours only.
- 3) Only clean wood products may be burned. Clean wood products means wood products, including vegetation, that are not coated with stain, paint, glue or other coating material.
- 4) A fire must be continually attended by an adult until the fire is extinguished.

D. Unless specified otherwise, the following conditions apply to any fire allowed by the POA:

- 1) Fires must be attended at all times and until completely extinguished.
- 2) A fire shall be extinguished if at any time it creates a:
 - a. pollution problem
 - b. threat to public health
 - c. nuisance
 - d. fire hazard
- 3) No burning shall be conducted during unfavorable meteorological conditions such as any of the following:

- a. High winds.
 - b. Temperature inversions.
 - c. Air stagnation.
 - d. When a pollution alert or air quality action day has been declared.
- 4) All burning shall comply with other federal, state, and local laws, rules, and ordinances.
 - 5) Adequate firefighting equipment shall be on-site for extinguishing purposes during burning times.
 - 6) Burning shall be conducted during daylight hours only, and all fires shall be extinguished before sunset.
 - 7) Fires must be no less than 30 feet away from a structure.
 - 8) All burning shall be conducted in such a manner so as to prevent any possibility of soil contamination. Other Burning on Private Property Rules

E. Other Burning on Private Property Rules

- 1) A fire for cooking/recreation or a fire pit, which is no larger than three (3) feet in diameter, is permitted on private property provided the burning is not a nuisance or hazard and the fire is continually attended by an adult until the fire is extinguished.
- 2) A fire in a stove for heating and a fireplace is permitted on private property provided the burning is not a nuisance or hazard and is continually attended by an adult until the fire is extinguished.
- 3) Campfire and Fireplace recreational burning does not have to meet the 30 feet rule stated in D.7) above.

Section 205. Curfew

A. Definitions of Term

For the following HVL POA Curfew Rules, unless the context otherwise indicates when used in conjunction with the term, the definition of the following term applies:

- ◆ **Unaccompanied child** – Any person seventeen (17) years or younger who is not accompanied by their parent, guardian or custodian or by an adult, over the age of twenty-one (21), specified by their parent, guardian or custodian.

B. General Curfew Rules

- 1) It is a curfew violation for any unaccompanied child fifteen (15), sixteen (16) or seventeen (17) years of age to be on community property within HVL:
 - a. After 11:00 pm on Sunday, Monday, Tuesday, Wednesday and Thursday;
 - b. Before 5:00 am on Monday, Tuesday, Wednesday, Thursday and Friday;
 - c. Between the hours of 1:00 am and 5:00 am on Saturday and Sunday.
- 2) It is a curfew violation for any unaccompanied child under fifteen (15) years of age to be on community property within HVL after 11 p.m. or before 5 a.m. on any day.
- 3) General Curfew Rules B.1 and B.2 above do not apply to any unaccompanied child on community property within HVL participating in, going to or returning from lawful employment, a school-sanctioned activity or a religious event.

C. Advancing Curfew Times Rules

- 1) The HVL POA Board of Directors from time to time may by a vote, advance the curfew time by not more than two (2) hours whenever it determines that any curfew time established in Subsection B above is later than reasonable for public safety under the conditions found to exist in HVL.

Section 206. Dog Control

A. Definitions of Terms

For the following HVL POA Dog Control Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Dangerous dog** – Any dog that, without provocation, has chased or approached in either a menacing fashion or an apparent attitude of attack (i.e. growling, snarling, etc.) or has attempted to bite or otherwise endanger any person, while that dog is off the premises of its owner, keeper, or harborer, or other responsible person, or not physically restrained or confined in a locked pen which has a top, locked fence yard, or other locked enclosure which has a top.
- ◆ **Dog at large** – Any dog not under restraint of a person capable of controlling the dog on or off the premises of the owner.
- ◆ **Dog owner** – Any person, partnership, or corporation owning, keeping, or harboring one or more dogs.
- ◆ **Domestic animals/companion dog** – Any pet kept for pleasure rather than utility. A pet of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.
- ◆ **Harbored dog** - Any dog that is fed or sheltered for three consecutive days or more.
- ◆ **Menacing fashion** – Any dog that would cause a person being chased or approached to reasonably believe that the dog would cause physical injury to that person.
- ◆ **Public nuisance dog** – Any dog that, unprovoked, unreasonably annoys humans, endangers the life or health of other animals or persons, or substantially interferes with the right of citizens, other than their owners, to enjoyment of life or property. The term “public nuisance dog” shall mean and include, but is not limited to, any dog that, unprovoked:
 1. Is repeatedly found at large.
 2. Damages the property of anyone other than its owner.
 3. Molests or intimidates pedestrians or passersby.
 4. Excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others on close proximity to the premises where the dog is kept or harbored.
 5. Attacks other animals.
- ◆ **Restraint** – Any dog secured by a leash or lead under the control of a reasonable person and/or obedient to that person’s commands, or within the real property limits of its owner.
- ◆ **Stray** – Any dog that does not appear, upon reasonable inquiry, to have an owner.
- ◆ **Vicious dog** – Any dog that, without provocation and subject to the exclusion set forth below, meets any of the following:
 1. Has killed or caused injury to a person.
 2. Has killed or seriously injured another dog or other pets.
 3. Belongs to a breed that commonly requires additional home owner’s insurance.A vicious dog does not include either of the following:

1. A police dog that has killed or caused serious injury to any person or that has caused injury, other than killing or serious injury, to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties.
 2. A dog that has killed or caused injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.
- ◆ **Without provocation** – A dog that was not teased, tormented, or abused by a person, or was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.

B. Licensing of Dogs Rules

- 1) Any person owning, keeping, harboring, or having custody of a dog over six (6) months of age must obtain a license from the county. License fees are not required for certified seeing-eye dogs, hearing dogs, government police dogs, or other certified dogs that are trained to assist the physically handicapped.
- 2) Application for a license must be made within thirty (30) days after obtaining the dog over six (6) months of age.

C. Restraint of Dogs Rules

- 1) All dogs shall be kept under restraint.
- 2) No dog owner shall fail to exercise proper care and control of his dogs to prevent it from becoming a public nuisance.
- 3) No dog owner shall fail to clean up feces left by their dog on community property within HVL or another person's private property.
- 4) No dog owner, keeper, or harbinger of a dangerous or vicious dog shall fail to do either of the following:
 - a. While the dog is on the premises of the owner, keeper, or harbinger, securely confine it at all times in a locked pen which has a top, and either has a bottom secured to the sides or the sides are imbedded in the ground no less than one foot, or such other locked enclosure meeting the same criteria; except that a dangerous dog, but not a vicious dog, may in the alternative be kept in a locked fenced yard or be tied with a leash or tether so that the dog is adequately restrained.
 - b. While the dog is off the premises of the dog owner, keeper, or harbinger, keep it on a leash or tether that is adequate to control the dog and do at least one of the following:
 1. Keep the dog in a locked pen, which has a top, locked fenced yard, or other locked enclosure, which has a top.
 2. Have the leash or tether controlled by a person who is responsible and at least eighteen (18) years of age, or securely attach, tie, or affix the leash/tether to the ground or a stationary object or fixture so that the dog is adequately

restrained and station such a person in a close proximity to that dog so as to prevent it from causing injury to any person.

3. Muzzle the dog.

- c. When the dog is a vicious dog, the dog owner, keeper, or harborer, shall keep the dog confined as set forth in 4.b.1 above, except when said dog is on a leash or tether as described in 4.b.2, then said dog owner, keeper, or harborer shall additionally keep the said dog muzzled at all times, whether on or off the premises of the owner, keeper, or harborer.
- 5) No dog owner, keeper, or harborer of a vicious dog shall fail to obtain liability insurance with an insurer authorized to write liability insurance in this state providing coverage in each occurrence, subject to a limit, exclusive of interest and costs, of not less than one hundred thousand (\$100,000) dollars because of damage or bodily injury to or death of a person caused by a vicious dog.

Section 207. Lakes and Water Craft

All boating and other uses of HVL POA lakes are conducted at your own risk.

Violations of the HVL POA Lakes and Water Craft rules may result in the loss of water craft and/or fishing privileges and an individual may be banned from the use of the HVL POA lakes after the third violation within a calendar year.

A. Definitions of Terms

For the following HVL POA Lakes and Water Craft Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Airboat** - A buoyant self-propelled, multi-terrain vehicle that depends primarily on air thrust for propulsion.
- ◆ **All-terrain vehicle (ATV)** – Any self-propelled vehicle with two or more wheels that is primarily used for off-highway or in off-road competition and that is no wider than 70 inches and weighs no more than 1,000 pounds.
- ◆ **Daily fishing guest pass** – A pass issued by the HVL POA office authorizing an HVL POA member guest to fish on HVL lakes.
- ◆ **Emergency spillway area** - The parking area and spillway located immediately adjacent to the HVL POA boat-launching ramp.
- ◆ **High-speed zone** - The area of the main lake inside the marked buoys and not closer than one hundred fifty (150) feet from any shoreline or two hundred (200) feet from the dam.
- ◆ **Main lake** - The large lake (known as Hidden Valley Lake) that is contained by the dam located along Alpine Drive.
- ◆ **Mooring buoy** – a float secured to ground tackle and used to identify the location of the mooring and to float the line used to moor the boat.
- ◆ **Motorized water craft** – Any motor-driven water craft equipped with any type of motor including powerboats, pontoon boats and other water craft.
- ◆ **Non-motorized water craft** – Any water craft not equipped or propelled by a motor.
- ◆ **No-wake idle speed** – Operating a powerboat with the throttle “just in gear” or at the lowest speed possible for boat operation.
- ◆ **No-wake idle-speed zone** - The area of the main lake between the shoreline and the buoys marking the high-speed zone.
- ◆ **Other water craft** – Water craft such as sailboats, canoes, kayaks, paddle boats, rafts, etc. and those boats with 10.0 horsepower or less.
- ◆ **Personal Flotation Devices (PFDs)** – A vest or jacket approved by the U.S. Coast Guard for life preserving functions.
- ◆ **Personal water craft (PWC)** – An inboard water craft, which uses an internal combustion engine powering a water jet pump as its primary source of propulsion, and is designed to be operated by a person or persons positioned on, rather than within the confines of the hull. The water craft are designed to carry from one to three persons and be operated by a person sitting, standing or kneeling on the water craft.
- ◆ **Pontoon boat** – A boat made up of a discrete, flat deck mounted on two or three tubes manufactured separately from each other and from the deck.

- ◆ **Powerboat** – All boats other than pontoon boats with engines greater than 10.0 horsepower including: ski boats, bass boats, runabouts, inboards, outboards, deck boats (powerboat with a single-level deck and a boat hull rather than pontoons and often rails or gunnels all around), duck boats (powered vehicle designed to transport multiple occupants over both land and water), etc.
- ◆ **Rules card** – A laminated card of Lakes and Water Craft Rules issued by the HVL POA office at the time of boat registration.
- ◆ **Ski zone** – See definition of High-speed zone.
- ◆ **Small lakes** - All other lakes within HVL including Kathy, Alpine, Holiday, Paradise, Crystal, Melody, and the lake on the 77 acres.
- ◆ **Throwable, PFD** – A U.S. Coast Guard-approved flotation device such as a seat cushion or ring used for life preserving functions.

B. General Lakes Rules

- 1) All HVL POA members, their immediate family members and renters who have paid the Renter Amenity Fee may utilize the HVL POA lakes but must be prepared to show a valid HVL POA identification when requested by an HVL POA Deputy or other POA staff member.
- 2) All injuries that occur on the HVL POA lakes should be reported to the HVL POA Deputies.
- 3) Bonfires or campfires are not permitted at the beach, marina areas, Willie’s dock area or dam at any time without a burning permit issued by the HVL POA Board of Directors.
- 4) All litter must be placed in the containers provided. If containers are not present, take your trash with you when leaving the area.
- 5) Ice skating and ice fishing are permitted on HVL POA lakes but at your own risk.
- 6) Swimming in restricted areas (marinas, Willie’s dock area, beach after posted hours, high-speed zone during open status) is prohibited.
- 7) The use of mooring buoys on HVL POA lakes is prohibited.
- 8) The HVL POA lakes are treated with chemicals at least twice a year. The dates vary from year to year but usually the second Monday in June and the second Monday in August are selected. All HVL POA lakes are closed the day of chemical treatment. It is the HVL POA member’s responsibility to be aware of these treatment dates. The treatment dates and lake usage restrictions are published in the Echoes newspaper and on public signs within HVL. Depending on weather conditions, rain dates may apply.
- 9) Property owners will not add chemicals to the water in any HVL lake for the purpose of controlling lake weeds. This will include chemicals made specifically for this purpose or any other chemical not specific to the treatment of lake vegetation.
- 10) Discarding or discharging of any waste material including, but not limited to organic yard waste such as leaves, grass, brush, etc. into HVL POA lakes is prohibited.

- 11) Hidden Valley Lake has adopted the State of Indiana, Illicit Discharge Detection & Elimination Rules & Regulations. Copies of these rules and regulations may be obtained at the HVL POA Office upon request.

C. Main Lake, HVL POA Docks and Spillway Rules

- 1) The sluice gate on the main lake is opened on the first Monday in November and remains opened until the first Saturday prior to the first Monday in March. Water craft may be damaged if left in the water during this period. The HVL POA Board of Directors from time to time may authorize changing of these dates for purposes of required maintenance with notification published in the Echoes newspaper. There will be a “no-wake” status on the lake from one week after the opening of the sluice gate until the bottom of the seawall is covered after closing the sluice gate. During this time, the “Yellow” light will remain “ON” at all times while the lake is at winter pool unless the lake is closed and the “Red” light is on.
- 2) An HVL POA Deputy may, at his/her discretion, limit activities that could endanger anyone on the lakes. Self restraint is urged to help limit the number of water craft using the high-speed zone at any given time.
- 3) No one is permitted on the HVL POA rental docks from dusk to dawn other than dock renters, their immediate family, and their guests.
- 4) Boat trailers may not be stored in the emergency spillway area overnight.
- 5) When a water craft is in use on lake, boat trailers attached to the towing vehicle may be parked in the emergency spillway area.
- 6) For proposed variances to structures or landscaping contacting the lake water, refer to Section 202. Architectural, rules number O.20 and X.14 in the Bylaws, Rules and Regulations.
- 7) The HVL POA does not guarantee a specific water level for the HVL lakes.
- 8) Only boats registered to the HVL POA dock lease holder will be allowed in the leased dock space unless prior arrangements have been agreed to by the Community Manager. If it is found that a subleasing arrangement does exist, then the dock lessee will forfeit their right to lease the dock immediately and forfeit lease payments already made.

D. Small Lakes Rules

- 1) Only the designated access areas may be used around the small lakes and only foot traffic is permitted.
- 2) Construction of new docks on the small lakes is prohibited.
- 3) Use of gas motors of any kind on the small lakes is prohibited. Electric motors will be allowed on Lake Alpine and Kathy Lake with the following stipulations:
 - a. All batteries used must be sealed

- b. There will not be any trailer launching allowed or launching from the back of a truck. All boats being used on the lakes must be carried to the lake or wheeled, if the boat is equipped with wheels.
 - c. Only those living on a lake can leave a boat on the lake or shore overnight.
 - d. No special weight or size limits other than those set for the main lake will apply.
 - e. All small lakes are no wake lakes.
- 4) Grass carp have been placed in the small lakes to help control vegetation. Removing these carp is prohibited.

E. Water Craft Rules

The following rules apply to all water craft used in any HVL POA lake. HVL POA employees or agents of the HVL POA office may be from time to time be exempted from portions of these rules.

1) Water Craft Registration Rules

- a. All water craft must meet US Coast Guard requirements for safety equipment and safe operation and be registered annually with HVL POA office. US Coast Guard requirements are published in the most recent addition of the “Federal Requirements and Safety Tips for Recreational Boats”, available from the US Coast Guard.
- b. Only an HVL POA member may register his/her water craft. Before a registration certificate is issued, the registrant must exhibit to the HVL POA office, or its representatives, a certificate evidencing a minimum water craft liability insurance of \$100,000 coverage.
- c. When registering a water craft, all owners must pass an HVL POA Boat Driver Examination, which is distributed with the water craft registration form. To receive new water craft annual stickers, the owner must provide correct answers to all the questions included on the exam.
- d. Current annual registration stickers issued by the HVL POA office must be permanently displayed in the HVL POA-designated areas on the port and starboard sides of the water craft by May 1st. All water craft must display current annual registration stickers prior to putting the water craft on HVL lakes. Approved water craft stickers include: 1) powerboats (square) and 2) other water craft (triangle).
- e. Water craft annual stickers are valid through April 30th of the following year.
- f. The annual water craft registration fee shall be a fixed cost set by the HVL POA Board of Directors. All HVL POA dues, assessments, fees and penalties must be current to complete the registration procedures.
- g. When registering new water craft, the owner must provide proper documentation of ownership and length of the water craft (See Water Craft Length Rules).

- h. Only one (1) powered water craft in excess of ten (10.0) horsepower may be registered per HVL POA member.
- i. Air boats, jet skis, powered water skis, ATVs and powered personal water craft (PWCs) are prohibited from use on HVL POA lakes and will not be issued registration stickers.

2) Water Craft Length Rules

- a. The maximum allowable length for a powerboat is twenty (20) feet zero (0) inches in length and pontoon boats and non-powered water craft may not exceed twenty-six (26) feet zero (0) inches in length. Deck boats over twenty (20) feet zero (0) inches are prohibited. Boats can be no wider than what is allowed to be towed on Indiana public roads without special permits or signage. Currently that width is 8 feet, 6 inches.
- b. The length of a water craft is defined as the distance between the furthest most point of the bow to the furthest most point of the stern parallel to the waterline. Basically, it is the length of the water craft that comes out of the manufacturing mold.
- c. The length of the water craft shall include any permanently affixed features such as swimming platforms, sunning decks, live-wells, transom extenders, etc.
- d. The length of the water craft shall not include a stern-drive lower unit, an outboard motor or removable items such as platforms, pulpits, lights, ladders, poles, etc.
- e. There are two methods of determining the length of a water craft: 1) proper documentation about the water craft showing it meets the HVL POA water craft length rules or 2) an actual measurement of the water craft by at least two (2) HVL POA employees.
- f. Proper documentation of a water craft is defined as both 1) an owner's manual and/or technical manual from the water craft manufacturer for that specific model being registered, which indicates the overall length of the water craft per the HVL POA definition of length and 2) the owners water craft title showing the hull number.
- g. If proper documentation is used as the method to determine the length of the water craft, the HVL POA will verify that the HVL POA member owns the water craft being registered and that the title documentation is for the same water craft being registered. In addition, the HVL POA will verify that the title document and the boat described in the owner's manual and/or technical manual match and that they indicate that the water craft meets the length requirements. If these criteria are met, a new water craft registration sticker will be issued to the owner.
- h. At any time, an HVL POA member may request that an actual length measurement be made and if the water craft length meets the HVL POA requirements, a new water craft registration sticker will be issued to the owner. Barring unforeseen

circumstances, all requests for an actual water craft length measurement will be completed within one week of the date of the request.

- i. If a water craft is to be actually measured, the owner or their designated representative must deliver the water craft to a water craft measuring area designated by the HVL POA. Two certified HVL POA employees will perform the water craft measurement. Certification requires that the individual has been trained and can demonstrate to the HVL POA Community Manager that they have a thorough understanding of the water craft measurement process. The list of certified HVL POA employees will be maintained by the HVL POA office and will include at least two people at all times. Barring unforeseen circumstances, all requirements for an actual water craft length measurement will be completed within one (1) week of the request.
- j. To determine its length, the water craft will be measured while the water craft is approximately parallel to the ground in the following fashion:
 - The water craft measuring area will be a flat, paved surface large enough to accommodate the complete length of the water craft.
 - A plumb bob will be dropped from the furthest point of the bow of the water craft to the pavement and the pavement will be marked at that point.
 - Without moving the water craft, a plumb bob will be dropped from the furthest point of the stern of the water craft to the pavement and the pavement will be marked at that point.
 - The distance between these two marks on the pavement will be recorded as the overall length of the water craft for HVL POA water craft length purposes.
- k. If the HVL POA feels that it has been misled by an individual in the process of obtaining a water craft sticker, it reserves the right to revisit the sticker-issuance process and possibly re-measure a water craft to confirm its length. This process may only be used one more time per HVL POA member/water craft. If a water craft is re-measured, it shall be done by two different HVL POA employees than the ones who performed the first measurement. The length of a water craft can be challenged by the HVL POA even if the owner has already been given a new registration sticker via the proper documentation method. Any water craft registered with a current annual sticker that is actually measured and does not meet the current water craft length standard, shall be allowed to remain on the lake for the duration of that annual sticker and the water craft shall not be issued a new annual sticker.

3) Water Craft Operation Rules

- a. No water craft shall be permitted on HVL POA lakes unless it is owned by an HVL POA member, is registered with the HVL POA office, and all HVL POA registration stickers have been properly affixed to the water craft and trailer. The HVL POA may, from time to time, exempt certain water craft from some of these rules for the purpose of special events.
- b. The HVL POA traffic lights located around the lake are the primary notification of the main lake status. A green light indicates that the main lake is open to all normal

activities. A yellow light indicates that the entire main lake is in no-wake, idle-speed status. A solid or flashing red light indicates that the entire main lake is closed to all activities including but not limited to boating, fishing and swimming. The normal period of time for the main lake to be in open status is between 9:00 a.m. and sunset unless posted or otherwise noted. In the event the HVL POA traffic lights are not functioning, the Cincinnati Enquirer newspaper will be the determination of daily sunset time.

- c. No high-speed operation of any water craft is permitted on the main lake when the lake is at no-wake idle speed (yellow light) or closed (red light) status. High speed boating is permitted only when the main lake is in open (green light) status.
- d. Operating any water craft at a speed in excess of no-wake idle speed in any portion of the no-wake zone is strictly prohibited.
- e. High-speed boating is permitted only on the main body of the main lake inside the marked buoys and not closer than one-hundred fifty (150) feet from any shoreline or two-hundred (200) feet from the dam. HVL POA buoys mark this area. If a buoy has broken loose or is missing, water craft operating at high speed must stay 150 feet from the shore.
- f. The maximum speed for operating water craft on the main lake shall be thirty-five (35) miles per hour.
- g. Any water craft following another water craft pulling or towing a water skier, tuber, wake boarder or other approved flotation device must maintain a minimum distance of three-hundred (300) feet to the rear.
- h. Non-motorized water craft shall have the right-of-way over all motorized water craft. When motorized water craft are using the high-speed zone at high speed, non-motorized water craft should avoid the high-speed zone whenever possible.
- i. No water craft or device shall anchor or drift in the high-speed zone when the lake is in open status (green light). When drifting in the high-speed zone, US Coast Guard-approved navigation lights must be used between sundown and sunup.
- j. Tying water craft, floats, or other devices to any buoy is prohibited at all times.
- k. The HVL POA member to whom the water craft is registered is responsible for the safe and proper operation of the water craft.
- l. All powered water craft must travel in a counter-clockwise direction within the high-speed zone on the main lake except when picking up a downed skier, tuber, wake boarder or a person from a flotation device.
- m. Water craft shall not perform “S” turns or “Figure-8” turns while operating at high-speed.

- n. All powered water craft must be equipped with and use at all times an effective muffler system. Muffler bypass systems must not be engaged.
- o. The HVL POA member owning the water craft must provide permission for any guest or relative to use it and must instruct the guest or relative on the water craft on the HVL POA water craft rules according to the current year's laminated rule card.
- p. The current year's laminated rule card must be present on all motorized water craft at all times.
- q. All powerboats and pontoon boats must be equipped with and use mounted US Coast Guard-approved navigation lights between sunset (i.e. when the HVL POA traffic lights turn yellow) and sunrise. All other water craft operating on the lake between sunset and sunrise must, at a minimum, be equipped with and use a light sufficient enough to identify its presence to other water craft.
- r. When on the lake, all water craft must be equipped with US Coast Guard-approved Type I, II, III, V PFDs (life jackets) equal to or greater than the number of people on board. All water craft (except canoes and kayaks) which are sixteen (16) feet or longer, must carry at least one Type IV, throwable, PFD.

F. Water Skiing, Tubing and Wake Boarding Rules

The following rules apply to all water craft pulling a person on water skis, tubes, wake boards or any other device. From time to time, the HVL POA Board of Directors may exempt certain water craft from some of these rules for the purpose of special events.

- 1) Water skiing, tubing and wake boarding in excess of no-wake idle speed are permitted only within the high-speed zone on the main lake and when it is in open status (green light).
- 2) Water craft pulling or towing a person in excess of no-wake idle speed must travel in a counter-clockwise direction within the high-speed zone.
- 3) Any person being pulled or towed by a water craft operating at high speed must remain within the high-speed zone.
- 4) Any water craft pulling or towing a person must have at least two (2) occupants on board, one to guide and control the boat and one or more to observe the person being towed.
- 5) A water craft may pull or tow only one (1) person at a time in the high-speed zone regardless of the type of device being pulled or towed.
- 6) Water craft picking up a downed skier, tuber, wake boarder or a person from any other device must immediately slow down to a no-wake idle speed and then turn back to the right for pick up.

- 7) All persons being pulled or towed on skis, tube, wake board or any other device must wear a US Coast Guard-approved Type I, II, III, or V PFD, which is worn in accordance with the PFDs label instructions.
- 8) Water ski or wake board jumping over any object is strictly prohibited.
- 9) Starting or dropping a person on water skis, tube, wake board or any other device from or on a shoreline, beach, marina, boat dock or another water craft is strictly prohibited. This includes barefoot water skiers.
- 10) Starting or dropping a person on water skis, tube, wake board or any other device from or in the no-wake idle speed zone is permitted as long as the water craft itself is operating at no-wake idle speed while in that zone. This includes barefoot water-skiers.
- 11) No internal or external devices or specific boat operations that intentionally enhance wakes to a dangerous size shall be allowed on Hidden Valley Lake.

G. Water Trampolines and Large Floatation Devices

- 1) The maximum diameter of any floatation device will be twenty (20) feet in diameter and no more than twenty-six (26) feet in any direction including any attachments, temporary or permanent. The entire floatation device must fit into a square footprint that is no more than twenty (20) feet long and twenty (20) feet wide.
- 2) Floatation devices may not be left out on the lake between dusk and dawn which is indicated by the lake status light being yellow. They must be moved to the edge of the water and attached to a dock or the shore.

H. Fishing Rules

- 1) Only HVL POA members, their immediate family members and registered guests with a valid daily fishing guest pass and renters who have paid the Renters Amenities Fee are permitted to fish on the main lake or any of the small lakes.
- 2) Any HVL POA member may obtain a daily fishing guest pass from the HVL POA office for up to three guests per day. A guest may fish for only three (3) days per month. A guest may get a one (1), two (2) or three (3) day pass.
- 3) Guests not accompanied by HVL POA members or their immediate family members must have a valid daily fishing pass to fish in any HVL POA lake and must be prepared to show that pass when requested by an HVL POA Deputy.
- 4) Fishing on HVL POA lakes is permitted 24 hours a day.
- 5) Netting, gigging, shooting, jug-fishing, electric shock, use of trot lines and/or limb lines or the use of any device for trapping minnows or other small fish are prohibited as a means to take fish from any HVL lakes.

- 6) Removing bullfrogs from any HVL POA lake at any time by any means is prohibited.
- 7) No fishing license is required to fish in HVL POA lakes.
- 8) Commercial fishing of any kind including but not limited to the capturing of minnows, fry, or other small fish in any HVL POA lake is prohibited.
- 9) New and additional fish may not be placed in HVL POA lakes without permission of the HVL POA Board of Directors.
- 10) Minnows may be used for bait on any HVL POA lake only if purchased at a reputable bait store. Emptying the bait fish in whole or in part of a bait bucket into any HVL POA lake is prohibited. Minnows or other small fish cannot be caught by any means on any HVL POA lake whether used for bait or not.
- 11) Fishing in the main lake beach area between the homes on either side of the beach and out to the buoys marking the beach is prohibited.
- 12) Fishing Catch Limits
 - a. Fishing limits and rules apply to all HVL POA lakes, main and small in aggregate. Daily limits are the possession limit on community property within HVL.
 - b. From time to time, the HVL POA Board of Directors may exempt the Fish and Game Club from some of the limits for largemouth bass for the purpose of conducting sanctioned fishing tournaments. All largemouth bass caught in the tournaments must be released alive in the main lake.
 - c. When fishing from a boat, there will be only one (1) limit per day, per POA member with a maximum of two (2) limits per boat per day.
 - d. An individual may take unlimited largemouth bass from HVL POA lakes as long as the largemouth bass are nine (9) inches to thirteen (13) inches in length. Only one may be twenty-two (22) inches or longer. All largemouth bass caught that are less than nine (9) inches and between thirteen (13) inches and twenty-two (22) inches in length must be immediately released and returned to the lake.
 - e. An individual may take a maximum of five (5) red ear sunfish from HVL POA lakes. They must be eight (8) inches long or greater.
 - f. An individual may take a maximum of five (5) crappie per day from HVL POA lakes. They must be eight (8) inches long or greater.
 - g. An individual may take a maximum of ten (10) bluegill per day from HVL POA lakes. They must be eight (8) inches long or greater.
 - h. There is no limit on number of other species of fish taken per day from HVL POA lakes.

- i. Removing turtles from any HVL POA lake is prohibited. Properly identified snapping turtles may be removed from an HVL POA lake using appropriate caution.
- 13) Upon request from a Hidden Valley employee, a resident or visitor must disclose and show the amount of fish in their possession.

Section 208. Noise

A. Definitions of Terms

For the following HVL POA Noise Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Fireworks** – Any composition or device designed for the purpose of producing a visible or audio effect by combustion or detonation. The term does not include model rockets, toy cap pistols, emergency signal flares, illuminating torches, snakes or glow worms, ground spinners, smoke devices, or wire sparklers.
- ◆ **Request to desist** – The actual notice of the disturbance by a law enforcement officer to the offender or to an employee or representative of the offender.
- ◆ **Unreasonable Noise/Excessive Sound** - In determining whether a noise is of such a character as to unreasonably disturb the peace and quiet of the community, the following factors shall be considered:
 1. Complaints of neighbors or other persons in the proximity.
 2. The location and time of day when the noise is produced.
 3. The type, intensity and duration of the noise produced.

B. Noise Rules

- 1) No person shall operate, cause to be operated or permit to be operated any radio, television, siren, car alarm, whistle, bell, or other sound amplification device in such a manner and of such intensity and duration as to create unreasonable noise or loud sound and which causes inconvenience and annoyance to persons of ordinary sensibilities. This rule applies to private property as well as community property within HVL including all lakes.
- 2) No person being the owner or person in possession of a motor vehicle with a device described above shall cause or permit any noise emanating from the motor vehicle which is plainly audible at a distance of fifty feet from the motor vehicle. The lawful use of a motor vehicle horn shall not be a violation of this section.
- 3) No person shall use, cause to be used or permit to be used any fireworks in such a manner and of such intensity and duration as to create unreasonable noise or loud sound and which causes inconvenience and annoyance to persons of ordinary sensibilities. This rule applies to private property as well as community property within HVL.
- 4) It is a violation of the HVL POA Noise Rules if notice to cease and desist producing a noise has been given to any person and that person continues to make, cause or permit a noise of similar intensity and duration, provided, however, that no warning shall be required if a person of ordinary sensibilities knew or should have known that the noise created would cause unwarranted annoyance to persons of ordinary sensibilities.
- 5) The following shall be exempt from noise level regulations:
 - a. Noises of safety signals, warning devices and emergency pressure relief valves.
 - b. Noise of emergency vehicles when responding to or acting in time of emergency.

- c. Any other noise resulting from activities from vehicles of a temporary duration, such as, parades or festivals.
- 6) The HVL POA Board of Directors from time to time may allow, by permit, parties or events on community property within HVL, which may create noise or loud sounds and may place restrictions on these permits as they see fit.

Section 209. Parks and Recreational Facilities Rules

The HVL POA parks and recreational facilities consist of the following community property within HVL:

- ◆ 77-Acre Park
- ◆ Basketball courts
- ◆ Beach area
- ◆ Greenbelt areas
- ◆ HVL Community Center Meeting Room
- ◆ Parking lots
- ◆ Picnic shelters and tables
- ◆ Playground equipment areas
- ◆ Swimming pool area
- ◆ Tennis courts

A. Definitions of Terms

For the following Parks and Recreational Facilities Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Community property within HVL** – Property owned and maintained by the HVL Property Owners Association (POA) for the use of HVL property owners and their guests. This includes, but is not limited to, streets, roadways, right-of-ways, parking areas, greenbelt areas, hiking trails, swimming pool, sports complexes, lakes, parks and beaches.
- ◆ **Littering** - Depositing injurious or other material along the roadway or any other community property within HVL.
- ◆ **Vandalism** - Knowingly causing injury or damage to property.

B. Usage Rules

- 1) Vehicle parking at parks and recreational facilities is permitted only in the designated areas. Parking on grassy areas is prohibited.
- 2) No person shall litter on community property within HVL.
- 3) HVL POA-provided litter containers may only be used in a lawful manner.
- 4) No person shall vandalize parks and recreational facilities.
- 5) HVL dumpsters are for HVL POA use only.
- 6) Hunting, trapping, or discharging a firearm of any kind in parks and recreational facilities is prohibited except for authorized deer cull with Community Manager approval.
- 7) Parks and recreational facilities are to be left undisturbed and in their natural state and are to be maintained only by HVL POA employees and/or HVL POA volunteers with the appropriate approval.

- 8) Only the designated access areas may be used within the parks and recreational areas and, with the exception of dock and landing areas, only foot traffic is permitted.
- 9) Burning in parks and recreational facilities is prohibited without the use of a non-combustible container and approval from the HVL POA Community Manager.
- 10) The operation of any all-terrain vehicle (ATV)/off-road vehicle in parks and recreational facilities is prohibited unless approved by the HVL POA Community Manager or the HVL POA Board of Directors.
- 11) Landings are located at the marina and beach areas solely for picking up and dropping off boaters. Docking a water craft on a landing is prohibited.
- 12) Tennis and basketball courts are to be used only for their intended purpose. Skating, skateboarding, rollerblading or use of motorized vehicles on these courts are prohibited.
- 13) Playground equipment is to be used only by persons twelve (12) years old or younger.
- 14) The HVL POA Board of Directors or the HVL POA Community Manager from time to time may approve parties or events in parks and recreational facilities, and may place restrictions on these approvals as they see fit.

C. Scheduling Rules

- 1) The HVL POA owns all docks on community property within HVL with the exception of some docks that were built for personal use with prior approval from the HVL POA. HVL POA-owned docks are located at the base of Sandamont Drive, the base of Raylynn and Aqua Vista Drives, the HVL POA public beach, the HVL POA marina, Chalet Park, and Moeller Park. If an HVL property owner can produce a signed document attesting the right to use a specific HVL POA dock, then that property owner will be given preference to the use of that dock with payment of annual rent.
- 2) All HVL POA docks are available for use by HVL POA members in good standing but must be reserved and rented on an annual basis through the HVL POA office. POA docks are reserved for non-lake front property owners only, one dock per property owner. Dock space is not transferable. No liability of any kind is to be assumed by Hidden Valley Lake Property Owners Association.
- 3) The HVL POA ball diamonds and soccer fields are managed by the HVL POA Athletic Club and are used primarily for organized sports. The Athletic Club will provide game and practice schedules to the POA office. HVL POA members in good standing, their immediate family members and their guests may use the ball diamonds and soccer fields on a first-come-first-served basis when HVL Athletic Club sports are not scheduled.
- 4) HVL POA members in good standing, their immediate family members and their guests may use the greenbelt areas, walking and nature trails, tennis courts, basketball courts and playground equipment on a first-come-first-served basis.

- 5) HVL POA picnic shelters and/or tables are located at the swimming pool, ball diamonds, beach (2), Lake Melody and several other small lakes. HVL POA members in good standing, their immediate family members and their guests may use these facilities by reserving them through the HVL POA office. If these facilities have not been reserved in advance, they are available for use on a first-come-first-served basis.
- 6) HVL POA members in good standing may reserve the HVL Community Center Meeting Room up to 6 months in advance. Reservations must be made at least 2 weeks in advance of event by contacting the POA Office. Cancellations must be made no later than 2 weeks prior to the event. A rental agreement must be completed and signed at the time the reservation is made, as well as the \$75 facility fee paid in full. Please see the Community Room Rental Agreement and Rules for a complete list of rules and procedures. The HVL Community Manager will have administrative authority over the building. A copy of the Community Room Rules and Regulations may be obtained from the HVL POA Office or from the HVL POA Web site. HVL POA Committees and Clubs are exempt from the facility fee.

D. Deer Feeding Rules

- 1) **Feeding Prohibited:**
 - a. No person shall knowingly, purposely or intentionally feed deer, cause deer to be fed or provide food to deer in HVL on any property, public or private. This prohibition includes, but is not limited to, disbursement of food on the ground, at a feeding station, in a feeding device, or in a container of any form, providing a salt or mineral lick/block, or any other means which serves to provide feed to any deer in HVL.
 - b. A person shall be deemed to have knowingly, purposely or intentionally fed deer, caused deer to be fed, or provided food to deer if the person places, or allows to be placed, wheat, pelleted livestock food, corn in any form, fruit, vegetables, hay or alfalfa, human food scraps, any form of wildlife feed, birdseed or livestock feed, or any other edible matter that deer will consume on the ground or within the reach of deer. This prohibition shall not include live vegetation such as ornamental landscaping, flowers, trees, vines, vegetable gardens, edible matter located either in an enclosed building or stored in a securely sealed package, or unmodified commercially purchased bird feeder or their equivalent when placed out of the reach of deer.

- 2) **Removal of Feed:**

Any person, upon written notification by HVL personnel violating this rule shall immediately and permanently remove feed and feeding devices utilized to feed deer, and discontinue the activity for which the notification was given.

- 3) **Penalty:**

Assessments for violating the HVL POA deer feeding rules shall be determined by HVL POA Board of Directors and the Judicial Panel.

4) **Exclusion:**

In the event that the HVL POA is given permission from the State of Indiana for a culling of the deer, baiting (if permitted by the State) to ensure effective culling could be performed on HVL POA properties consisting of ten (10) acres or more with the permission of the HVL POA Board of Directors.

Section 210. Persons

A. Definitions of Terms

For the following HVL POA Persons Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Abuse** – The use of profanity to, or coming into physical contact with, another person.
- ◆ **Disorderly conduct** - Such actions that would cause inconvenience, annoyance or alarm to another or act so as to interfere with the rights of others
- ◆ **Harassment** - Causing annoyance by verbal, written or physical means.

B. Persons Rules

- 1) No person shall engage in disorderly conduct within HVL.
- 2) No person shall abuse an HVL POA employee while such employee is acting in a lawful manner as an agent for Hidden Valley Lake.
- 3) No person shall abuse an HVL POA volunteer while such volunteer is acting in a lawful manner as an agent for Hidden Valley Lake.
- 4) No person shall harass an employee or agent of the HVL POA while such employee or agent is acting in his/her official capacity.
- 5) No person shall harass or abuse any Hidden Valley Lake resident while on Hidden Valley Lake property (private or community).

Section 211. Pool and Beach

All persons using HVL POA swimming areas do so at their own risk. The HVL POA or its employees shall not be responsible for any accidents or injuries to persons or property in connection with the use of the swimming areas; nor shall the HVL POA or its employees be responsible for loss or damage to any personal property.

The cost of any damage to any HVL POA equipment or property at the swimming areas by an HVL POA member, their immediate family members or their guests shall be charged to the responsible HVL POA member.

A. Definitions of Terms

For the following HVL POA Pool and Beach Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Swimming areas** - The HVL swimming pool located at 20698 Lakeview Drive and the HVL beach area on the main lake.

B. General Swimming Rules

- 1) Before entering the pool or beach area, all HVL POA members shall identify themselves by displaying their HVL POA identification card.
- 2) Improper or offensive language is strictly prohibited and may be cause for removal from HVL POA swimming areas.
- 3) No towel or basket service shall be provided at the HVL POA swimming areas. It is suggested that you keep your valuables near you or within sight at all times and do not leave them in the dressing rooms.
- 4) Lost and found articles left in the HVL POA swimming areas shall be retained for one week, after which time they shall be disposed of in a suitable manner.
- 5) Pets are prohibited inside the HVL POA swimming areas.
- 6) Alcoholic beverages are prohibited inside the pool area during regular pool hours. The HVL POA Board of Directors from time to time may authorize the use of alcoholic beverages inside the pool area for private parties conducted after regular pool hours.
- 7) Smoking is permitted at the HVL POA swimming areas only in grassed areas. Disposal of tobacco products is required in the receptacles provided.
- 8) Food and refreshments are to be consumed in designated picnic areas. Picnic lunches may be brought into the HVL POA pool picnic area.
- 9) Glass containers and bottles are prohibited in the HVL POA swimming areas.

- 10) All waste paper, cigar and cigarette butts, paper cups and other trash shall be placed in the proper receptacles.
- 11) Bicycles shall be parked only in the designated areas.
- 12) No HVL POA lifeguard or HVL POA employee, under any circumstances shall act or be expected to act as a baby sitter.

C. Opening/Closing and Hours of Operation Rules

- 1) Complete information regarding the opening date, hours, and closing date of the swimming season will be published in the HVL POA *Echoes* newspaper in advance of the season, as well as being posted at the swimming areas. Dates and hours will be established by the HVL POA Board of Directors.
- 2) The HVL POA Pool Manager, at his or her discretion, may close the swimming areas for health, weather and/or safety reasons.
- 3) The pool is available for private pool parties after regular pool hours for an additional fee. Check with Pool Manager for availability and fees.

D. Guest Rules

- 1) To use a swimming area, all guests shall be accompanied by an HVL POA member or be registered by an HVL POA member and shall display a written temporary pass issued from the HVL POA Pool Manager.
- 2) The swimming areas shall charge guest fees on a daily basis. No refunds or rain checks shall be issued.
- 3) The number of guests at the swimming pool and beach is limited to eight (8) guests per day per HVL POA membership with the standard guest fee applying. Any group of guests numbering above eight (8) requires approval from the HVL POA Board and/or the HVL POA Community Manager.
- 4) A seasonal pool and beach pass shall be made available for purchase for \$35.00 per person to non-HVL resident children and grandchildren of resident HVL POA members in good standing. The pass shall be valid for the current calendar year only. The person must be accompanied by a family member who is a POA member in good standing with their own POA-issued ID card.
- 5) The POA resident shall be responsible for the conduct and actions of their guests.

E. Swimming Safety Rules

- 1) Children under eleven (11) years of age are not permitted within the swimming areas unless under the direct supervision of a responsible person fourteen (14) years of age or older and such person will be held responsible for the conduct of the children. However, children

under eleven (11) years of age may be permitted to use the swimming areas with a written permission and an Emergency Contact Form that can be obtained from the Pool Manager or a certified lifeguard. In addition, the swimmer under eleven (11) years of age shall pass a swimming test administered by either the Pool Manager or a certified HVL POA lifeguard.

- 2) The HVL POA lifeguards may limit activities in the swimming areas that could be dangerous.
- 3) All injuries occurring in the swimming areas should be immediately reported to the HVL POA lifeguards.
- 4) All swimmers shall stay within the roped area at the beach.
- 5) Use of the wading pool shall be limited to children forty-eight (48) inches tall and under, and shall be supervised at all times. Children using the wading pool shall wear protective pants.
- 6) Air mattresses and automobile flotation devices are not permitted in the pools.
- 7) Jackets, masks, toys, goggles, flippers, webbed feet, flotation devices, rafts or other paraphernalia shall be allowed in the pools at the discretion of the Manager or Assistant Manager.
- 8) To maintain a high level of safety, pushing, running, and unnecessary roughness are prohibited. Please walk at all times within the pool area.
- 9) Only one person at a time shall be on the diving board and one person at a time on the ladder leading up to the board.
- 10) Swimming through diving areas is prohibited except to clear the area after a dive. Do not dive from the diving board until the person who went before you has reached the ladder and is exiting the diving area.
- 11) Diving from the side of diving boards is prohibited to ensure the safety of others.

F. Swimming Health Rules

- 1) All bathers shall take a shower before entering the pool.
- 2) Admission to the pool may be denied to persons suffering obvious diseases and/or injuries to the skin, eyes, ears or respiratory tract unless exempted by an appropriate medical certificate and approved by the HVL POA Pool Manager.
- 3) Anyone using the pool or beach who is taking regular medication or whose condition may warrant emergency treatment should advise the lifeguard on duty before entering the facility.
- 4) Spitting and nose blowing in the pool are prohibited.

Section 212. Property Safety

A. Definitions of Terms

For the following HVL POA Property Safety Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Trespassing** – Being on the land or premises of another person or causing objects to enter the land or premises of another person. Under Indiana law, a parent is liable for the intentional acts committed by a minor child.
- ◆ **Vandalism** - Knowingly causing injury or damage to property.

B. Property Safety Rules

- 1) No person shall trespass on the land or premises of another or fail or refuse to leave upon being notified to do so by the owner or occupant.
- 2) No person shall vandalize community property within HVL or the property of owners, renters or guests.
- 3) Hunting or discharging a firearm of any kind within HVL is prohibited unless authorized by the HVL POA Board.
- 4) Using any device capable of discharging a projectile within HVL is prohibited unless authorized by the HVL POA Board.

Section 213. Private Property Appearance and Maintenance

A. Definitions of Terms

For the following HVL POA Architecture Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Hard Surface** – Any surface constructed of concrete, gravel, paver blocks, turf blocks or asphalt.
- ◆ **Inoperative motorized vehicle** – A vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.
- ◆ **Large vehicle** – Any vehicle including, but not limited to, dump trucks, flatbed trucks, box trucks, buses, semis or other vehicles over eight thousand (8,000) pounds curb weight, excluding recreational vehicles (RV's), boats and campers.
- ◆ **Structure** – Any improvement eight (8) inches or higher affixed to the land or attached to something affixed to the land, built for the support, enclosure, shelter or protection of persons, animals, chattels or movable property of any kind. In addition to houses and garages, the above includes, but is not limited to such items as gazebos, decks, large play-sets, storage sheds and sheds. Structures do not include public utility communication and electrical transmission lines and equipment and facilities supporting the same and/or incidental thereto.
- ◆ **Unlicensed motorized vehicle** – Any motorized vehicle not having a current vehicle license plate displayed on the vehicle.

B. Private Property Appearance and Maintenance Rules

The owner and/or occupant of private property within HVL shall maintain a tidy lot appearance, which includes, but is not limited to, maintaining the structures and exterior premises in compliance with the following requirements:

- 1) All exterior property and premises, including but not limited to carports, decks, and patios shall be free from the accumulation of yard waste, garbage, rubbish, clutter, etc. (Effective 10/24/13)
- 2) All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- 3) All cultivated areas including, but not limited to, gardens and landscaping shall be kept free of high weeds and maintained.
- 4) All exterior surfaces of structures shall be maintained in good condition.
- 5) All structures shall be maintained structurally sound, in good repair and free of deterioration.
- 6) All swimming pools, spas, hot tubs, and other water features shall be maintained in good repair and shall be maintained in a clean and sanitary condition.

- 7) No inoperative or unlicensed motorized vehicle shall be parked, kept, or stored outside on any private property.
- 8) All vehicles shall be parked on a hard surface; however parking on a private lawn area is permitted for special short-term events.
- 9) All boats, campers, recreational vehicles and trailers parked or stored outside on private property shall be titled and licensed or registered to the property owner/occupant.
- 10) Should a private property owner and/or occupant wish to request a temporary exception to the above Private Property Appearance and Maintenance Rules, that request shall be made in writing to the HVL POA Community Manager's office.
- 11) Grass that is 12 inches or more in height on an improved lot is regarded as an untidy lot.
- 12) Dead trees must be removed if visible from the lake or road, or if they will fall on property other than your own. (Effective 10/24/13)
- 13) Trash containers stored on any side of the house facing a street must be completely screened from the street. Trash containers located in a side or rear yard area not facing a street are not required to be screened, but shall be maintained and stored in a clean and orderly manner. Any structure that contains or screens trash containers must satisfy all other applicable regulations. Extenuating circumstances will be given consideration. (Effective 10/24/13)
- 14) A combined total of one (1) trailer, motorized boat, camper, RV, motor home is permitted to be stored outside. A combined total of two (2) is permitted to be stored outside if two (2) or more full size lots are contiguous. Boats, cars, trailers, campers, RV's and motor homes must be placed on a hard surface. (Effective 10/24/13)
- 15) Boats **NOT** registered on Hidden Valley Lake, campers, RV's, and trailers shall be stored behind the front elevation (front of the house closest to the street) of the members' house. No utility trailers over 16 feet in length including tongue are permitted to be stored outside on Hidden Valley private property. (See "grandfather" clause below)
- 16) Boats registered on Hidden Valley Lake and their associated trailers are exempt from the above and may continue to be parked on the property 20 feet from the road according to existing rules without being grandfathered.
- 17) "Grandfathering" exempts the following from the above:
All boats not registered on Hidden Valley Lake, campers, RV's, and trailers (except trailers over 16 feet in length including tongue used in a trade or business) owned prior to (8/25/2016) by POA members of record prior to (8/25/2016) will be exempt (grandfathered) and may continue to be parked 20 feet from the road according to existing rules.
- 18) Vehicles larger than a standard full size pickup truck or van used in a trade or business and trailers over 16 feet in length including tongue used in a trade or business shall be stored in an enclosed structure. There is no grandfathering for either.

Section 214. Signs and Solicitation

A. Definitions of Terms

For the following Hidden Valley Lake (HVL) Signs and Solicitation Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Sign** – Any structure, poster, placard or banner that contains information, fact, quality, advertising, etc.
- ◆ **Double frontage property** – Property having frontage on two non-intersecting streets as distinguished from a corner lot. Both street lines shall be deemed front lot lines.

B. Signs Rules

- 1) General Signs Rules
 - a. Any sign posted within HVL shall not exceed three (3) feet in height or three (3) feet in width.
 - b. Any sign posted within HVL shall not be installed higher than six feet distance from the ground to the top of the sign.
 - c. No signs shall be attached to trees, street signs or corner posts on community property within HVL.
 - d. No signs shall be placed in front of the wall located at the intersection of Alpine and Hidden Valley Drive.
 - e. Any type of sign not specifically identified within this section of the HVL POA Bylaws, Rules and Regulations shall not be permitted without the written approval of the HVL POA Community Manager (See subsection B.5 Sign Approval Process).
 - f. Any sign larger than three (3) feet in height or three (3) feet in width shall only be approved by the HVL POA Community Manager.
- 2) Election and/or Political Signs Rules
 - a. “Election” or “Political” signs may not be posted on either private property or on community property within HVL sooner than thirty (30) days prior to an election and must be removed the day after the election is held. Only one (1) “Election” or “Political” sign shall be permitted per personal property lot.
 - b. All “Election” or “Political” signs shall be removed within one (1) day after the election is held. It is the responsibility of the property owner to remove the sign in a timely manner.
- 3) Signs Rules for Garage Sales, Parties and Sales of Personal Property on Community Property within HVL
 - a. “Directional” signs for garage sales, parties and sale of personal property posted on community property within HVL may provide information on how to reach the subject’s private property. Prices shall not be displayed on any sign posted on community property within HVL at any time. “Directional” signs may be placed one (1) day prior to the event and shall be removed within twelve (12) hours of the conclusion of the event.
- 4) Signs Rules for New Homes, Home Additions Under Construction, Vacant Lots and Lots with Existing Homes

- a. Only one (1) “Real Estate” and “Open House” sign shall be placed on an owner’s private property. Two (2) “Real Estate” and “Open House” signs shall be permitted only on private lakefront property, private golf course property or private double frontage property. Only one “Real Estate” sign shall be permitted on private lots located on street corners. Prices shall not be displayed on any sign posted on private property or on community property within HVL at any time. However, MLS sheets may be included in an enclosed container or box affixed to the “Real Estate” sign on private property. “Open House” signs may be posted up two (2) days prior to the open house and must be taken down by midnight after the conclusion of the open house event.
 - b. All “Real Estate” signs shall be removed thirty (30) days after the date of closing. It is the responsibility of the Realtor or the property owner to remove the sign in a timely manner.
 - c. All “Builder” signs shall be removed thirty (30) days after the performance bond is approved for return. It is the responsibility of the builder or the property owner to remove the sign in a timely manner.
- 5) Sign Approval Process
- a. All signs that are to be approved shall be brought to the HVL POA office and a Sign-Approval Request Form shall be completed.
 - b. The HVL POA Community Manager shall provide a letter of approval or denial.
 - c. All Sign Approval Request Forms shall be approved or denied by the HVL POA Community Manager within two (2) weeks of the submission of the form.
 - d. Each sign shall be approved for a time frame determined by the HVL POA Community Manager but shall not exceed thirty (30) days. “Beware of Dog” signs shall be approved for one (1) year increments.
- 6) Signs in Violation
- a. Signs in violation of the above rules are subject to receive a citation and shall be removed by HVL POA personnel. HVL POA personnel shall attempt to notify the property owner and/or individual of the violation.
 - b. Signs removed shall be kept for fifteen (15) days for the property owner and/or individual at the HVL POA Office. HVL POA personnel shall dispose of signs not picked up within this time period.

C. Solicitation and Campaigning Rules

- 1) Door-to-door sales or solicitation within HVL is prohibited. POA Deputy Dispatch should be contacted in the event any such activity is observed.
- 2) Placing of literature or brochures on doors, mailboxes, etc. within HVL is prohibited.
- 3) Distribution of literature or information on streets, street corners, etc. within HVL is prohibited.
- 4) The HVL POA Board of Directors from time to time may allow, by permit, solicitation within HVL and may place restrictions on these permits as they see fit. Parties wishing to obtain a solicitation permit must apply in writing to the HVL POA Board of Directors at least thirty (30) days prior to the date solicitation activities are to start.

- 5) Duly nominated candidates must register in writing at the POA office to campaign in Hidden Valley Lake from 9:00 a.m. to 6:00 p.m. no sooner than 30 days prior to the election. Only the candidates can campaign in the Valley not a group of supporters.

Section 215. Traffic and Vehicle Operation Rules

A. Definitions of Terms

For the following HVL POA Traffic and Vehicle Operation Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Abandoned vehicle** - Any motorized vehicle located on community property within HVL:
 1. Which does not have lawfully affixed thereto or displayed thereon a valid unexpired license plate permitting its operation upon HVL streets, roadways, and/or parking areas.
 2. Which has been left for a period of three (3) days continuously without being moved.
 3. Which is located illegally or in such a manner as to constitute a hazard or unreasonable obstruction to the movement of pedestrian or other vehicle traffic on HVL streets, roadways, and/or parking areas.
 4. From which the engine, transmission or differential has been removed or which is otherwise partially dismantled or inoperable.

The definition of an abandoned vehicle also includes any vehicle that has remained on private property without the consent of the owner or persons in control of such property.

- ◆ **All-terrain vehicle (ATV)/off-road vehicle** - A motorized vehicle capable of cross country travel without the benefit of a road or trail and on, or immediately over, land, water, snow, ice, marsh, swampland, or other natural terrain and includes the following:
 1. A multi-wheel vehicle drive or low pressure tire vehicle.
 2. An amphibious machine.
 3. A ground-effect air cushion vehicle.
 4. Other means of transportation deriving motive power from a source other than muscle or wind.
 5. A snowmobile.

An all terrain vehicle (ATV)/off-road vehicle does not include the following:

1. A farm vehicle being used for farming.
2. A vehicle being used for military or law enforcement purposes.
3. A construction, mining, or other industrial-related vehicle used in performance of the vehicle's common function.
4. A registered aircraft.
5. Any other vehicle properly registered by the Bureau of Motor Vehicles.
6. Any watercraft that is registered under Indiana statutes.
7. A golf cart vehicle.

- ◆ **Concrete Truck** – Any vehicle used to carry un-poured mixed concrete.
- ◆ **Concrete pumper truck** – Any vehicle used to pump concrete from a concrete truck onto the construction site.
- ◆ **HVL streets, roadways, and/or parking areas** – Right-of-ways on community property within HVL for the use of vehicles and pedestrians.
- ◆ **Motor scooter/motorized skateboard** - A motorized vehicle that has the following:
 1. A floor pad for the driver's feet.
 2. An engine rating not exceeding fifty cubic centimeters (50cc).

- ◆ **Motorcycle** - A motorized vehicle, including, but not limited to a motor scooter, except a farm tractor or motorized bicycle that has the following:
 1. A seat or saddle for the use of the rider
 2. Designed to travel on not more than three (3) wheels in contact with the ground.
 3. An engine rating exceeding fifty cubic centimeters (50cc).
- ◆ **Motorized bicycle (MOPED)** - A two- (2) or three- (3) wheeled vehicle that is propelled by an internal combustion engine or battery-powered motor and if powered by an internal combustion engine, has the following:
 1. An engine rating of not more than two (2) horsepower and a cylinder capacity not exceeding fifty cubic centimeters (50cc).
 2. An automatic transmission.
 3. A maximum design speed of not more than twenty-five (25) miles per hour on a flat surface.
- ◆ **Motorized vehicle** - Any car, truck, semi-trailer or motor bus, including any other motor-driven vehicle, which vehicle is operated upon HVL streets, roadways, and/or parking areas.
- ◆ **Vehicle** – Any powered or non-powered mode of transporting people upon HVL streets, roadways, and/or parking areas.
- ◆ **Vehicle under restoration** – A motorized vehicle that is currently being restored, from which the engine, transmission or differential has been removed or which is otherwise partially dismantled or inoperable.

B. Stopping, Standing and Parking Rules

- 1) At any time, it shall be a violation of HVL rules to permit any motor vehicle to be parked or to stand in any of the following places, except when necessary to avoid conflict with any other traffic or in compliance with the directions of a policeman, HVL Deputy or traffic control devices:
 - a. Within twenty (20) feet of any intersection or crosswalk.
 - b. Other than parallel with the edge of the pavement and in the direction of traffic.
 - c. To reduce the usable width of the street or roadway for moving traffic to less than eighteen (18) feet with the exception of vehicles being loaded or unloaded.
 - d. To cause in any way a hazardous condition for moving traffic or pedestrians.
 - e. Within fifteen (15) feet of a fire hydrant.
 - f. Anyplace where the vehicle would block the use of a driveway or mailbox.
 - g. On any sidewalk.
 - h. At any place where official signs prohibit parking.
 - i. On streets during a snow removal period. Vehicles should be parked in a driveway and not on the street.
- 2) Any motorized vehicle, boat, trailer, camper, or any other type of private recreational or commercial vehicle without proper safety reflectors must be removed from HVL streets, roadways, and/or parking areas by sunset each day. All violators will be subject to towing.
- 3) Any unlicensed motorized vehicle, boat, trailer, camper, or any other type of private recreational or commercial vehicle must be removed from HVL streets, roadways, and/or parking areas by sunset each day. All violators will be subject to towing.

- 4) Boats, trailers, campers or any other type of private recreational or commercial vehicle may be parked within a distance of twenty (20) feet of the paved area of any Hidden Valley Lake street, roadway and/or parking area with permission of the Community Manager. (Effective 10/24/13)
- 5) The parking of concrete trucks at or near the construction site shall be limited to two vehicles – one actively unloading and one staged. The concrete truck being staged shall be parked within thirty-five (35) feet of the construction site. If additional concrete trucks for the construction site are on HVL premises, they shall be staged at the main entrance pull-off area, space permitting. Any concrete pumper truck needed for construction shall be positioned completely off the roadway while in use. Requests for exceptions to this rule shall be submitted in writing to the HVL POA Community Manager. If the exceptions are approved, they shall be sent by the HVL POA office in writing to the person requesting them. This policy shall be strictly enforced and violators are subject to assessment.

C. Abandoned Vehicles Rules

- 1) It shall be a violation of HVL rules to abandon a vehicle on community property within HVL. Any abandoned vehicle is subject to removal by the HVL POA and shall be impounded. Impound lot fees will be charged to the owner of the vehicle.

D. Repair or Restoration of Vehicles Rules

- 1) It is a violation of HVL rules to grease, drain the crankcase, perform maintenance, or repair any motor vehicle upon any HVL street, roadway, and/or parking area except in case of emergency.
- 2) It is a violation of HVL rules to park any vehicle leaking gas, oil or transmission fluid(s) upon any HVL street, roadway, and/or parking area.
- 3) It is a violation of HVL rules to perform work on any vehicle under restoration on community property within HVL.

E. Muffler Equipment for Motorized Vehicles Rules

- 1) It shall be a violation of HVL rules to operate, cause to be operated or permit the operation of any motorized vehicles on HVL streets, roadways, and/or parking areas with a muffler, or any part thereon, that has been altered in any way from its original design by the manufacturer thereof, and/or with any muffler with any part thereof removed. Any muffler other than the original equipment manufacturer specifies for the vehicle is strictly prohibited.

F. Truck Weight Limitations Rules

- 1) It shall be a violation of HVL rules to drive any truck over seven thousand (7,000) pounds gross vehicle weight on any HVL street, roadway and/or parking area so marked. However, trucks may use such streets, roadways, and/or parking areas for the purpose of making deliveries or picking up materials or merchandise but only by entering such street, roadway, and/or parking area at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter.

G. Signs and Barricades Rules

- 1) It shall be a violation of HVL rules for anyone not so authorized by the HVL POA office to post any signs or place any barricades which are intended to, or have the effect of, creating the impression that the parking there is limited or prohibited by the HVL POA office.

H. Refusal to Remove Parked or Stopped Vehicles Rules

- 1) It shall be a violation for the owner and/or operator of any vehicle to refuse to move a vehicle otherwise lawfully parked or stopped when so requested by an HVL Deputy or the operator of an emergency vehicle (ambulance, fire-fighting apparatus, utility department truck, snow plow, etc.) while discharging his duties as such operator. Deputies may tow vehicles at owner's expense when it presents a danger to other traffic, obstructs traffic flow or in the event owner cannot be located.

I. Unlawful Deposits Rules

- 1) It shall be a violation of HVL rules to deposit, permit to be deposited or permit to fall from any vehicle any garbage, refuse or natural debris upon any private property or community property within HVL. This provision shall not be construed to prohibit the placing of garbage, refuse and natural debris in a container, or to prohibit the placing of natural debris and refuse too bulky to place in a container, on or immediately adjacent to a street preparatory to having such material collected and disposed of by the authorized company.

J. Traffic and Vehicle Operations Rules

- 1) All motor vehicles operating on HVL streets, roadways, and/or parking areas must have a current and valid license plate and registration.
- 2) All motor vehicle operators must have a current and valid driver's license.
- 3) Every vehicle operator shall stop for all posted stop signs and then proceed with due caution into the intersection yielding the right of way where applicable.

- 4) Vehicle operators shall obey all traffic control signs or devices posted on HVL streets, roadways, and/or parking areas.
- 5) Passing of moving vehicles when driving on HVL streets and roadways is prohibited.
- 6) The posted speed limit in HVL is 25 mph. The speed limit at the Sports Complex is 15 mph. The speed limit at the pool from Memorial Day to Labor Day is 15 mph between the hours of 8:00 a.m. and midnight.
- 7) Vehicle operators shall obey all posted signs controlling speed limits within HVL.
- 8) No person shall operate a motor vehicle in such a manner as to cause the following:
 - a. Spinning of tires.
 - b. "Fish tailing".
 - c. Loud noises which would cause annoyance of property owners and/or guests.
- 9) No person shall fail to comply with a lawful order of an HVL Deputy while such Deputy is acting for the benefit and safety of property owners and guests of HVL property owners.
- 10) Any vehicle using an HVL street, roadway, and/or parking area must be in a safe operating condition and completely road worthy.
- 11) All Golf Carts must be registered with the HVL POA Office by April 30th of each year for a \$5.00 annual fee. You must show proof of insurance for your golf cart at the time of registration.

K. Motorized Bicycles (MOPEDS), All-Terrain Vehicles (ATV)/Off-Road Vehicles, Motor Scooters/Motorized Skateboards and Motorcycles Rules

- 1) To operate a motorcycle on community property within HVL, a person must have a valid driver's license.
- 2) The operation of any all-terrain vehicle (ATV)/off-road vehicle on community property within HVL is prohibited unless approved by the HVL Community Manager or the HVL Board of Directors.
- 3) All operators shall be subject to all local, state, and federal safety regulations governing the operation of motorized bicycles (MOPEDs), motor scooters/motorized skateboards, or motorcycles in Indiana. These should include, but not be limited to the following:
 - a. Equipped with handlebars that are more than fifteen (15) inches above the seat when occupied.
 - b. Equipped with brakes in good working order on both front and rear.
 - c. Equipped with footrests or foot pegs for both operator and passenger.
 - d. Equipped with lamps and reflectors meeting standards of US Department of Transportation.
 - e. Illumination of headlights at all times when a motorcycle or motorized bicycle is in operation.

- 4) In addition to the local, state and federal safety regulations, motorized bicycles (MOPEDs), motor scooters/motorized skateboards, or motorcycles shall be:
 - a. Equipped with a baffled muffler (muffler to eliminate excessive noise).
 - b. Equipped with not more than a two- (2) seat capacity with the passenger seated immediately behind the operator. (The only exception will be a motorcycle equipped with sidecar, with no more than two (2) passengers in a sidecar.)

- 5) No person shall operate a motorized bicycle (MOPED) or motor scooter/motorized skateboard within HVL unless:
 - a. They are at least fifteen (15) years of age.
 - b. They have a valid Drivers License or BMV-Issued Identification Card.
 - c. They must pass the HVL POA written Moped test annually.
 - d. They must present their Drivers License or BMV-Issued Identification Card at the POA Office and pass the POA written Moped test to receive a valid HVL Moped sticker, which shall be placed on the front fender or windshield of the Moped.
 - e. They must carry their Drivers License or BMV-Issued Identification Card with them while operating the motorized bicycle (MOPED) in HVL.
 - f. The property owner and the operator must sign the registration forms for the sticker.
 - g. The property owner is responsible for any damage or liability incurred by the operator.

- 6) A person less than eighteen (18) years of age who operates a motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle shall wear protective headgear meeting the minimum standard established by the United States Department of Transportation under 49 CFR 571.218 in effect January 1, 1979.

- 7) Motorized bicycles (MOPEDs), motor scooters/motorized skateboards, and motorcycles with the engine capacity of greater than fifty cubic centimeters (50cc) are required by the Indiana Bureau of Motor Vehicles to be licensed in the state of Indiana.

- 8) Unless operating on the owner's private property, all motorized vehicles are to be operated only on HVL streets, roadways, and/or parking areas. All other community property within HVL or private property is to be considered closed to the use of all motorized vehicles.

- 9) No person shall operate any type of motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle on or across the dam, beach, sports complex, or hiking trails. Motorized bicycles (MOPEDs), motor scooters/motorized skateboards, and motorcycles may enter an HVL parking area to park and then exit later.

- 10) No person will operate a motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle on community property within HVL unless both front and rear wheels are in contact with the surface at all times.

- 11) No person is to operate a motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle on community property within HVL in a manner normally deemed to be "reckless".

Part 3 – Additional Information

Section 301. Utility Company Information

All water, sewer, electric, cable TV, telephone and gas utilities are buried so as not to disturb the natural beauty of HVL. Central water and sewer lines are provided to all lots.

A. Cable TV – Comcast

Phone Number: (800) 934-6489

Internet Access: Web site: www.comcast.net

B. Electrical Power - Southern Indiana REMC

Mailing Address: 712 South Buckeye Street
P.O. Box 196
Osgood, IN 47037

Office Hours: 7:30 a.m. - 4:30 p.m., EST, Monday - Friday

Phone Numbers: Local - (812) 689-4111
Toll Free - (800) 737-4111
Repair service - (0) 689-4111 (call collect)
Call before digging – 811 or (800) 382-5544

Internet Access: E-mail: contact_us@seiremc.com
Web site: <http://www.seiremc.com>

To Report an Outage:

- 1) Check your circuit breakers or fuses first.
- 2) If possible, check to see if your neighbors are also having an outage.
- 3) Phone (812) 689-4111 or toll free (800) 737-4111, 24 hours a day and report the outage. Provide the name the service is listed under. If possible, provide the map location and the account number from a bill.
- 4) Provide your phone number in case they need to call back. State the problem, such as loss of power, partial power, and dimming or flickering lights.
- 5) Please be patient, crews will restore service as quickly as possible.

C. Natural Gas - Valley Rural Utility Company (VRUC)

Phone Numbers: Non-emergency gas inquiries - (888) 863-0032
24-hour gas emergencies - (888) 784-6160

Internet Access: Web site: www.utilitypipelineltd.com/valley-rural-utility-co

Natural Gas Connection Fees:

The VRUC performs taps and meter installations for gas service after the appropriate fees are paid

To apply for new gas service a signed application must be mailed to the address on the card. Application cards are available at the VRUC office or will be sent to you if you call the non-emergency number above. All gas customers will be subject to the Rules and Regulations governing gas distribution services as approved by the Indiana Utility Regulatory Commission. You will receive a copy of these rules upon application for service. Natural gas will be available on all streets throughout the HVL Development. The initial fee to connect to the VRUC gas system varies. Please call the Gas Company for appropriate fees. This charge shall entitle the customer to a tap into the mainline, a service line owned by VRUC up to and including the curb valve, and the meter. All service line from the curb valve to the house (housetline) will be the responsibility of and owned by the customer. This includes the meter bracket on the house. The customer must ensure that the housetline installer has an operator qualification certificate with the U.S. Department of Transportation (DOT).

Natural Gas Bills:

Charges vary. Please contact the Gas Company for rates at 1 (888) 863-0032. Gas bills will be sent separate from water and sewer and will be mailed monthly. Payment for gas service must be sent to the lock box account shown on the monthly bill.

D. Telecommunications - Indicom

Indicom is a provider of telecommunications services based in Lawrenceburg and provides a full range of telecommunications services. Indicom offers custom calling plans to provide unlimited local calls from Lawrenceburg numbers to the Greater Cincinnati area (including Bright), and from Bright numbers to Southeastern Indiana area. Indicom is also the premier provider of Verizon wireless telephones in the area.

Mailing Address: 777 East Eads Parkway
Lawrenceburg, IN 47025

Phone Numbers: Indiana - (812) 537-3301
Ohio - (513) 564-0135

E. Telephone – Century Link

Phone Numbers: (866) 770-1479
Repair Service - (800) 736-6369

F. Telephone – Cincinnati Bell

Phone Numbers: (513) 565-2210
Repair Service – 611

Internet Access: Web site: <http://www.cincinnati-bell.com/>

G. Trash Pickup - Rumpke, Inc.

Trash pick-up from Rumpke is scheduled depending upon your street address. Recycling is picked up Thursday mornings. Please call the HVL POA office to schedule a pick-up of large items or if you have any questions.

Trash service is provided to every home. Rumpke provides at no additional cost a 65 or 96 gallon trash cart, as well as a 65 or 96 gallon recycle cart. Contact the POA Office to request a cart. If you only need a small recycle bin, you may pick one up at the HVL POA Office during normal business hours. If you wish to rent a second trash cart the rental fee is \$21.00 semi-annually.

The HVL POA requests that residents do not place garbage containers, recycle bins and other items for trash pickup at the roadside prior to noon of the day before the scheduled trash collection and that all garbage containers, container lids, recycle bins and any material not collected be removed from the roadside by the end of the day of the scheduled trash collection. The POA requests that trash is placed out the night prior to pickup as the trash collectors tend to pick up very early in the morning.

H. Water and Sewage - Valley Rural Utility Company (VRUC)

Mailing Address: 19435 Alpine Drive
Lawrenceburg, IN 47025

Internet Access: Website: www.valleyruralutilityco.com

Office Hours: 8:00 a.m. - 4:00 p.m. EST. Monday – Friday

Phone Numbers: Indiana - (812) 539-3330
Ohio - (513) 564-1500
After Hours - Call either of the above numbers and your call will be forwarded appropriately.
Underground facility locating – 811 or (800) 382-5544

Availability Fee:

An availability fee of \$96.00 is payable annually according to deed restrictions on each vacant lot in HVL. A vacant lot is defined in a motion by the Board of Directors dated 4/30/96, along with an accompanying drawing. A 10% late penalty will be charged on all delinquent accounts. The availability fees follow the land and not the owner. Therefore, any amount due will be attached to the land and will be payable by the new owner if not settled at the closing by the previous owner.

Payment of Utility Bills:

VRUC reads the water meters each month beginning on approximately the 17th. The sewer portion is based on the metered gallons of water. All bills are mailed on the final business day of the month and are due on the 20th of the following month. All payments received after the 20th will incur a late charge of 10%. If the bill is not paid by the end of the month, service will be disconnected. A reconnect charge of \$100.00 will be added to the amount owed and payable before reconnect.

Snowbirds who want their water turned off for the winter will not receive a bill during those months they are gone. A \$25.00 reconnect fee will be charged when customer returns.

If the water meter has been disconnected due to non-payment and the water is to be reconnected after business hours, an additional \$90.00 fee will be due at that time.

Payments can be made at the office of the VRUC, 19435 Alpine Drive or deposited into one of the two VRUC drop boxes located across from the entrance to the HVL POA offices and across from Lake Melody near the main gate of HVL. An online bill payment feature is available on the VRUC Web site for an additional fee.

Separate Water Meter Policy:

Separate water meters are available for sale to homeowners at a one-time cost of \$90.00. Said meters must be used on the outside of the homeowner's residence, only during the period of April 15th through October 15th for such purposes a filling a swimming pool, watering the yard/garden, etc. The VRUC retains the sole discretion to monitor and to decide proper use of the meters. (See VRUC policy available at the VRUC office and also necessary for signature prior to receiving meter).

Tap In Fees:

For new construction, the water tap in fee is \$560.00 and the sewer tap in fee is \$680.00. You will also be required to pay the Greendale System Development Fee of \$3,350.00 at the time you apply for your tap fee. This fee is payable to the VRUC, which the VRUC remits to Greendale. Separate checks are preferred. The VRUC performs taps and meter installations for water and sewer after the appropriate fees are paid. Water availability fees must be current in order to apply for your tap fee.

Section 302. HVL Deeds and Covenants and Articles of Incorporation

State of Indiana Office of the Secretary of State

Certificate of Amendment

To whom these presents come, Greeting:

I, Evan Bayh, Secretary of State of Indiana, hereby certify that HIDDEN VALLEY LAKE PROPERTY OWNERS ASSOCIATION, INC. a corporation duly organized and existing under the laws of the State of Indiana, has this day filed in the office of the Secretary of State, Articles of Amendment showing an amendment to the articles of incorporation of said company, in accordance with the Indiana Not-For-Profit Corporation Act of 1971 (IC 23-7-1.1).

WHEREAS, upon due examination, I find that they conform to law:

NOW, THEREFORE, I, Evan Bayh, Secretary of State, hereby certify that I have this day endorsed my approval upon all copies of Articles so presented, and, having received the fees required by law, have filed one copy of the Articles in this office and returned the remaining copies bearing the endorsement of my approval to the Corporation.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this 27th day of July, 1987.

Evan Bayh, Secretary of State.

Articles of Amendment of the Articles of Incorporation of Hidden Valley Lake Property Owners Association, Inc.

William W. Mountsier and Daniel Delany of the above named corporation respectfully show that:

1. The above named corporation was organized or reorganized under the General Not-For-Profit Corporation Act, approved March 7, 1935 / The Indiana Not-For-Profit Corporation Act of 1971, approved September 2, 1971 on February 28, 1982.
2. The above named corporation, upon the proposal of its board of directors, by resolution duly adopted by said board of directors setting forth the proposed amendment and directing that the same be submitted to a vote of the members entitled to vote in respect thereof at a designated meeting of such members, and upon the adoption thereof by said members at such a meeting as provided by law and as hereinafter more specifically set out, does hereby by William W. Mountsier its President and Daniel Delany, Secretary execute and acknowledge the following Articles of Amendment of its Articles of Incorporation:

Amended of its Articles of Incorporation:

ARTICLE I

The name of the Corporation is HIDDEN VALLEY LAKE PROPERTY OWNERS ASSOCIATION, INC.

ARTICLE II

The purposes for which the Corporation is formed are:

- A. To exercise the powers and functions granted to it in or pursuant to the restrictions and covenants set forth in the contracts and/or deeds wherein Hidden Valley Lake, Inc., was the vendor or grantor of certain lots in the Hidden Valley Lake Subdivision located in Dearborn County, Indiana.
- B. In accordance with the restrictions as set forth in the aforesaid contracts and/or deeds, to promulgate rules and regulations for the use of all streets, rights-of-way, common lands, parks, recreational facilities, swimming pools, etc., which said rules and regulations shall be binding upon all shareholders of this Corporation, their families, guests and invitees.
- C. To provide for the collection and payment of all taxes and/or assessments, if any, that may be levied by a political subdivision upon any of the assets of the Corporation, real or personal, owned by the Corporation.
- D. To establish, enforce and collect such charges as may be assessed by the Corporation against members for the purpose of raising funds to pay the expenses of the Corporation, whether the same be for maintenance of property or for the welfare of the residents in Hidden Valley Lake Subdivision.
- E. To provide for the maintenance of parks, recreational facilities and other community enterprises or improvements that may be conveyed to the Corporation or acquired by the Corporation in any manner.
- F. To enter into such contracts with the Hidden Valley Lake, Inc., its successor and/or assigns, for the acquisition of land on which streets, the parks or any other recreational facility or lakes are situated with reference to the cost of maintenance and the operation of the same.
- G. To accept the titles from Hidden Valley lake, Inc., or any other person(s) for such lands on which said streets, parks, recreational facilities, lakes, or any other improvements for the general benefit of the Corporation.
- H. To promulgate rules and regulations controlling the construction of improvements on lots within Hidden Valley Lake Subdivision, as the same now, or hereafter exists.
- I. To have, hold, exercise and enjoy in furtherance of the purposes set forth hereinabove, all the rights, powers, privileges and immunities granted, and not expressly denied, by The Indiana General Not-For-Profit Corporation Act of 1971, as now or hereafter amended, and under the common law as may be necessary, convenient or expedient in order to accomplish the purposes set forth hereinabove, but

subject to any limitation or restriction imposed by the Indiana General Not For Profit Corporation Act of 1971, by any other law or by these Articles of Incorporation.

J. Notwithstanding any other provision of these Articles of Incorporation this Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in the furtherance of the purposes of this Corporation.

**ARTICLE III
PERIOD OF EXISTENCE**

The period during which the Corporation shall continue is perpetual.

**ARTICLE IV
RESIDENT AGENT AND PRINCIPAL OFFICE**

Section 1. Resident Agent. The name and address of the Resident Agent in charge of the Corporation’s principal office is Robert J. Ewbank, 114 West High Street, Lawrenceburg, IN 47025.

Section 2. Principal Office. The post office address of the principal office of the Corporation is 19325 Schmarr Drive, Lawrenceburg, IN 47025.

**ARTICLE V
MEMBERSHIP**

Section 1. Classes. There shall be three classes of membership.

Class A. Lot Owners. Each person, firm or corporation shall be entitled to one membership for each lot in Hidden Valley Lake Subdivision standing in his, her or its name in the records of Hidden Valley Lake Property Owners Association, Inc. For purpose of determining membership in this Corporation, the person first named as purchaser and/or grantee on the instrument under which he claims interest shall be considered the owner. There shall be no fractional memberships.

Class B. Associate Membership. Each person, firm or corporation specifically granted membership and limited to rights as set forth in the By-Laws of this Corporation or a Resolution of the Board of Directors granting membership to such person or groups of persons.

Class C. Honorary Membership. Each person, firm or corporation specifically granted membership and limited to rights as set forth in the Resolution of the Board of Directors granting membership to such person.

Section 2. Voting Rights of Classes.

Voting rights on all matters to come before any regular or special meeting of the Property Owners Association shall be in the hands of the Class A Lot Owners membership.

Each Class A member shall be eligible to vote in the affairs of the Corporation, provided however that at the time of said meeting all financial obligations of the member to the Corporation have been met in full and the member is not then under suspension by action of the Board of Directors.

Each eligible Class A member shall be entitled to one vote for the first lot standing in his, her or its name in the records of the Hidden Valley Lake Property Owners Association, Inc., and to one additional vote for each subsequent lot standing in his, her or its name, on which membership dues for the twelve-month period immediately preceding the meeting have been paid.

ARTICLE VI DIRECTORS

Section 1. Number of Directors. The initial Board of Directors is composed of five (5) members. If the exact number of Directors is not stated, the minimum shall be three (3) and the maximum number is nine (9). Provided, however, that the exact number of Directors shall be prescribed from time to time in the By-laws of the Corporation: AND PROVIDED FURTHER THAT UNDER NO CIRCUMSTANCES SHALL THE MINIMUM NUMBER BE LESS THAN THREE (3).

Section 2. Names and Post Office Addresses of the Directors. The name and post office addresses of the Board of Directors are:

Jack Matthews, 2344 Matterhorn Drive, Lawrenceburg, Indiana 47025
William W. Mountsier, 2275 Matterhorn Drive, Lawrenceburg, Indiana 47025
Robert Kelly, 2391 Golf View Court, Lawrenceburg, Indiana 47025
Sammy A. Gutzwiller, 145 Fairway Drive, Lawrenceburg, Indiana 47025
James McCullough, 1887 Aqua Vista Drive, Lawrenceburg, Indiana 47025

Such members of the first Board of Directors shall serve until the next annual meeting of the members, at which time, and at each annual meeting thereafter, members of the Board of Directors shall be elected by the vote of the members entitled to cast votes according to the provisions of Article V above, said Directors shall serve until the next annual meeting of members and until their successors are elected and qualified.

ARTICLE VII PRESIDENT AND SECRETARY

Section 1. Names and Post Office Addresses. The name and post office address(es) of the President and Secretary of the Corporation is (are) as follows:

Jack Matthews, 2344 Matterhorn Drive, Lawrenceburg, Indiana 47025
Robert Kelly, 2391 Golf View Court, Lawrenceburg, Indiana 47025

ARTICLE VIII STATEMENT OF PROPERTY

A statement of the property and an estimate of the value thereof, to be taken over by this Corporation at or upon its incorporation are as follows: is more than \$1,000.00.

ARTICLE IX PROVISIONS FOR REGULATION AND CONDUCT OF THE AFFAIRS OF CORPORATION

Section 1. Other provisions, consistent with the laws of this state, for the regulation and conduct of the affairs of this Corporation, and creating, defining, limiting or regulating the powers of this Corporation or the members shall be as from time to time set forth in the By-Laws of this Corporation, SUBJECT HOWEVER:

A. To any limitations or restrictions imposed by law or by these Articles of Incorporation or by the By-Laws of this Corporation, the Board of Directors of the Corporation is hereby authorized to exercise, in furtherance of the purposes of the Corporation, all the powers of the Corporation without prior authorization or subsequent approval by the members of the Corporation:

B. To the power to make, alter, amend or repeal the By-Laws and rules and regulations for the conduct of the affairs of the Corporation, including the power to establish officers of the Corporation and to elect such officers for such terms, in such manner and to perform such duties as it may determine in its sole discretion, shall be vested in the Board of Directors of the Corporation; Provided, however, that no act of the Board of Directors shall be inconsistent with or contradictory to these Articles of Incorporation or any provision of law;

C. All meetings of members and Directors may be held at any place within a radius of fifty (50) miles from the main entrance of Hidden Valley Lake Subdivision whether said place be within or without the State of Indiana, provided only that such place shall be stated in the notice of such meeting.

D. No member of the Corporation shall receive any earnings, compensation or payment from the Corporation, except reasonable compensation for services actually performed in furtherance of the purposes of the Corporation as an officer, Director or employee and except also payment to a member of principal and interest thereon on moneys loaned or advanced to the Corporation to the extent permitted by Law.

E. No gift or other contribution to the Corporation shall be accepted by the Corporation if the use or expenditure of such gift or other contribution is subject to any condition which is consistent with the purposes of the Corporation as stated herein.

The undersigned, being one or more persons, do hereby adopt these Articles of Incorporation, representing beforehand to the Secretary of State of the State of Indiana and all persons whom it may concern that a membership list or lists of the above named Corporation for which a Certificate of Incorporation is hereby applied for, have heretofore been opened in accordance with the law and that at least three (3) persons have signed such membership list.

3. (A) The above amendment was adopted in the following manner by the Board of Directors:

The Board of Directors of the Corporation at a duly called special meeting of said board held on March 23, 1984 at Chalet – Hidden Valley Lake, Lawrenceburg, IN, adopted the following resolution of Articles of Amendment of the Articles of Incorporation of said Corporation:

Be it resolved that the proposed Amendment to the original Articles of Incorporation (H. I.) be submitted to the general membership of the Hidden Valley Lake Property Owners Association at the Annual Meeting to be held on the 11th day of April, 1984 and further that a copy of the proposed Amendment be sent to each member with an explanation of said amendment at least three (3) weeks prior to said meeting.

Be it further resolved, that this proposed amendment be submitted to a vote of the members entitled to vote thereon at an Annual Meeting, to be held on the 11th day of April, 1984, at Chalet – Hidden Valley Lake Property Owners Association, Lawrenceburg, IN, 47025 and the secretary is hereby directed to give Notice thereof as required by law.

3. (B) At the members' meeting the members entitled to vote in respect to said Amendment to the Articles of Incorporation, upon the call and notice required by law, did adopt the above amendments by the affirmative vote of at least a majority of the members entitled to vote thereon.

Membership Vote with Respect to the Proposed Amendment

The number of Members entitled to vote in respect of such Articles of Acceptance, the Members voting in favor of the adoption of such Articles of Acceptance, and the Members voting against such adoption are as follows:

Members entitled to vote: 623

Members voted in favor: 588

Members voted against: 35

The Articles of Amendment as voted upon on the 11th day of April, 1984 was ratified by the membership on April 25, 1984 by a vote of 140 in favor and 0 against.

Compliance with Legal Requirements

The manner of the adoption of such Articles of Amendment, and the vote by which they were adopted constitute full legal compliance with the provisions of the Act, The Articles of Incorporation, and the By-Laws of the Corporation.

In witness whereof the undersigned William W. Mountsier (President) and Daniel Delany (secretary) respectively, of said corporation have unto set their hand and seal this 27th day of May, 1987.

STATE OF INDIANA, COUNTY OF DEARBORN

.....
Before me, Robert J. Ewbank, a notary public in and for said county and state, personally appeared William W. Mountsier and Daniel Delany well know to me to be the President and Secretary respectively, of the above-named corporation and severally acknowledge the execution of the foregoing Articles of Amendment.

Robert J. Ewbank, Notary Public. My commission expires January 28, 1991.

Section 303. Index To Bylaws, Rules and Regulations

<u>Subject</u>	<u>Section - Page</u>
Abandoned Vehicles Rules	Section 215-3
Above-Ground Pools Rules	Section 202-27
Administratively Approved Projects (Architecture)	Section 202-7
All-Terrain Vehicles (ATV)/Off-Road Vehicles Rules	Section 215-5
Appealing an HVL POA Judicial Panel Decision to Board of Directors ...	Section 102-5
Appealing an HVL POA Judicial Panel Decision to Judicial	Section 102-4
Architecture Checklists, Forms and Applications	Section 203-1
Architecture Committee General Information	Section 101-6
Architecture Definitions of Terms	Section 202-3
Architecture Project Deadline Timeline	Section 202-4
Architecture Rules	Section 202-1
Architecture Rules – General	Section 202-4
Articles of Incorporation	Section 302-1
Board of Directors Elections Policies and Procedures	Section 103-8
Board of Directors Elections Definition of Terms	Section 103-8
Board of Directors First Reading Procedures	Section 103-7
Board of Directors General Information	Section 101-3
Board of Directors Motion Approval Requirements	Section 103-8
Board of Directors Powers and Duties of Office	Section 101-4
Board of Directors Second Reading Procedures	Section 103-7
Board of Directors Voting Policies and Procedures	Section 103-7
Boat Lifts Rules	Section 202-18
Boat Rules	Section 207-4
Building Permits Rules (Dearborn County)	Section 202-13
Burning Rules	Section 204-1
Campaigning Rules	Section 214-3
Citations/Violations	Section 102-1
Collection Procedures	Section 101-14
Committee Membership Procedures	Section 103-5
Committee Membership Qualifications	Section 103-5
Committee New Membership Process	Section 103-6
Committee Removal from Membership Process	Section 103-7
Committee Resignation of Membership Process	Section 103-6
Complaint Procedures, HVL POA	Section 103-2
Concrete Truck Parking during Construction	Section 215-3
Construction Noise Rules	Section 202-6
Contesting a Citation to the HVL POA Judicial Panel	Section 102-3
Contiguous Lot Agreement (definition)	Section 202-3
Creating & Maintaining Policies, Procedures, Practices & Rules	Section 103-1
Curfew Rules	Section 205-1
Dearborn County Building Permits Rules	Section 202-13
Deck Construction Rules	Section 202-17
Deeds & Covenants & Articles of Incorporation	Section 302-1
Deer Culling Applications	Section 103-13

Deer Culling Dates	Section 103-14
Deer Culling Harvested Animal Procedures	Section 103-13
Deer Culling Hunter’s Qualifications	Section 103-13
Deer Culling Rules & Regulations	Section 103-14
Deer Culling Zones	Section 103-12
Deer Feeding Rules	Section 209-3
Deer Management Program	Section 103-12
Definitions of Terms	Section 201-1
Ditches & Entrance to Property Rules	Section 202-17
Docks Rules (POA)	Section 207-3
Docks Rules (Private)	Section 202-18
Dog Control Rules	Section 206-1
Dog Definitions of Terms	Section 206-1
Dog Licensing Rules	Section 206-2
Dog Restraint Rules	Section 206-2
Drainage & Grading Rules	Section 202-22
Dues and Assessments and Fees	Section 101-13
Easement (VRUC)	Section 202-2
Elections Policies and Procedures	Section 103-8
Elections Procedures	Section 103-10
Election Results Protest Procedures	Section 103-12
Elections – Safety, Security & Elections Committee Responsibilities ...	Section 103-9
Emergency Contact Information	Section 101-2
Erosion Control Procedures	Section 202-5
Fences Rules	Section 202-20
Finance Committee General Information	Section 101-7
Assessments Schedule	Section 102-5
Fireworks (Noise Rules)	Section 208-1
Fishing Catch Limits	Section 207-10
Fishing Rules	Section 207-9
Foundations & Structures Rules	Section 202-16
Fuel Tanks Rules	Section 202-21
Future Planning & Political Action Committee General Information	Section 101-8
Gazebos Rules	Section 202-23
Golf Cart Registration	Section 215-5
Grading & Drainage Rules	Section 202-22
House Plans Rules (Additions or Changes to Existing Structures)	Section 202-9
House Plans Rules (New Structures)	Section 202-8
HVL POA Assets and Facilities	Section 101-1
HVL POA Budgetary Process, Rules, Policies & Procedures	Section 104-1
HVL POA Capital Expenditures Budgetary Process Timeline	Section 104-3
HVL POA Clubs and Organizations	Section 101-12
HVL POA Committees and Panels	Section 101-5
HVL POA Financial Policies, Procedures & Practices	Section 104-1
HVL POA General Information	Section 101-1
HVL POA Meeting Policies	Section 103-3
HVL POA Office Information	Section 101-2
HVL POA Personal Identification Cards	Section 103-2

HVL POA Policies, Procedures, Practices & Rules	Section 103-1
HVL POA Policies, Procedures, Practices & Rules Forms	Section 103-1
In-Ground Pools Rules	Section 202-27
Judicial Assessment Schedule	Section 102-5
Judicial Panel General Information	Section 101-8
Judicial Procedures and Enforcement of Rules	Section 102-1
Lakes Committee General Information	Section 101-9
Lakes Rules (General)	Section 207-2
Lakes & Water Craft Definitions of Terms	Section 207-1
Lake Water Usage Rules	Section 202-22
Landscaping Rules	Section 202-23
Main Lake Rules	Section 207-3
Meeting Policies – Regularly Scheduled	Section 103-3
Meeting Policies – Special Meetings	Section 103-3
Meeting Protocol	Section 103-4
Membership & Voting Rights	Section 103-9
Membership Rules	Section 103-9
Motor Scooters Rules	Section 215-5
Motorcycles Rules	Section 215-5
Motorized Bicycles (MOPEDS) Rules	Section 215-5
Motorized Skateboards Rules	Section 215-5
Muffler Equipment for Motorized Vehicles Rules	Section 215-3
Noise Rules	Section 208-1
No-Wake Idle Speed (definition)	Section 207-1
Other Lot Improvements Rules	Section 202-23
Parking Rules	Section 215-2
Parks and Recreational Facilities Scheduling Rules	Section 209-2
Parks and Recreational Facilities Usage Rules	Section 209-1
Parks & Recreation Committee General Information	Section 101-10
Performance Bonds (Structures under 900 Square Feet) Rules	Section 202-14
Performance Bonds (Structures 900 Square Feet & Larger) Rules	Section 202-13
Performance Bond Return Request	Section 202-13
Persons Rules	Section 210-1
Play Structures Rules	Section 202-24
Plot Plans (Additions or Changes to Existing Structures) Rules	Section 202-11
Plot Plans (New Structures) Rules	Section 202-10
POA Standing Committee & Judicial Panel Membership	Section 103-5
POA Meeting Policies	Section 103-3
POA Board Voting Policies & Procedures	Section 103-7
Pool and Beach Rules	Section 211-1
Pool Installation Rules (In-Ground & Above Ground)	Section 202-27
Private Property Appearance and Maintenance Rules	Section 213-1
Procedure for Creating & Maintaining Policies, Procedures, Practices & Rules	Section 103-1
Property Safety Rules	Section 212-1
Qualified Board of Directors Candidate	Section 103-9
Renters Amenities Fee	Section 101-14
Retaining Walls Rules	Section 202-24
Road Moratorium Rules	Section 202-15

Roadside Ditches & Entrances to Property Rules	Section 202-17
Rules Enforcement Procedures	Section 102-2
Safety, Security & Elections Committee General Information	Section 101-11
Satellite Dishes Rules	Section 202-27
Schedule of Dues and Assessments and Fees	Section 101-13
Schedule of Violations Subject to Assessments	Section 102-5
Seawalls Rules	Section 202-25
Set Back & Side Lot Dimensions Rules for Structures	Section 202-15
Sheds, Gazebos, Shelters, Dog Run Rules	Section 202-23
Shoreline Reclamation Rules	Section 202-25
Shoreline Protection Rules	Section 202-25
Signs Rules	Section 214-1
Small Lakes Rules	Section 207-3
Solicitation & Campaigning Rules	Section 214-2
Special or Referendum Election Procedures	Section 103-11
Spillway Rules	Section 207-3
Stopping, Standing and Parking Rules	Section 215-2
Structures and Foundations Rules	Section 202-16
Swimming Facility Hours of Operation	Section 211-2
Swimming Guest Rules	Section 211-2
Swimming Health Rules	Section 211-3
Swimming Rules (General)	Section 211-1
Swimming Safety Rules	Section 211-2
Temporary Storage Unit Procedures	Section 202-8
Traffic and Vehicle Definitions of Terms	Section 215-1
Traffic and Vehicle Operations Rules	Section 215-4
Truck Weight Limitations Rules	Section 215-4
Tubing Rules	Section 207-8
TV Antennas Rules	Section 202-27
Unlawful Deposits Rules	Section 215-4
Utility Information	Section 301-1
Variance Rules	Section 202-7
Vehicle – Refusal to Remove Parked or Stopped	Section 215-4
Vehicle Repair or Restoration Rules	Section 215-3
Vehicle & Traffic Rules	Section 215-1
Vicious dog (definition)	Section 206-2
Violation Notices (Citations)	Section 102-1
Voting & Membership Rights	Section 103-9
Wake Boarding Rules	Section 207-8
Water Craft Length Rules	Section 207-5
Water Craft Operation Rules	Section 207-6
Water Craft Registration Rules	Section 207-4
Water Craft Rules	Section 207-4
Water Skiing Rules	Section 207-8
Water Trampolines & Large Floatation Devices Rules	Section 207-9

Section 304. Suggestion Form

A. Bylaws, Rules and Regulations Suggestion Form

The Hidden Valley Lake Property Owners Association produces this Bylaws, Rules and Regulations for the purpose of keeping all HVL property owners, their immediate family members, their guests, their renters and their architects, contractors, and subcontractors current on HVL POA information and rules. It is our goal to provide a Bylaws, Rules and Regulations that is informative, accurate, up-to-date and easy to use.

We need your help in attaining this goal. If you have any suggestions on how this Bylaws, Rules and Regulations can be improved, please document your suggestions on a copy of this Bylaws, Rules and Regulations Suggestion Form and submit it to the HVL POA office.

Note: The actual wording of the Rules, Procedures, Policies and Practices requires a vote by the HVL POA Board of Directors to make the change(s) official. If you wish to make a suggestion for changing the current wording of Rules, Procedures, Policies and Practices, please contact the committee responsible as indicated in Part 1, Section 101.

My Suggestion(s):

Please use the backside of this form to continue your suggestions. When you have completed your suggestions, please mail or take this form to:

HVL POA Office
19303 Schmarr Drive
Lawrenceburg, IN 47025

Property Owner: _____ Lot #(s): _____ Date: _____