



Hidden Valley Lake

By-laws

Table of Contents

- INTRODUCTION 1
- 1. HIDDEN VALLEY LAKE PROPERTY OWNER’S ASSOCIATION ORGANIZATION 2
 - 1-1. Property Owner’s Association 2
 - 1-1-1. General Information2
 - 1-1-2. Assets and Facilities2
 - 1-1-3. HVL POA Board of Directors Generally.....3
 - 1-1-4. Officers.....3
 - 1-1-5. Operations Manual4
 - 1-2. Definition of Terms used Throughout By-Laws 4
 - 1-2-1. General Statement about Definitions4
 - 1-2-2. Definitions used Throughout By-Laws4
 - 1-3. Elections 5
 - 1-3-1. Purpose5
 - 1-3-2. Definition of Terms for Elections5
 - 1-3-3. HVL POA Membership and Voting Rights.....6
 - 1-3-4. HVL POA Safety, Security and Elections Committee Responsibilities 7
 - 1-3-5. HVL POA Board of Directors Election Policies7
 - 1-3-6. HVL POA Board of Directors Election Procedures7
 - 1-3-7. Special or Referendum Elections Procedures8
 - 1-3-8. Election Results Protest Procedures9
 - 1-4. Committees, Panels, and Clubs 9
 - 1-4-1. General Duties of Committees.....9
 - 1-4-2. Right to Serve on Committees or Panel9
 - 1-4-3. Who May Attend Committee or Panel Meetings.....10
 - 1-4-4. Compliance with Set Guidelines.....10
 - 1-4-5. New Membership to a Standing Committee or Panel Procedure.....10
 - 1-4-6. Resignation of Membership to a Standing Committee or Panel Procedure10
 - 1-4-7. Removal from Membership Procedure.....11

1-5.	POA Employees	11
1-5-1.	Employees.....	11
1-6.	HVL Clubs and Organizations.....	11
1-6-1.	Generally	11
1-6-2.	Current Clubs and Organizations	11
1-7.	Meetings.....	11
1-7-1.	Regularly-Scheduled Meetings.....	11
1-7-2.	Special Meetings	12
1-7-3.	Meeting Protocol	12
1-7-4.	Recommended Protocol for Meeting Participants.....	12
1-7-5.	Chairperson’s Actions in Meetings.....	13
1-8.	POA Board of Directors Voting Policies and Procedures	13
1-8-1.	New Rule or Change to an Existing Rule	13
1-8-2.	First Reading Procedures	13
1-8-3.	Second Reading Procedures.....	13
1-8-4.	Motion Approval Requirements.....	14
1-8-5.	Responsibility to Fill Vacancy in the HVL POA Board of Directors.....	14
1-9.	Meeting Disclosure Rules	14
1-9-1.	Meeting Minutes.....	14
1-9-2.	Fee for Obtaining Minutes	14
1-9-3.	Information the POA Does Not Need to Disclose	15
2.	FINANCIAL.....	15
2-1.	Financial Committee Purposes and Meeting Times	15
2-1-1.	Financial Committee Purposes.....	15
2-1-2.	Financial Committee Meeting Times	15
2-2.	Expenditure and Distribution Policies and Procedures	15
2-2-1.	Expenditures that Require Board of Directors Approval.....	15
2-2-2.	Expenditures that Require Member Prior Approval	16
2-2-3.	HVL POA Purchases Over \$10,000	16
2-3.	Budgetary Process - Rules, Policies and Procedures.....	16

2-3-1. Definitions of Terms.....	16
2-3-2. Aggregated Capital Projects Over 15% of Annual Budget.....	16
2-3-3. Approval of Budgets.....	17
2-3-4. Capital Projects Lasting Several Years.....	17
2-3-5. Escrow Funds Unused for Designated Purpose.....	17
2-3-6. Cash Reserves.....	17
2-3-7. Community Manager’s Responsibility to Create Capital Budget	17
2-3-8. Finance Committee’s Responsibility to Review Tendered Preliminary Capital Budget	17
2-4. POA Capital Expenditures Budgetary Event Timeline	18
2-4-1. Budgetary Timeline Generally.....	18
2-4-2. Budgetary Timeline January - February	18
2-4-3. Budgetary Timeline March - May.....	18
2-4-4. Budgetary Timeline June - August.....	18
2-4-5. Budgetary Timeline September	18
2-4-6. Budgetary Timeline November	19
2-5. Inspection of Financial Records by POA Member	19
2-5-1. Records Available for Inspection.....	19
2-5-2. Fee for Obtaining Records.....	19
3. RULES AND PROCEDURES	20
3-1. Judicial Panel Purposes and Meeting Times.....	20
3-1-1. Judicial Panel Purposes	20
3-1-2. Judicial Panel Meeting Times	20
3-2. Power to Enforce and Create Rules.....	20
3-2-1. Source of Power to Enforce Rules.....	20
3-3. Violation Notice (Citation).....	21
3-3-1. Statement Concerning Issuing Citations	21
3-3-2. Who May issue a Violation Notice	21
3-3-3. Steps Involved in Issuing a Citation (Notice of Violation).....	21
3-3-3. What Evidence is Required in Order to Issue a Notice of Violation	21
3-3-3. When will a Violation Notice be Issued.....	21

3-3-4. Where Does the Violation Notice Go, After being Issued	22
3-4. Violation Procedural Rules	22
3-4-1. Review of Violation Notice	22
3-4-2. Finding of a Violation	22
3-4-3. Violations by Minors, Dependents, and Guests	22
3-4-4. Procedural Steps Once a Violation Notice is Issued	22
3-4-5. Communications that Must be Provided to a POA Member	23
3-5. Contesting a Violation Notice	23
3-5-1. Right to a Hearing	23
3-5-2. Scheduling a Hearing.....	24
3-5-3. Rights an Alleged Violator has at a Hearing	24
3-5-4. Alleged Violators Must Sign-in	24
3-5-5. Who May be Present at the Hearing.....	24
3-5-6. Hearing Decided by Majority Vote	24
3-5-7. If an Alleged Violator Cannot Attend a Hearing Already Scheduled	24
3-5-8. Failure to Notify	24
3-6. Appealing a Judicial Panel Decision	24
3-6-4. Right of Appeal to the Board of Directors.....	24
3-6-5. Scheduling an Appeal to the Board of Directors	25
3-7. Judicial Assessment Schedule.....	25
3-7-1. Assessment for Failure to Notify of Cancellation	25
3-7-2. Assessment for Failure to Comply with Any HVL POA Regulation	25
3-8. Procedure for Creating and Maintaining Policies, Procedures, Practices and Rules.....	25
3-8-1. Policies, Procedures, Practices and Rules Generally	25
3-8-2. Procedure to Change a Rule or Add a Rule for a POA member	25
3-9. Complaint Procedures	25
3-9-1. Complaints Generally	26
3-9-2. Personal Complaints	26
3-9-3. Organizational Complaints	26

4. ARCHITECTURE	26
4-1. Architecture Committee Purposes and Meeting Times	26
4-1-1. Architecture Committee Purposes.....	26
4-1-2. Architecture Committee Meeting Times.....	27
4-2. General Statements Concerning Architectural Rules	27
4-2-1. Purpose of Architectural Rules.....	27
4-2-2. Application of Architectural Rules.....	27
4-2-3. Right to Disapprove Plans	27
4-2-4. POA Board of Directors have the Final Say	28
4-2-5. Responsibility of the POA in Reviewing Plans	28
4-2-6. Application of Federal, State, and County Building Rules	28
4-2-7. Violation of Architectural Rules	28
4-2-8. Easements for Utilities	28
4-3. Definitions of Architectural Terms	28
4-3-1. Definitions.....	28
4-4. General Architecture Rules	30
4-4-1. Requirements for Construction Plans	30
4-4-2. Preparation of Construction Plans	30
4-4-3. Persons Allowed to Submit Plans.....	30
4-4-4. Completion Time for Structures Over 900 Square Feet	30
4-4-5. Completion Time for Structures Under 900 Square Feet.....	30
4-4-7. Requirements when Submitting a Construction Plan	30
4-4-8. Extensions of Time to Complete	30
4-4-9. Permit Issuance Requires the Member be in Good Standing	31
4-4-10. POA Member Ultimately Responsible.....	31
4-4-11. Right to Enter	31
4-4-12. Erosion Rules.....	31
4-4-13. One House Per Lot	31
4-4-14. One Shed or Garage Per Lot.....	31
4-4-15. House Must be Constructed Before any Other Structure	31

4-4-16. No Temporary Living Quarters	32
4-4-17. Exterior Walls	32
4-4-18. Storage upon Undeveloped lot	32
4-4-19. Tents.....	32
4-4-20. Awnings.....	32
4-4-21. Outside Toilets	32
4-4-22. Septic Tanks and Waste	32
4-4-23. Wells.....	32
4-4-24. Setback Lines.....	32
4-4-25. Construction Upon Right-of-ways	32
4-4-26. Metal Chimneys or other Vents	32
4-4-27. Construction Noise.....	33
4-4-28. Use of Neighbor’s Utilities During Construction	33
4-4-29. Alteration of Property Stakes.....	33
4-4-30. Removal of Mud and Debris at the End of the Workday	33
4-4-31. Contiguous Lot Forms Mandatory for a Structure Straddling Two Lots.....	33
4-4-32. Maximum Height of Structures	33
4-4-33. Miscellaneous Items that Require Approval	33
4-4-34. Request for Variance.....	34
4-4-35. Approval Required for Temporary Storage Unit	34
4-4-36. Crawl Spaces	34
4-4-37. Exterior Walls May be Treated.....	34
4-4-38. Prohibitions Against Pre-assembled Walls or Buildings	34
4-4-39. Prohibition Against Modular and Mobile Homes.....	34
4-4-40. Porch Railings	34
4-5. House Plans (New Structures) Rules	34
4-5-1. Specific Requirements when Submitting Plans for a New Home.....	34
4-5-2. Distribution of Copies After Architecture Committee Approval	35
4-5-3. Duty to Contact Dearborn County for Building Permit	35
4-5-4. Performance Bond for New House	35
4-5-5. Minimum Appraised Value for Homes Required to have Greater Square Footage	36

4-5-6. Reserved Right to Order an Appraisal.....	36
4-5-7. New Houses Require Submission of Plot Plans.....	36
4-5-8. Distribution of Plot Plans after Approval.....	36
4-5-9. Locating Utility Lines.....	36
4-5-10. Notice of Excavation.....	37
4-5-11. Plot Plans Require an Indiana Registered Surveyor.....	37
4-5-12. Stakes Must be Approved by POA Personnel.....	37
4-5-13. A-frames.....	37
4-5-14. Appraised Value Requirements Subject to Change.....	37
4-6. House Plans (Additions or Changes to Existing Structures) Rules.....	37
4-6-1. Plans Required for Additions or Changes to Existing Structures.....	37
4-6-2. Distribution of Copies after Architecture Committee Approval.....	38
4-6-3. Duty to Contact Dearborn County for Building Permit.....	38
4-6-4. Performance Bond for Additions over 1,200 Square Feet.....	38
4-6-5. Performance Bond for Additions under 900 Square Feet.....	38
4-6-6. Additions or Changes to Existing Structures Require Submission of Plot Plans.....	39
4-6-7. Distribution of Plot Plans.....	39
4-6-8. Locating Utility Lines.....	39
4-6-9. Notice of Excavation.....	39
4-6-10. Plot Plans Require an Indiana Registered Surveyor.....	39
4-6-11. Stakes must be Approved by POA Personnel.....	39
4-7. Dearborn County Building Permits Rules.....	40
4-7-1. Dearborn County Permits Required for Structures Over Eight Inches.....	40
4-7-2. Dearborn County Permits must be Posted at Construction Site.....	40
4-8. Setback and Side Lot Dimensions Rules for Structures.....	40
4-8-1. Setback Rules.....	40
4-8-2. Construction Prohibited Under Certain Elevation.....	40
4-8-3. Visual Obstructions.....	40
4-8-4. Garages.....	40
4-8-5. Prohibition against Side Setback Variances.....	40
4-8-6. Setbacks for Specific Structures Control.....	40

4-9. Foundations Rules	41
4-9-1. Hillside Footings	41
4-9-2. Types of Foundations Permitted	41
4-9-3. Exceptions for Porches and Balconies.....	41
4-10. Deck Construction Rules.....	41
4-10-1. Approval to Build a Deck	41
4-10-2. Surveyor Required for Decks.....	41
4-10-3. Performance Bond Required for Deck	41
4-11. Roadside Ditches and Entrances to Property Rules.....	41
4-11-1. Ditches and Entrances Require Approval.....	41
4-11-2. POA Representative Must Inspect Ditches before Construction of Culvert Pipe.....	42
4-11-3. Culvert Pipe Requirements	42
4-11-4. Installation of Culvert Pipe	42
4-11-5. Maximum Length of Culvert Pipe.....	42
4-11-6. Temporary or Construction Entrance	42
4-11-7. Permanent Entrance	42
4-12. Private Dock and Boatlift Rules	43
4-12-1. Lots Permitted to Have Docks.....	43
4-12-2. Docks and Boatlifts Require Approval.....	43
4-12-3. Setbacks for Docks and Boatlifts	43
4-12-4. Free-floating or Stationary	43
4-12-5. No Ferrous Building Materials.....	43
4-12-6. No Covers on Docks or Boat Lifts	43
4-12-7. Number of Levels for a Dock.....	43
4-12-8. No Closed Structures Over Two Feet High for Docks.....	44
4-12-9. Railing Height for Docks	44
4-12-10. Maximum Extension of a Dock from the Shoreline	44
4-12-11. Maximum Extension of a Boatlift from the Shoreline.....	44
4-12-12. Boatlifts Require Reflectors	44
4-12-13. Performance Bond for a Dock.....	44
4-12-14. Docks and Boatlifts are only Permitted on the Main Lake.....	44

4-12-15. Dock and Boatlift Variances	44
4-13. Rules for Fences	44
4-13-1. Fences Require Approval	44
4-13-2. Previously Approved Fences	44
4-13-3. Location and Height of Fences	45
4-13-4. Fencing Material	45
4-13-5. Fencing Restrictions for Corner Lots	45
4-13-6. Privacy Fence Restricted Materials	45
4-13-7. Side Fences are Permitted under Limited Circumstances.....	45
4-13-8. Fences Facing the Golf Course or Main Lake	45
4-13-9. Invisible Fences	45
4-13-10. Electric Fences.....	45
4-14. Fuel Tanks Rules	46
4-14-1. Fuel Tanks Require Approval.....	46
4-14-2. Maximum Capacity for a Fuel Tank.....	46
4-14-3. Fuel Tanks over Two Hundred Pounds.....	46
4-14-4. Buried Tanks.....	46
4-14-5. Location of Fuel Tanks.....	46
4-14-6. Above Ground Tanks.....	46
4-14-7. Prohibition Against Gasoline Tanks.....	46
4-14-8. Removal of Tanks no Longer in Use	46
4-15. Grading and Drainage Rules	47
4-15-1. Changes in Grading Requires Approval.....	47
4-15-2. Prohibition Against Impediments to Natural Drainage.....	47
4-15-3. Prohibition Against Diverting Water Towards a Road.....	47
4-15-4. Drainage Rules for Roofs and Foundation.....	47
4-15-5. Prohibition Against Other Means of Drainage	47
4-15-6. Drainage May Not be Diverted to Sewer Pipes.....	47
4-16. Lake Water Usage Rules	47
4-16-1. Using Lake Water Requires Approval.....	47
4-16-2. POA Has No Liability for Members Use of Lake Water	47

4-16-3. Maximum Size of Pump System	47
4-16-4. Use of Lake Water will not Interfere with Lake Activities nor Lake Aesthetics.....	47
4-16-5. Owners May Not Cross the Property of Others to Access the Lake.....	48
4-16-6. Ferrous Material May Not Contact the Lake.....	48
4-16-7. Water Used Must be Returned	48
4-16-8. No Connections to VRUC Lines.....	48
4-17. Sheds, Gazebos, Shelters, Dog Runs Detached Garages and Other Lot Improvements Rules	48
4-17-1. Structures Over Eight Inches High Require Approval.....	48
4-17-2. Structures Must Meet the Standard Setback Requirements	48
4-17-3. Only One Shed or Detached Garage is Permitted	48
4-17-4. Only One Gazebo is Permitted	48
4-17-5. Distance of Structures from the Main Lake	48
4-17-6. Performance Bond may be Required	48
4-17-7. Structures Not Covered by Any Rule.....	49
4-17-8. Wood Fired Boilers and Furnaces	49
4-18. Play Structure Rules.....	49
4-18-1. Play Structures Require Approval	49
4-18-2. Play Structures Must Meet Setback Requirements	49
4-18-3. Only One Swing Set Allowed	49
4-18-4. Performance Bond for Play Structure May be Required.....	49
4-18-5. Play Structures Not Covered by Any Rule	49
4-19. Retaining Wall and Exterior Wall Rules	49
4-19-1. Retaining Walls Require Approval.....	49
4-19-2. Hollow Exterior Walls and Retaining Walls must be Childproofed	50
4-19-3. Retaining Walls Over Four Feet High Require a Safety Fence.....	50
4-19-4. Exterior and Retaining Wall Aesthetics.....	50
4-19-5. Retaining Wall Must Have Drainage	50
4-19-6. Retaining Wall Permitted Building Materials.....	50
4-19-7. Performance Bond Will be Required.....	50
4-20. Seawalls, Shoreline Protection and Shoreline Reclamation Rules	50

4-20-1. Owner is Permitted to Build Seawall.....	50
4-20-2. Seawalls Require Approval.....	50
4-20-3. Performance Bond Required.....	51
4-20-4. Surveyor Required.....	51
4-20-5. Scope of Reclamation.....	51
4-20-6. Placement of Seawall.....	51
4-20-7. Permitted Seawall Construction Materials	51
4-20-8. Maximum Height of Seawall	51
4-20-9. Permitted Backfill.....	51
4-20-10. All Changes to Existing Seawall Must Conform to These Rules	51
4-20-11. Seawalls Made from Bagged Concrete or Sandbags are Prohibited	51
4-20-12. Seawalls May be Constructed before a Dwelling.....	51
4-20-13. Seawall Variances.....	51
4-20-14. Dredging Requests	52
4-21. TV Antennas, Towers and Satellite Dishes Rules.....	52
4-21-1. Antennas, Towers, and Satellite Dishes Must be Attached to the Dwelling.....	52
4-21-2. Satellite Dishes Larger than a Meter are Prohibited	52
4-21-3. Satellite Dishes Smaller than a Meter Do Not Require Approval.....	52
4-22. Pools	52
4-22-1. Pools Require Approval.....	52
4-22-2. Pools Must Meet Setback Requirements.....	52
4-22-3. Only One Pool is Permitted	52
4-22-4. Pool Setback from Main Lake.....	52
4-22-5. Surveyor Required.....	53
4-22-6. Performance Bond Required.....	53
4-23. Parking Pads.....	53
4-23-1. Parking Pads Generally.....	53
4-23-2. Gravel Parking Pads.....	53
4-24. Architectural Checklists Forms and Applications	53
4-24-1. Architectural Forms Generally	53
4-24-2. List of Architecture Forms, Checklists, and Applications	53

4-25. Architecture Assessment Schedule	54
4-25-1. Right to Suspend Work	54
4-25-2. Assessment for Failure to Prepare Driveway Before Work Begins	54
4-25-3. Assessment for Culvert Pipe Violation	54
4-25-4. Assessment for not Using Prepared Driveway as Ingress or Egress	54
4-25-5. Assessment for Malfunctioning Culvert Pipe	54
4-25-6. Assessment for Insufficient Gravel.....	54
4-25-7. Building Permit Affixed to a Tree or HVL property or No Permit Assessment	54
4-25-8. Mud or Debris Assessment	54
4-25-9. Theft of Utilities Assessment.....	55
4-25-10. Unsightly Construction Site Assessment.....	55
4-25-11. Not Following Approved Plans Assessment	55
4-25-12. Stop Work Order Assessment	55
5. PRIVATE PROPERTY APPEARANCE AND MAINTENANCE	55
5-1. Private Property Appearance and Maintenance Terms	55
5-1-1. Statement Regarding Private Property Appearance and Maintenance Terms	55
5-1-2. Definition of Terms	55
5-2. Private Property Appearance and Maintenance Rules.....	56
5-2-1. Lots Must be Tidy	56
5-2-2. Exterior Must be Free of Rubbish	56
5-2-3. Exterior Structures Must be in a Proper State of Repair.....	56
5-2-4. Cultivated Areas Free of Weeds.....	56
5-2-5. Exterior Surfaces Kept in Good Condition.....	56
5-2-6. Pools, Hot Tubs, Spas and Other Water Features Kept Sanitary and in Good Repair	56
5-2-7. Motor Vehicles Must be Licensed and in Working Order	56
5-2-8. Vehicles Must be Parked on Hard Surfaces with Exception.....	56
5-2-9. Boats, Campers, Recreational Vehicles, and Trailers Storage Rule	56
5-2-10. Request for Variance Made to POA Office	57
5-2-11. Grass Must be Mowed	57
5-2-12. Dead Trees	57
5-2-13. Trash Receptacle Placement	57

5-2-14. Number of RVs, Motor Boats, and Trailers Permitted to be Stored	57
5-2-15. Boats, Campers, Recreational Vehicles, and Trailers Storage Rule	57
5-2-16. “Grandfathering” Exempts Certain Titled Vehicles and Trailers	57
5-2-17. Vehicles that Must be Stored in a Garage.....	58
5-3. Landscaping Rules	58
5-3-1. Yards Must be Landscaped	58
5-3-2. Disturbed Ground	58
6. ANIMALS	58
6-1. Deer Management Program Bow Hunting, Deer Culling Rules	58
6-1-1. Dear Management Program Generally	58
6-1-2. Culling Zones	58
6-1-3. Deer Culling Applications	59
6-1-4. Hunter’s Qualifications.....	59
6-1-5. Harvested Animal Procedures.....	59
6-1-6. Culling Dates	59
6-1-7. Rules and Regulations	60
6-2. Dogs.....	60
6-2-1. Dog Control Definition	60
6-2-2. Licensing of Dogs Rules	61
6-2-3. Restraint of Dogs Rules	62
6-3. Fishing Rules	62
6-3-1. People Allowed to Fish in HVL.....	62
6-3-2. Fishing Pass for a Guest.....	62
6-3-3. Guests Must Carry a Valid Fishing Pass	63
6-3-4. Hours that Fishing is Permitted.....	63
6-3-5. Prohibited Fishing Methods	63
6-3-6. Removal of Bullfrogs is Prohibited	63
6-3-7. Fishing License is not Required	63
6-3-8. Commercial Fishing is Prohibited	63
6-3-9. Fish May not be Added to any Lake or Pond Without Approval.....	63

6-3-10. Bait Minnows	63
6-3-11. Fishing Near or At the Beach is Prohibited.....	63
6-3-12. Fishing Catch Limits.....	63
6-3-13. Turtles	64
6-3-14. Grass Carp	64
6-3-15. Disclosure of Catch.....	64
6-4. Deer Feeding Rules.....	64
6-4-1. Feeding Deer is Prohibited.....	64
6-4-2. Removal of Deer Feed.....	65
6-4-3. Penalty for Feeding Deer.....	65
6-4-4. Exception to Deed Feeding Rule	65
6-5. Animal Assessment Schedule	65
6-5-1. Dog Noise Assessment	65
6-5-2. Dog Running Loose Assessment.....	65
6-5-3. Vicious Dog Assessment.....	65
6-5-4. Dangerous Dog Assessment.....	66
6-5-5. Hunting or Fishing Violation Assessment.....	66
7. LAKES & WATERCRAFTS.....	66
7-1. Lakes and Parks Committee Purposes and Meeting Times.....	66
7-1-1. Lakes & Parks Committee Purposes.....	66
7-1-2. Lakes and Parks Committee Meeting Times	67
7-2. Lakes and Watercraft General Statements	67
7-2-1. Boat at Your Own Risk.....	67
7-2-2. Violators of Lake and Watercraft Rules May be Banned	67
7-2-3. Statement Concerning Watercraft Rules	67
7-3. Lakes and Watercrafts Definitions of Terms.....	68
7-3-1. Definitions	68
7-4. General Lakes Rules	69
7-4-1. People Allowed to Use Lakes	69
7-4-2. Injuries on Lakes Should be Reported.....	69

7-4-3. No Fires at Certain Locations Except with Approval	69
7-4-4. Litter.....	69
7-4-5. Ice Skating and Fishing	69
7-4-6. Swimming is Prohibited in Certain Areas	69
7-4-7. Use of Mooring Buoys is Prohibited.....	69
7-4-8. Lakes Treated Twice a Year	69
7-4-9. Property Owners Are Prohibited from Adding Herbicides to the Lakes	69
7-4-10. Putting Waste into Lakes	70
7-4-11. Adoption of the IDDE	70
7-5. Main Lake, Public Docks and Spillway Rules	70
7-5-1. Sluice Gate	70
7-5-2. POA Deputy May Limit Otherwise Legal Activities on the Lakes.....	70
7-5-3. Limitation on Use of Public Docks.....	70
7-5-4. Boat Trailers Parked in Spillway	70
7-5-5. Water Level of Lakes Not Guaranteed	70
7-5-6. Renting a Public Dock.....	70
7-5-7. Subleasing and Non-Lessee Use of Public Docks is Prohibited	71
7-6. Small Lakes Rules.....	71
7-6-1. Area Around Small Lakes.....	71
7-6-2. Construction of Docks Prohibited on Small Lakes.....	71
7-6-3. Use of Motorboats on Small Lakes is Prohibited with Few Exceptions.....	71
7-7. Watercraft Registration Rules	71
7-7-1. Watercraft must meet U.S. Coast Guard Requirements.....	71
7-7-2. Watercraft Must be Registered Annually With the POA.....	71
7-7-3. Only a POA Member May Register a Watercraft	71
7-7-4. Proof of Insurance for Watercraft.....	71
7-7-5. POA Member Must Pass a Written Test.....	72
7-7-6. Displaying Registration Stickers	72
7-7-7. Stickers Validity Date	72
7-7-8. Cost of Registration Stickers	72
7-7-9. Dues and Assessments Must be Current as a Prerequisite for Registration Sticker	72

7-7-10. Requirements When Registering a New Watercraft.....	72
7-7-11. Only One Watercraft Over Ten Horsepower per Member	72
7-7-12. Prohibited Watercraft	72
7-7-13. First Watercraft Registered by an HVL POA Member	72
7-8. Watercraft Length Rules.....	73
7-8-1. Maximum Length of Powerboats.....	73
7-8-2. Maximum Length of Pontoon Boats and Non-Powered Watercraft.....	73
7-8-3. Maximum Width of All Watercraft.....	73
7-8-4. Length of Watercraft Defined	73
7-8-5. Methods of Determining Length.....	73
7-8-6. Proper Documentation Defined.....	73
7-8-7. Proper Documentation Used as Proof of Length (REPEALED).....	73
7-8-8. Physical Measurement of Watercraft	73
7-8-9. Process by which Physical Measurement of Watercraft is Conducted	74
7-8-10. POA Reserves the Right to Re-measure a Registered Watercraft.....	74
7-9. Watercraft Operation Rules	74
7-9-1. Watercraft that are Permitted on POA Lakes	74
7-9-2. Watercraft Traffic Lights	74
7-9-3. Usual Hours Lake is Open to All Normal Activities	75
7-9-4. Times High-Speed Operation is Prohibited	75
7-9-5. Restrictions on Operating in a No-Wake Zone.....	75
7-9-6. Locations Where High-Speed Boating is Permitted	75
7-9-7. Maximum Speed Permitted for Watercraft	75
7-9-8. Safe Distance from a Watercraft Towing a Person	75
7-9-9. Non-motorized Watercraft Have the Right of Way.....	75
7-9-10. Watercraft in the High-speed Zone, During Open Status	75
7-9-11. Tying up to Buoys is Prohibited.....	76
7-9-12. Registrant is Solely Liable for the Operation of the Watercraft.....	76
7-9-13. Direction of Watercraft Traffic.....	76
7-9-14. “S” Turns and “Figure-8” Turns are Prohibited	76
7-9-15. Mufflers Required on Watercrafts	76

7-9-16. Instructions to Guest Operating a POA Member’s Watercraft	76
7-9-17. Laminated Rule Card must be on Watercraft	76
7-9-18. Running Lights.....	76
7-9-19. Personal Flotation Device Requirements for All Watercraft.....	76
7-10. Water Skiing, Tubing and Wake Boarding Rules.....	76
7-10-1. General Statement Regarding Watercraft Towing People.....	76
7-10-2. Circumstances When Towing a Person Behind a Watercraft is Permitted	77
7-10-3. Watercraft Must Travel Counter-clockwise, While Towing a Person.....	77
7-10-4. Towed Person Moving at High Speed Must Remain in High-Speed Zone.....	77
7-10-5. Two People Required in Watercraft While Person is Towed	77
7-10-6. Only One Person May be Towed.....	77
7-10-7. Retrieving a Person after being Towed by a Watercraft.....	77
7-10-8. Towed Person Must Wear a Life Jacket	77
7-10-9. Jumping Objects While Being Towed is Prohibited.....	77
7-10-10. Towed Person Must Start while Floating in Water	77
7-10-11. Towed Person May Begin in Idle Speed Zone	77
7-10-12. Damaging or Dangerous Wake is Prohibited	78
7-11. Water Trampolines and Large Flotation Devices.....	78
7-11-1. Maximum Diameter of a Flotation Device	78
7-11-2. Removal of Flotation Devices at Dusk.....	78
7-12. Lakes and Water Craft Assessment Schedule.....	78
7-12-1. Operating a Watercraft in Excess of 35 MPH Assessment.....	78
7-12-2. Lake Status Violation Assessment.....	78
7-12-3. No Wake Assessment.....	78
7-12-4. Failure to Follow a Towed Person at a Safe Distance	78
7-12-5. Only One Person in a Watercraft with a Person in Tow Assessment.....	78
7-12-6. Missing Required Equipment Assessment	79
7-12-7. Skiing, Tubing, or Flotation Violation Assessment	79
7-12-8. Operating a Watercraft in the Wrong Direction Assessment	79
7-12-9. Creating Wake in a No Wake Zone Assessment.....	79
7-12-10. Failure to Yield the Right of Way or Reckless Operation Assessment.....	79

7-12-11. Non-Property Owner Boating on the Lake Assessment	79
7-12-12. Boat Sticker Not Displayed Correctly Assessment	79
7-12-13. Boat or Trailer Parking Violation Assessment	79
7-12-14. Discarding Materials into the Lake Assessment.....	80
7-12-15. Unlawful Swimming Assessment	80
8. FUTURE PLANNING COMMITTEE	80
8-1. Future Planning Committee Purpose and Times	80
8-1-1. Future Planning Committee Purposes	80
8-1-2. Future Planning Committee Meeting Times	80
9. SAFETY, SECURITY, AND ELECTIONS COMMITTEE	80
9-1. Safety, Security, and Elections Committee Purposes and Meeting Times	80
9-1-1. Safety, Security, and Elections Committee Purposes.....	80
9-1-2. Safety, Security, and Elections Committee Meeting Times	81
10. TRAFFIC.....	81
10-1. Definition of Terms.....	81
10-1-1. General Statement Regarding Traffic Terms.....	81
10-1-2. Definition of Terms	81
10-2. Stopping, Standing and Parking Rules	83
10-2-1. Parking and Non-Movement Restrictions	83
10-2-2. Absence of Proper Reflectors.....	83
10-2-3. Unlicensed Motorized Vehicle, Boat, or Trailer	83
10-2-4. Parking Concrete Trucks.....	83
10-3. Abandoned Vehicles Rules.....	83
10-3-1. Abandoned Vehicles.....	83
10-4. Repair or Restoration of Vehicles Rules	84
10-4-1. Restriction Against Repairing Motors	84
10-4-2. Parking a Leaky Vehicle	84
10-4-3. Restriction Against Performing Work on A Vehicle.....	84

10-5. Muffler Equipment for Motorized Vehicles Rules	84
10-5-1. Muffler must be Unaltered from Factory Specification	84
10-6. Truck Weight Limitations Rules	84
10-6-1. Trucks Over 7,000 pounds are Prohibited with Exception	84
10-7. Signs and Barricades Rules.....	84
10-7-1. Fraudulent Communication Concerning Availability of Parking.....	84
10-8. Refusal to Remove Parked or Stopped Vehicles Rules	84
10-8-1. Refusal to Remove Parked or Stopped Vehicle.....	84
10-9. Littering from a Vehicle is Strictly Forbidden.....	85
10-9-1. Littering from a Vehicle.....	85
10-10. Traffic and Vehicle Operations Rules	85
10-10-1. All Motor Vehicles Must Have Valid License Plates and Registration	85
10-10-2. Drivers Must Have a Valid Driver’s License	85
10-10-3. Drivers Must Stop at All Stop Signs	85
10-10-4. Drivers Must Obey All Traffic Signs or Devices.....	85
10-10-5. Passing is Prohibited	85
10-10-6. Speed Limit.....	85
10-10-7. Courteous Driving is Required.....	85
10-10-8. Drivers Must Comply with Lawful Orders	86
10-10-9. All Vehicles Must be in a Safe Operating Condition	86
10-10-10. Golf Carts must be Registered	86
10-11. Motorized Bicycles (MOPEDS), All-Terrain Vehicles (ATV)/Off-Road Vehicles, Motor Scooters/Motorized Skateboards and Motorcycles Rules	86
10-11-1. Driver Must Have a Valid Motorcycle License to Operate a Motorcycle	86
10-11-2. (ATV)/off-Road Vehicle Must be Registered	86
10-11-3. Federal, State and Local Laws Apply	86
10-11-4. Additional POA Requirements	86
10-11-5. MOPED, Motorized Scooter, and Motorized Skateboard Requirements.....	87
10-11-6. People Under 18 must Wear Helmets	87
10-11-7. Moped Licensing Requirement	87

10-11-8. Motor Vehicles Restricted to HVL Streets, Roadways, and/or Parking Areas	87
10-11-9. No Wheelies	87
10-11-10. Reckless Driving is Prohibited	87
10-12. Traffic and Vehicle Operation Assessment	88
10-12-1. Traffic Violation General Assessments.....	88
10-12-2. Speeding 20 MPH Over Posted Limit	88
10-12-3. Fluid Leak Assessment	88
10-12-4. Commercial Vehicle Parking Assessment.....	88
11. NUISANCE	88
11-1. Burning	88
11-1-1. Burning Definitions	88
11-1-2. Burning on Community Property Rules.....	88
11-1-3. Burning on Private Property Rules	89
11-1-4. Unless specified otherwise, the following conditions apply to any fire allowed by the POA:	89
11-1-5. Other Burning on Private Property Rules.....	89
11-2. Curfew	90
11-2-1. Curfew Definitions	90
11-2-2. General Curfew Rules.....	90
11-2-3. Advancing Curfew Time Rules.....	90
11-3. Noise.....	90
11-3-1. General Statement Regarding Noise Definitions	90
11-3-2. Definitions.....	90
11-3-3. Noise from a Device	90
11-3-4. Motor Vehicle Noise	91
11-3-5. Firework Noise	91
11-3-6. Violation Occurs After Notice Except in Certain Situations.....	91
11-3-7. Exceptions to Noise Rules	91
11-3-8. POA Board of Directors May Exempt Other Activities from These Rules.....	91
11-4. Abuse, Harassment, and Disorderly Conduct.....	91

11-4-1. General Statement Regarding Definitions	91
11-4-2. Definition of Abuse, Harassment, and Disorderly Conduct.....	91
11-4-3. Disorderly Conduct is Prohibited	92
11-4-4. Abuse Against a POA Employee is Prohibited	92
11-4-5. Abuse Against a POA Volunteer is Prohibited.....	92
11-4-6. Harassment Against an Employee or Agent of the POA is Prohibited	92
11-4-7. Harassment and Abuse Against a Resident of HVL is Prohibited	92
11-5. Nuisance Against Property.....	92
11-5-1. General Statement About Terms Regarding Nuisance Against Property.....	92
11-5-2. Definition of Terms	92
11-5-3. Prohibition Against Trespassing	92
11-5-4. Prohibition Against Vandalism	92
11-5-5. Prohibition Against Hunting or Discharging a Firearm.....	92
11-5-6. Prohibition Against Devices Capable of Discharging a Projectile	92
11-6. Signs and Solicitation	93
11-6-1. General Statement Regarding Signs and Solicitation Terms	93
11-6-2. Definition of Terms	93
11-6-3. General Sign Rules.....	93
11-6-4. Election and Political Sign Rules.....	93
11-6-5. Signs May be Posted on Community Property for Events and Sales of Personal Property...93	
11-6-6. Real Estate Signs	93
11-6-7. Builder Signs.....	94
11-6-8. Sign Approval Process	94
11-6-9. Signs in Violation of Rules	94
11-7. Solicitation and Campaigning Rules	94
11-7-1. Solicitation in HVL is Prohibited	94
11-7-2. Leaving Literature on HVL Property is Prohibited	94
11-7-3. Distributing Literature on POA Property is Prohibited.....	94
11-7-4. Solicitation Allowed with POA Board of Directors Approval	94
11-7-5. Political Candidates	95
11-8. Burning Assessment Schedule.....	95

11-8-1. Daylight Burning Assessment.....	95
11-8-2. After Dark Burning Assessment	95
11-8-3. Burning Material Escaping Container Assessment.....	95
11-8-4. Burning Material Other than Wood or Paper Assessment	95
11-8-5. Using Improper Container or No Container Assessment	95
11-8-6. Fire Extinguished by Public Employee or HVL POA Employee Assessment.....	96
11-8-7. Fire Requiring the Fire Department to Respond	96
11-9. Personal Violations Assessment Schedule	96
11-9-1. Harassment Assessment	96
11-9-2. Disorderly Conduct Assessment.....	96
11-9-3. Invalid HVL Identification Card Assessment.....	96
11-9-4. Property Damage, Vandalism Assessment.....	96
11-9-5. Trespassing Assessment.....	96
11-9-6. Littering Assessment	96
11-9-7. Firearm Violation Assessment.....	96
11-9-8. Damage to Community Property Assessment	96
11-9-9. Curfew Violation Assessment.....	97
11-9-10. Improper Noise Violation Assessment	97
11-10. Signs and Solicitation Assessment Schedule.....	97
11-10-1. Sign Violation Assessment	97
12. PARKS AND RECREATIONAL FACILITIES	97
12-1. Definitions of Terms Regarding Parks and Recreation	97
12-1-1. Definitions.....	97
12-2. Usage Rules	97
12-2-1. Parking at Recreational Areas	97
12-2-2. Littering Prohibited	98
12-2-3. Use of Trash Receptacles	98
12-2-4. Vandalism is Prohibited.....	98
12-2-5. Dumpsters for POA Only	98
12-2-6. Hunting and Shooting Prohibited.....	98

12-2-7. Recreational Areas are to be Undisturbed.....	98
12-2-8. Access Restrictions to Recreational Areas	98
12-2-9. Burning in Recreational Areas.....	98
12-2-10. ATVs Prohibited with Exception.....	98
12-2-11. Landings for Loading and Unloading Only.....	98
12-2-12. Tennis and Basketball Courts Used for Intended Purpose.....	98
12-2-13. Age Restriction on Playground Equipment	98
12-2-14. Only Members in Good Standing May Use Recreational Areas.....	99
12-2-14. Exclusive Events at Recreational Areas	99
12-2-15. HVL Resident Must Have ID Card to Use Amenities.....	99
12-3. Scheduling Rules.....	99
12-3-1. Ball Fields	99
12-3-2. Reserving Picnic Shelters.....	99
12-3-3. Reserving the Community Center Meeting Room	99
12-4. Pool and Beach	99
12-4-1. POA is Not Responsible for Personal Injuries or Stolen Items at the Pool or the Beach.....	100
12-4-2. POA Member is Liable for Damage Caused at the Pool and the Beach	100
12-4-3. Definition of Swimming Area	100
12-5. General Swimming Rules at Swimming Areas	100
12-5-1. POA Members Must Identify Themselves.....	100
12-5-2. Profanity and Offensive Language is Prohibited	100
12-5-3. Towels Are Not Available at Swimming Areas	100
12-5-4. Pets are Prohibited in Swimming Areas	100
12-5-5. Prohibition Against Alcohol at Swimming Areas with Exception	100
12-5-6. Smoking is Permitted Where Designated at Swimming Areas.....	100
12-5-7. Food and Refreshments Must be Consumed where Designated.....	100
12-5-8. Glass is Prohibited at Swimming Areas	100
12-5-9. Rubbish Must be Placed in Proper Receptacles	101
12-5-10. Bicycle Parking	101
12-5-11. Parents Must Attend to Children	101
12-6. Hours of Operation for Swimming Areas.....	101

12-6-1. Where Dates and Hours of Operation Can be Found.....	101
12-6-2. Pool Manager May Close Swimming Areas.....	101
12-6-3. Pool May be Reserved for After Hour Parties	101
12-7. Guest Rules at Swimming Areas	101
12-7-1. All Guest Must be Accompanied or Have a Pool Pass.....	101
12-7-2. Guests Will be Charged a Fee.....	101
12-7-3. Limit of Eight Guests Without Prior Approval	101
12-7-4. Children and Grandchildren of POA Members May Purchase a Season Pass	102
12-7-5. HVL POA Member Will Receive 6 Guest Passes per Year.....	102
12-7-6. POA Member Responsible for Conduct of Guests	102
12-8. Swimming Safety Rules at Swimming Areas	102
12-8-1. Children Under Eleven Subject to Special Rules.....	102
12-8-2. Lifeguards May Limit Activities at Swimming Areas.....	102
12-8-3. Injuries at Swimming Areas Should be Reported	102
12-8-4. Roped Areas at Beach	102
12-8-5. Restriction on Use of Wading Pool.....	102
12-8-6. Prohibited Flotation Devices	102
12-8-7. Pool Paraphernalia Must be Approved	103
12-8-8. General Pool and Beach Safety Rules.....	103
12-8-9. Diving Board Rules	103
12-9. Swimming Health Rules at Swimming Areas	103
12-9-1. Showers are Mandatory.....	103
12-9-2. Manager May Deny Admission to Swimming Areas Because of Illness	103
12-9-3. People with Medical Conditions Should Advise Lifeguards	103
12-9-4. Spitting and Nose Blowing in the Pool is Prohibited	103
13. FEES AND ASSESSMENTS	103
13-1. General Information	103
13-1-1. Billing Dates.....	103
13-1-2. Power to Change Amount of Assessments Owed	104
13-1-3. Right to Increase Assessments on Delinquent Accounts	104

13-1-4. Refunds on Sold Property	104
13-1-5. Collection of Assessments upon the Sale or Transfer of Real Property	104
13-1-6. Waiver of Assessments for Deployed or Active Duty Sailors and Soldiers.....	104
13-1-7. Payment Method for Assessments	104
13-2. Schedule of Semi-Annual Assessments on Real Estate.....	104
13-2-1. Assessment Owed Semi-Annually for a Vacant Lot.....	104
13-2-2. Assessment Owed Semi-Annually for a Lot with a House.....	104
13-2-3. Assessment Owed Semi-Annually for an Additional Lot with a House	104
13-2-4. Assessment Owed Semi-Annually for an Additional Vacant Lot	105
13-2-5. Assessment Owed Semi-Annually for a Split Lot.....	105
13-3. Renters.....	105
13-3-1. New Renters.....	105
13-3-2. Renters' Assessment to Use Amenities.....	105
13-4. Trash Collection	105
13-4-1. Trash Collection Provisions	105
13-5. Administrative Transfer Assessment	105
13-5-1. General Provisions for Deed Transfer Assessments on Real Property.....	105
13-5-2. Transfer Assessment for a Lot with a House	106
13-5-3. Transfer Assessment for a Vacant Lot.....	106
13-5-4. Assessments Charged for Transfers Occurring Between Family Members.....	106
13-5-5. Assessments Charged for Transfers to Inter-Vivos Trusts.....	106
13-5-6. Transfer Assessment Waived for Automatic Transfers Contained in the Vesting Instrument.	106
13-6. Miscellaneous Assessments.....	106
13-6-1. Community Room Rental	106
13-6-2. Upper Beach Shelter Reservation	106
13-6-3. Power Boat Dock Rental.....	106
13-6-4. Pontoon Boat Dock Rental	107
13-6-5. Moeller Park Dock Rental.....	107
13-6-6. Sandamount/Meercham Dock Rental.....	107
13-6-7. Knollwood/Raylynn Dock Rental	107

13-7. Collection Procedures	107
13-7-1. Collection Procedures for a Home	107
13-7-2. Collection Procedures for a Vacant Lot.....	107
13-7-3. Process Before Legal Action is Taken	107
13-7-4. Additional Fees if Legal Action is Required	108
14. CONTACT INFORMATION	108
14-1. POA Office and Maintenance.....	108
14-1-1. POA Office Mailing Address	108
14-1-2. POA Office Hours of Operation	108
14-1-3. POA Office Phone Numbers	108
14-1-4. Internet Access.....	108
14-1-5. HVL POA Maintenance Phone Number.....	108
14-2. Emergency Numbers.....	108
14-2-1. Emergency Police Phone Number	108
14-2-2. Dearborn County Sheriff Dispatch Phone Numbers.....	108
14-2-3. Hidden Valley Lake Deputies Phone Numbers.....	108
14-2-4. Fire Department and Life Squad Phone Numbers	109
14-2-5. Dearborn County Hospital Phone Numbers.....	109
14-2-6. Poison Control Center Phone Numbers	109
14-2-7. Animal Control Center Phone Number	109
14-2-8. Natural Gas Emergency (24 hour)	109
14-3. Hidden Valley Lake Recreational Facilities.....	109
14-3-1. HVL POA Pool Phone Number	109
14-3-2. HVL POA Beach Phone Number	109
14-3-3. HVL Golf Course	109
14-4. Utilities Contact Information	109
14-4-1. Cable TV – Comcast.....	109
14-4-2. Electrical Power – Southeastern Indiana REMC.....	109
14-4-3. To Report an Outage	110
14-4-4. Natural Gas - Valley Rural Utility Company (VRUC)	110

14-4-5. Telecommunications - Indicom	110
14-4-6. Telephone – Century Link	111
14-4-7. Telephone – Cincinnati Bell.....	111
14-4-8. Trash Pickup - Rumpke, Inc.	111
14-4-9. Water and Sewage - Valley Rural Utility Company (VRUC)	111
14-4-10. Availability Fee for Water and Sewage on Vacant Lots	111
14-4-11. Payment of Utility Bills	112
14-4-12. Separate Water Meter Policy.....	112
14-4-13. Tap In Fees	112
Appendix A Renter/Lessor Agreement.....	113

INTRODUCTION

The Hidden Valley Lake Property Owners Association Bylaws, Rules and Regulations contain a wealth of information about our community and how we, as an un-incorporated community within the State of Indiana, govern ourselves. The rules documented in the Bylaws, Rules and Regulations are the product of ongoing citizen committee and Board of Directors work and are enforced by the employees of Hidden Valley Lake.

The purpose of these rules is to help provide the safety, comfort, convenience and enjoyment of the residents of Hidden Valley Lake. They are created and maintained by the individual HVL POA committees and then sanctioned by the HVL POA Board of Directors. At their discretion, The Board of Directors may also initiate new rules or changes to rules. To add a rule or change an existing rule, two readings at an open BOD meeting are required with the vote to approve held at the second meeting.

We think it is important that HVL residents should feel a strong sense of community involvement and try, whenever possible, to participate in HVL POA committees, events and activities. To facilitate this, the POA has a mass email system we call Chimp Mail which is used to notify residents of events and issues. We encourage everyone to enroll for free at our website <http://hiddenvalleylakeindiana.com>, click on Chimp Mail, then Create a New Account. Fill in the registration fields and select your “subscriptions”. Click on Subscribe!

The HVL POA Board of Directors has approved the following Rules within Hidden Valley Lake. For the comfort and convenience of all, we sincerely request the cooperation of all HVL POA members, their immediate family members and their guests in adhering to these rules. These rules shall remain in force until changed or amended upon recommendation by the Committee or the HVL Board of Directors and approved by the HVL Board of Directors.

All Federal, State of Indiana and Dearborn County laws apply within Hidden Valley Lake unless modified by HVL POA Rules.

Most importantly, HVL needs your participation and cooperation in understanding and obeying these rules. It is the duty of the HVL POA Manager, Assistant Manager, Deputies and other employees to enforce these rules; but any HVL POA member may appeal. Violation of these rules may result in issuing citations, issuing assessments and, potentially, liens on personal property.

As residents of HVL and members of the HVL POA, you also have the opportunity to make suggestions for improvement of the By-laws, Rules and Regulations by filling out the Suggestion Form located in the back of the By-laws, Rules and Regulations and forwarding it to the HVL POA office.

HVL BOARD OF DIRECTORS

1. HIDDEN VALLEY LAKE PROPERTY OWNER'S ASSOCIATION ORGANIZATION

1-1. Property Owner's Association

1-1-1. General Information

a. 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.

1-1-2. Assets and Facilities

a. Hidden Valley Lake Subdivision (hereinafter "HVL") consists of a wide range of assets and facilities maintained for the benefit of its residents. These assets and facilities include the following:

1. 1,746 acres, 561 acres of green space/commonground and recreational areas.
2. 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 and fishing.
3. Marina with a boat launch and dock rental facilities.
4. 7 additional smaller lakes for fishing.
5. Sandy beach on the main lake with bathhouse, 2 shelters, play area and restroom facilities.
6. Many park, playground, and picnic areas scattered throughout the community.
7. Sports complex of 15 acres with baseball fields, soccer fields, concession stand, shelters and playground.
8. Approximately (2.5) miles of paved walking paths.
9. Tennis courts with Dynaflex sports surfacing.
10. Paved basketball court.
11. 5,200 square foot Olympic-type pool plus a children's wading pool.
12. HVL Community Center with a community meeting room which may be reserved by members of the HVL POA in good standing for approved activities.

13. Fitness Center located in the Community Center with state-of-the-art fitness equipment and group exercise classes.
14. Privately-operated restaurant and sports bar.
15. Hidden Valley Golf Club, 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.
16. POA maintained and paved streets.
17. HVL POA operated law enforcement, security and emergency service staffed by Dearborn County-trained-reserve Sheriff's deputies, who are on duty twenty-four (24) hour a day, seven (7) days a week.

1-1-3. HVL POA Board of Directors Generally

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 serve 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, enforce and repeal the By-Laws, rules, regulations, policies, procedures and practices as governed by the By-Laws.
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. 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. The HVL POA Board of Directors Meetings are open to the public.

d. The members of the HVL POA Board of Directors serve as non-voting liaisons to the various HVL POA committees and attend committee meetings. The committee liaison assignments are subject to change on a yearly basis.

1-1-4. Officers

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 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. **Vice-President.** Shall assume all the President's powers in the absence of the President.

c. **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.

d. **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.

e. **Member at Large.** Can assume the responsibilities of other board members as needed.

1-1-5. Operations Manual

The HVL POA Board of Directors will keep and maintain an Operations Manual. The Operations Manual will serve as a guide to HVL POA employees, directors, committee members and judicial panel members on what the HVL POA Board of Directors excepts from the entirety of the HVL POA.

1-2. Definition of Terms used Throughout By-Laws

1-2-1. General Statement about Definitions

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

1-2-2. Definitions used Throughout By-Laws

a. **Community Space** – 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, green space areas, hiking trails, swimming pool, sports complexes, lakes, parks and beaches.

b. **County** – Dearborn County, Indiana.

c. **County Commissioners or CC** – The Board of County Commissioners of Dearborn County, Indiana.

d. **Majority Vote** – A majority of those who voted in an HVL POA election or referendum.

e. **Green space area** – Any common space owned by the HVL POA designated by plat with “R numbers”.

f. **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.

g. **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 or POA Deputies.

h. **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.

i. **POA member** – The first party listed on an HVL property deed.

j. **HVL POA member in good standing** – Any HVL POA member whose dues or assessments are current, or has a payment plan that will bring them current in no more than 12 months, and have made at least 3 monthly payments on time. If at any time the payments are not met, the member will no longer be considered a member in good standing. (as amended on 11/29/2018)

k. **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.

l. **Person** - Any property owner, renter or guest of a property owner or renter, or anyone else while on Hidden Valley Lake property.

m. **Private property** – Property owned by individuals, which is not to be used by the public in general without specific permission by the owner.

n. **Property owner** – Any person, firm, or corporation, or any other legal entity listed on an HVL property deed.

o. **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.

p. **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.

1-3. Elections

1-3-1. Purpose

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.

1-3-2. Definition of Terms for Elections

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:

- a. **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.
- b. **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.
- c. **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.
- d. **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.
- e. **Incumbent HVL POA Board members** – Those Board members who are currently seated.
- f. **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.
- g. **Member voting rights** – One vote per HVL qualified member.
- h. **Open HVL POA Board Positions** – Those positions on the Board that are being filled by the current election.
- i. **Qualified candidate** – Any current POA member who meets the following criteria:
 1. Is an HVL POA member, at least 21 years old, listed on the property deed, and in good standing.
 2. Must have a personal email address accessible on a daily basis for confidential communication.
 3. Must be insurable under current HVL POA insurance policies without increased cost to the community for bonding.
 4. Is not currently an employee of the HVL POA.
 5. Is not currently a vendor/contractor of the HVL POA.
 6. Is a qualified member of HVL.
- j. **Qualified member and/or membership** – Any current HVL member or membership with no outstanding dues, fees, fines, or assessment payments.
- k. **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.
- l. **Vote Tally Procedure** – A documented process for counting ballots developed and maintained by the HVL POA Safety, Security and Elections Committee.

1-3-3. HVL POA Membership and Voting Rights

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.

1-3-4. 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 a Vice-chairperson of the Elections Sub-committee.
- b. The Chairperson and/or the Vice-chairperson of the Elections Sub-committee shall oversee all elections, recounts, recalls, and special or referendum elections.
- c. The Elections Sub-committee shall appoint the counting team.

1-3-5. 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. Election recounts may be conducted in the event of the filing of an election protest with the HVL POA Board of Directors.
- e. 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.

1-3-6. 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, résumé of the nominee, and the Candidate Résumé 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 résumé 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 name, 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 will 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 shall 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 candidates 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. Any additional unfilled positions will be filled pursuant to the rules concerning board vacancy.

1-3-7. Special or Referendum Elections 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 will be kept by the Chairperson of the Elections Committee who will open the box in the presence of the Counting Team on the vote counting date.
- d. On the designated date, the Elections Sub-committee will, in a closed meeting, open all signed and sealed ballot return envelopes and tally the votes according to the HVL POA By-laws.
- e. Upon completion of the voting tally, the final totals shall be presented directly to the President of the HVL POA Board of Directors in a sealed envelope. No results will 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.

1-3-8. 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.

1-4. Committees, Panels, and Clubs

1-4-1. General Duties of Committees

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 of responsibility without a recommendation. No committee duty or responsibility should be interpreted as superseding the Board of Directors.

1-4-2. Right to Serve on Committees or Panel

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 Panel 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.

b. 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.

1-4-3. Who May Attend Committee or Panel Meetings

All regularly-scheduled HVL POA Committee meetings, except for the Judicial Panel meetings are open to HVL property owners.

1-4-4. Compliance with Set Guidelines

POA committees shall comply with meeting protocols.

1-4-5. New Membership to a Standing Committee or Panel Procedure

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.

1-4-6. Resignation of Membership to a Standing Committee or Panel Procedure

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.

1-4-7. Removal from Membership Procedure

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.

1-5. POA Employees

1-5-1. Employees

The HVL POA employs seasonal and full-time employees to carry out daily business, activities and responsibilities and enforcement of the HVL POA By-Laws. HVL POA Employees report to the HVL POA Community Manager.

1-6. HVL Clubs and Organizations

1-6-1. Generally

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.

1-6-2. Current Clubs and Organizations

- a. HVL Athletic Club
- b. Bridge Clubs (Days, Evenings and Marathon)
- c. Children's Activities
- d. Civic Club
- e. HVL Riders (Motorcycle Club)
- f. Fish and Game Club
- g. Garden Club
- h. Homemakers Club
- i. Valley Farmers
- j. Knitting Group
- k. Pickleball Club

1-7. Meetings

1-7-1. Regularly-Scheduled Meetings

a. 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.

b. Final decisions concerning rules, practices, procedures, policies and the expenditures of funds will be made at an open HVL POA Board of Directors Meeting.

1-7-2. 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 or may be held upon the call of the Board President or of any three (3) members of the Board upon forty-eight (48) hour 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.

1-7-3. Meeting Protocol

a. 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.

b. The HVL POA intends 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.

c. The HVL POA recognizes that an environment of respectful discussion is the best approach to conducting business. The POA believes that this approach is best in fostering cooperation and respect among the meeting attendees.

d. The HVL POA also believes 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.

e. 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.

1-7-4. Recommended Protocol for Meeting Participants

a. 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 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.

1-7-5. Chairperson's Actions in Meetings

- a. To ensure that the working environment in all HVL POA 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 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 meetings.

1-8. POA Board of Directors Voting Policies and Procedures

1-8-1. New Rule or Change to an Existing Rule

- a. In the event that a new rule or a change to an existing rule is recommended, there will be two "readings" of the rule before a final vote on the recommendation is conducted. The HVL POA Board of Directors must vote on the new rule or change to an existing rule during regularly-scheduled or special Board meetings, adding the rule to HVL POA By-laws.
- b. The word "recommendation" shall be used in this description of POA Board Voting Policies to represent the complete body of the recommendations being considered.

1-8-2. 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.

1-8-3. 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.

1-8-4. 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.

1-8-5. Responsibility to Fill Vacancy in 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 board 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.

1-9. Meeting Disclosure Rules

1-9-1. Meeting Minutes

Upon a POA Member's request either in person, in writing or, by electronic mail, the minutes of any meeting conducted by the POA must be made available to the requesting POA member.

1-9-2. Fee for Obtaining Minutes

- a. The POA may not charge a fee for the first hour required to search for a record in response to a written request submitted under this article.
- b. The POA may charge a search fee for any time that exceeds one (1) hour. The following provisions apply if the POA charges a search fee:
 1. The POA will charge an hourly fee of \$35 per hour.
 2. The POA will charge the fee only for time that the person making the search actually spends in searching for the record
 3. The POA will prorate the fee to reflect any search time of less than one (1) hour.

4. The total amount of the fee charged by the POA for a search may not exceed two hundred dollars (\$200).

1-9-3. Information the POA Does Not Need to Disclose

- a. The POA is not required to make available documents involving the following:
 1. Communications between the POA and its legal counsel.
 2. Other communications or attorney work product prepared in anticipation of litigation.
 3. Unexecuted contracts.
 4. Records regarding contract negotiations
 5. Information regarding an individual member's association account to a person who is not a named party on the account.
 6. Information that is prohibited from release under state or federal law. OR
 7. Records that were created more than two (2) years before the request.

2. FINANCIAL

2-1. Financial Committee Purposes and Meeting Times

2-1-1. Financial Committee Purposes

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

2-1-2. Financial Committee Meeting Times

The Financial Committee will meet as posted.

2-2. Expenditure and Distribution Policies and Procedures

2-2-1. Expenditures that Require Board of Directors Approval

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.

2-2-2. Expenditures that Require Member Prior Approval

- a. 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.
- b. POA Members, in approving an expenditure that exceeds 15% of the POA Annual Budget, shall vote in the same manner according to special election rules.

2-2-3. HVL POA Purchases Over \$10,000

Sealed bids are required for projects or purchases over \$10,000. Where competitive RFQs are available, they are desired.

2-3. Budgetary Process - Rules, Policies and Procedures

2-3-1. Definitions of Terms

- a. For the following HVL POA Financial Policies and Procedures, unless the context otherwise indicates when used in conjunction with the term, the definition of the following terms apply:
 - 1. **Cash Reserves** - Represents two months of operating expenses to be set aside for emergencies; reviewed annually.
 - 2. **Escrow Fund** - Funds allocated for significant capital projects, capital improvements or maintenance expenditures identified at time of contribution.
 - 3. **Operating Budget** - Revenues minus expenses without depreciation, showing a net profit/cash flow total.
 - 4. **Capital Budget** - A prioritized list of community project requests over \$2,000 each.
 - 5. **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.

2-3-2. Aggregated Capital Projects Over 15% of Annual Budget

- a. Any new replacement, or individual maintenance item of HVL POA or any Sub Corporation costing over fifteen percent (15%) of the POA annual budgeted income must be approved in advance by the POA Property Owners, except in the case of an emergency such as a road or dam, etc.
- b. The total of all new and replacement projects to be completed within the same calendar year shall not exceed fifteen percent (15%) of the POA annual budgeted income unless first approved by the POA property owners.
- c. Excepting the following Capital Projects: Road Maintenance, Building Maintenance Lake Maintenance, and Maintenance of other existing amenities.
- d. Maintenance will include replacing the pool liner and replacement of necessary vehicles.

- e. Procedure for obtaining approval for Capital Projects over fifteen percent (15%):
 - 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.

2-3-3. Approval of Budgets

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

2-3-4. Capital Projects Lasting Several Years

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.

2-3-5. Escrow Funds Unused for Designated Purpose

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.

2-3-6. Cash Reserves

If cash reserves fall below two months operating expenses, funds must be allocated to the cash reserves at the next annual budget meeting.

2-3-7. Community Manager's Responsibility to Create Capital Budget

a. The Community Manager must 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. The Community Manager must 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.

2-3-8. Finance Committee's Responsibility to Review Tendered Preliminary Capital Budget

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.

2-4. POA Capital Expenditures Budgetary Event Timeline

2-4-1. Budgetary Timeline Generally

- a. The yearly HVL POA budgetary process for capital expenditures starts each January and culminates with the Annual Budget Meeting usually conducted in November.
- b. These timelines are subject to change depending upon the duration / timing of the project
- c. POA Finance Committee recommends that each POA Committee, with projects requiring capital expenditures, follow the budgetary timeline of events.
- d. Request for Quote (RFQ) is a type of procurement solicitation in which the POA Community Manager asks outside vendors to offer a quote for the completion of a specific task or project and provides comprehensive information to the bidder concerning the project's requirements. RFQs and sealed bids are necessary for all capital expenditures exceeding \$10,000.

2-4-2. Budgetary Timeline January - February

Committees, in conjunction with the Community Manager, will prepare a RFQ necessary to select and release to appropriate vendors for a bid.

- a. **Bid openings:** Bids will be opened in an open meeting and reviewed by the appropriate Committees and Community Manager.
- b. **Capital Project Request Form Revision and Approval:** If necessary, the Capital Project Request form should be revised, the final form reviewed by the Community Manager and then submitted to the Finance Committee for approval. The Finance Committee should prepare a motion for the Board of Directors for approval of the RFQ winning bids and project.
- c. **Future Projects:** Committees will identify projects for the future and submit them to the Future Planning Committee, Community Manager and Finance Committee. These projects will be prioritized for subsequent year's requests.
- d. **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. Future Planning Committee shall provide the annual update to the Five-Year Plan to all Committees and the BOD.

2-4-3. Budgetary Timeline March - May

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

2-4-4. Budgetary Timeline June - 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.

2-4-5. Budgetary Timeline 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 Preliminary 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.

2-4-6. Budgetary Timeline November

- a. The Board of Directors will 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.

2-5. Inspection of Financial Records by POA Member

2-5-1. Records Available for Inspection

- a. Upon receipt of a written request for inspection that reasonably identifies with particularity the information being requested to the POA office by any POA member, the POA will make available the Financial Records which include, but are not limited to:
 - 1. All contracts,
 - 2. Invoices,
 - 3. Bills,
 - 4. Receipts, and
 - 5. Bank Records.
- b. The POA is not required to make available documents involving the following:
 - 1. Communications between the POA and its legal counsel.
 - 2. Other communications or attorney work product prepared in anticipation of litigation.
 - 3. Unexecuted contracts.
 - 4. Records regarding contract negotiations
 - 5. Information regarding an individual member's association account to a person who is not a named party on the account.
 - 6. Information that is prohibited from release under state or federal law. OR
 - 7. Records that were created more than two (2) years before the request.
- c. A written request for inspection must identify with reasonable particularity the information being requested.
- d. A POA members ability to inspect records under this section will not be unreasonably denied or conditioned upon provision of an appropriate purpose for the request.

2-5-2. Fee for Obtaining Records

- a. The POA may not charge a fee for the first hour required to search for a record in response to a written request submitted under this article.

b. The POA may charge a search fee for any time that exceeds one (1) hour. The following provisions apply if the POA charges a search fee:

1. The POA will charge an hourly fee of \$35 per hour.
2. The POA will charge the fee only for time that the person making the search actually spends in searching for the record.
3. The POA will pro-rate the fee to reflect any search time of less than one (1) hour.
4. The total amount of the fee charged by the POA for a search may not exceed two hundred dollars (\$200).

3. RULES AND PROCEDURES

3-1. Judicial Panel Purposes and Meeting Times

3-1-1. Judicial Panel Purposes

a. The purpose of the HVL POA Judicial Panel is to enforce the Rules and Regulations of the HVL POA.

b. To accomplish this purpose, the Judicial Panel shall be engaged in activities which include, but are not limited to:

1. Scheduling and holding meetings for the purpose of hearing all cases of law and equity arising under these By-Laws, the Articles of Incorporation of the HVL POA, and the Protective Covenants that are not otherwise designated to be heard by other committees.
2. 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.
3. 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.
4. 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 the By-Laws, 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.
5. 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.
6. Interpreting the Enforcement of Rules and Judicial Procedures section of the HVL POA By-laws, Rules and Regulations and making recommendations to the HVL POA Board of Directors for its amendment.

3-1-2. Judicial Panel Meeting Times

The Judicial Panel shall meet as posted.

3-2. Power to Enforce and Create Rules

3-2-1. Source of Power to Enforce Rules

a. The power to enforce the rules described in these HVL POA By-laws, 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:

1. 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.
2. Promulgate rules and regulations controlling the construction of improvements on lots within Hidden Valley Lake Subdivision.

3-3. Violation Notice (Citation)

3-3-1. Statement Concerning Issuing Citations

As HVL POA members, it should be our obligation to follow the approved HVL By-laws as written. The Community Manager and his designated Compliance Officer, Deputies and other employees, are tasked with enforcing these rules. They do this with a process to educate, warn and cite. After that it is important that members of the association have the opportunity to have their case heard in appeal, if they so choose.

3-3-2. Who May issue a Violation Notice

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.

3-3-3. Steps Involved in Issuing a Citation (Notice of Violation)

- a. **Education**—A person authorized by these By-laws to issue a Notice of Violation will make contact with The HVL POA Member alleged to be in violation of a rule. The purpose of this contact is to educate the Member that a rule has been broken and to seek the Member’s compliance with the broken rule. Contact with the HVL POA Member, as used in this section, means in person, by phone or through correspondence.
- b. **Warn**—If the HVL POA Member has still not corrected the alleged violation two weeks after the initial contact then a person authorized by these By-laws will make contact with the member and issue a warning.
- c. **Cite**—If the HVL POA Member has still not corrected the alleged violation two weeks after being warned, then a person authorized by these By-laws will make contact with the member and issue a Notice of Violation.

3-3-3. What Evidence is Required in Order to Issue a Notice of Violation

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.

3-3-3. When will a Violation Notice be Issued

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.

3-3-4. Where Does the Violation Notice Go, After being Issued

A copy of each violation shall be returned to the HVL POA office and entered on a docket known as the Judicial Panel Docket.

3-4. Violation Procedural Rules

3-4-1. Review of Violation Notice

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.

3-4-2. Finding of a Violation

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 these By-laws.

3-4-3. Violations by Minors, Dependents, and Guests

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.

3-4-4. Procedural Steps Once a Violation Notice is Issued

- a. A copy of each citation shall be returned to the HVL POA office on a weekly basis and entered on the Judicial Panel Docket.
- b. 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.
- c. 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.
- d. 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.

e. 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.

f. 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.

g. 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.

h. In the event the violator of an HVL POA rule or regulation fails 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.

3-4-5. Communications that Must be Provided to a POA Member

a. If there is a dispute between a POA member and the POA, the Board of Directors must make all communications concerning the dispute available to the property owner.

b. If the POA initiates communication with any POA member about another POA member's lot, the POA must give a copy of that communication to the other POA member whose lot is the subject of the communication.

c. The POA is not required to make available documents involving the following:

1. Communications between the POA and its legal counsel.
2. Other communications or attorney work product prepared in anticipation of litigation.
3. Unexecuted contracts.
4. Records regarding contract negotiations.
5. Information regarding an individual member's association account to a person who is not a named party on the account.
6. Information that is prohibited from release under state or federal law. OR
7. Records that were created more than two (2) years before the request.

3-5. Contesting a Violation Notice

3-5-1. Right to a Hearing

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.

3-5-2. Scheduling a Hearing

- a. A member who wishes to appeal a citation may schedule a hearing during the Judicial Panel Meeting held the second Monday of each month at 7 PM in the POA Conference room located at 19303 Schmarr Dr., Lawrenceburg, IN.
- b. A member choosing to appeal a citation must do so at the Judicial Panel Meeting occurring a month after the issuance of the citation.

3-5-3. Rights an Alleged Violator has at a Hearing

During the hearing, the alleged violator has the right to:

1. Question the HVL POA Deputy or authorized employee.
2. Call witnesses in his or her behalf.
3. Be represented by an attorney.
4. Present any evidence to support his or her defense.

3-5-4. Alleged Violators Must Sign-in

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.

3-5-5. Who May be Present at the Hearing

Only those persons involved with the current citation hearing will be present during the hearing.

3-5-6. Hearing Decided by Majority Vote

After the HVL POA Judicial Panel has heard the case, a majority vote will determine their decision.

3-5-7. If an Alleged Violator Cannot Attend a Hearing Already Scheduled

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.

3-5-8. Failure to Notify

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 re-schedule 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.

3-6. Appealing a Judicial Panel Decision

3-6-4. Right of Appeal to the Board of Directors

a. 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.

b. 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.

3-6-5. Scheduling an Appeal to the Board of Directors

a. An appeal to the HVL POA Board of Directors of a decision made by the HVL POA Judicial Panel must be scheduled for the Board of Directors meeting that occurs immediately after the Judicial Panel Meeting wherein a decision was rendered.

b. 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.

3-7. Judicial Assessment Schedule

3-7-1. Assessment for Failure to Notify of Cancellation

If the HVL POA office is not notified in time as specified the following assessment may be levied: \$50 to 500.

3-7-2. Assessment for Failure to Comply with Any HVL POA Regulation

If any regulation of the HVL POA is violated the following assessments may be levied: \$50 to \$2,000, plus damages, plus HVL POA costs. (as amended 11/29/18)

3-8. Procedure for Creating and Maintaining Policies, Procedures, Practices and Rules

3-8-1. Policies, Procedures, Practices and Rules Generally

The policies, procedures, practices and rules governing HVL are created and maintained by the HVL POA Board of Directors, standing committees, and Judicial Panel and are enacted by the HVL POA Board of Directors.

3-8-2. Procedure to Change a Rule or Add a Rule for a POA member

a. A 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.

b. 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.

c. 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.

3-9. Complaint Procedures

3-9-1. Complaints Generally

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.

3-9-2. Personal Complaints

a. Personal complaints involve the conduct of an individual(s) who is an employee, officer, standing 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 standing 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 HVL POA Board of Directors as a whole.

3-9-3. 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 telephoned or emailed 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.

4. ARCHITECTURE

4-1. Architecture Committee Purposes and Meeting Times

4-1-1. Architecture Committee Purposes

a. 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.

b. 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.

c. To accomplish these purposes, the Committee shall be engaged in activities which include, but are not limited to:

1. Scheduling and holding open meetings for the purpose of addressing all HVL architectural and property maintenance issues within HVL.
2. Scheduling and holding open meetings for the purpose of reviewing and approving all construction plans within HVL.
3. Recommending and maintaining the POA Architectural Rules and Property Maintenance Rules.
4. Determining the number and amount of assessments levied for Architectural and Property Maintenance rules violations.
5. Recommending, imposing and monitoring the status of all HVL construction bonds.
6. Participating in regular and periodic property inspections within HVL.

4-1-2. Architecture Committee Meeting Times

The Architecture Committee shall meet on each Wednesday as needed.

4-2. General Statements Concerning Architectural Rules

4-2-1. Purpose of Architectural Rules

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.

4-2-2. Application of Architectural Rules

a. 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 POA and approved by the 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.

b. The provisions of this Building Code and Restrictions apply to 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 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.

4-2-3. Right to Disapprove Plans

a. The HVL POA Architecture Committee has the right to disapprove of any plans, specifications or details submitted to it that are not in accordance with the restrictions, rules and regulations set forth herein or for the following reasons:

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 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.
- b. 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.

4-2-4. POA Board of Directors have the Final Say

The decision of the POA Board of Directors is final as to any architectural issue.

4-2-5. Responsibility of the POA in Reviewing Plans

Neither the 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 POA Architecture Committee does not imply nor indicate compliance with the regulations of the Administrative Building Council of Indiana or any other governmental regulations.

4-2-6. Application of Federal, State, and County Building Rules

All POA members are subject to Federal, Indiana, and Dearborn County Building codes statutes, and regulations. The POA reserves the right to enhance any Federal, Indiana or Dearborn County Building codes, statutes or regulations. Please contact Dearborn County for current Building Permit requirements.

4-2-7. Violation of Architectural Rules

Violations of 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.

4-2-8. Easements for Utilities

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.

4-3. Definitions of Architectural Terms

4-3-1. Definitions

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

- a. **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.
- b. **Buildable part of the lot** – That area of a lot that is defined within the specified setbacks.
- c. **Certificate of Occupancy** – A statement from the Dearborn County Building Department certifying that the structure is suitable for occupancy.
- d. **Concrete truck** – Any vehicle used to carry un-poured mixed concrete.
- e. **Concrete pumper truck** – Any vehicle used to pump concrete from a concrete truck onto the construction site.
- f. **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.
- g. **Corner lot** – A lot situated at the intersection of two streets, the interior angle of such intersection not exceeding 135 degrees.
- h. **Dock** – A structure on or over the water to which a boat may be moored.
- i. **Exterior Wall**—An outer wall that is part of a house, shed, or garage not defined as a retaining wall.
- i. **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.
- j. **Front yard** – A yard extending along the full width of the front lot line between the side lot lines.
- k. **Grade** – The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.
- l. **Hard Surface** – Any surface constructed of concrete, gravel, paver blocks, turf blocks or asphalt.
- m. **HVL central sewer system** – Service provided by the VRUC.
- n. **HVL central water supply** – Service provided by the VRUC.
- o. **HVL Compliance Officer** – An employee of the HVL POA responsible for the inspection of all building activity within Hidden Valley Lake.
- p. **Lot depth** – The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
- q. **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.
- r. **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.
- s. **Plan record of HVL** – The current architecture plan on file at the HVL POA office.
- t. **Poly wire** - A wire composed of 3, 6 or 9 strands of metal filament braided with strands of brightly colored polyethylene.
- u. **Rear yard** – A yard extending along the full width of the rear lot line between the side lot lines.
- v. **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.
- w. **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.
- x. **Side yard** – A yard extending along a side lot line from the front yard to the rear yard.
- y. **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.

z. **Yard** – An open space on the same lot with a building or structure.

4-4. General Architecture Rules

4-4-1. Requirements for Construction Plans

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.

4-4-2. Preparation of Construction Plans

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.

4-4-3. Persons Allowed to Submit Plans

Only the owner of the property or the general contractor is authorized to present plans to the HVL POA Architecture Committee.

4-4-4. Completion Time for Structures Over 900 Square Feet

Once the Architecture Committee approves the plans for a structure larger than 900 square feet, the building exterior, lot improvements, and landscaping, as authorized by the permit, must be completed within twelve (12) months.

4-4-5. Completion Time for Structures Under 900 Square Feet

Once the Architecture Committee approves the plans for a structure smaller than 900 square feet, including house additions, garages, decks, docks, fences, sheds, gazebos, shelters, dog runs, play structures, retaining walls, sea walls, and pools, the structure must be completed within six (6) months.

4-4-7. Requirements when Submitting a Construction Plan

All persons applying to the POA Architecture Committee for a construction permit will execute and deliver all required HVL construction forms along with the required performance bond, the amount of which is determined by the POA Board of Directors.

4-4-8. Extensions of Time to Complete

a. If construction is not completed within the allowable time limit, it is mandatory that an extension be requested and submitted to the HVL POA Architecture Committee.

b. 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.

c. The POA requires an additional performance bond, if construction is not begun within six (6) months of the date of issuance of the permit.

4-4-9. Permit Issuance Requires the Member be in Good Standing

a. POA Building Permits shall only be issued to POA members in good standing and shall not be issued to any property owner or builder who has outstanding HVL assessments or citations.

b. The POA will not approve a building permit if the property owner or builder has any other present construction that exceeds the completion periods as described.

4-4-10. POA Member Ultimately Responsible

a. The POA Member is ultimately responsible for following these rules and requirements, regardless of the POA Member's lack of knowledge of these rules and requirements.

b. The POA Member has a duty to inform any and all general contractors, subcontractors and suppliers of the rules and requirements, and will be held responsible for the actions of all contractor employees, subcontractors and suppliers working on the site.

4-4-11. Right to Enter

Upon presentation of proper credentials, the HVL POA Compliance Officers, Community Manager, and Architecture Committee members or its duly authorized representative can, at reasonable times, enter any site in the jurisdiction to carry out their duties regarding enforcement of the POA Architecture Rules.

4-4-12. Erosion Rules

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.

4-4-13. One House Per Lot

No more than one single-dwelling house shall be erected or constructed on any one HVL lot.

4-4-14. One Shed or Garage Per Lot

No more than one free-standing structure for garage or storage purposes shall be erected or constructed on any one HVL lot.

4-4-15. House Must be Constructed Before any Other Structure

No structure of any other kind shall be erected prior to the construction of a dwelling on any one HVL lot.

4-4-16. No Temporary Living Quarters

No accessory or temporary building or trailer shall be used or occupied as living quarters.

4-4-17. Exterior Walls

No structure shall have tarpaper, roll brick siding or similar material on outside walls.

4-4-18. Storage upon Undeveloped lot

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.

4-4-19. Tents

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.

4-4-20. Awnings

Permanently attached awnings on dwellings may be permitted with the written approval from the HVL POA.

4-4-21. Outside Toilets

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.

4-4-22. Septic Tanks and Waste

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.

4-4-23. Wells

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.

4-4-24. Setback Lines

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, excluding mailboxes.

4-4-25. Construction Upon Right-of-ways

The POA Architecture Committee reserves the right to approve or deny construction on right-of-ways.

4-4-26. Metal Chimneys or other Vents

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.

4-4-27. Construction Noise

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.

4-4-28. Use of Neighbor’s Utilities During Construction

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

4-4-29. Alteration of Property Stakes

Removing or altering the location of any construction stakes or utility flags within the limits of Hidden Valley Lake is prohibited. If removing or altering the location of the stakes 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.

4-4-30. Removal of Mud and Debris at the End of the Workday

Community property within HVL shall be cleared daily of all mud and debris created by construction activities by the end of the workday.

4-4-31. Contiguous Lot Forms Mandatory for a Structure Straddling Two Lots

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.

4-4-32. Maximum Height of Structures

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.

4-4-33. Miscellaneous Items that Require Approval

The following items must 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.

4-4-34. Request for Variance

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 Dearborn County approval. All approved variances are valid for no longer than twelve (12) months and are not transferable.

4-4-35. Approval Required for Temporary Storage Unit

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.

4-4-36. Crawl Spaces

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.

4-4-37. Exterior Walls May be Treated

The exterior building facing or covering can be treated, if necessary, to give required protection.

4-4-38. Prohibitions Against Pre-assembled Walls or Buildings

- a. 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.
- b. No pre-assembled wall may be erected that does not permit on-site inside wall inspection.

4-4-39. Prohibition Against Modular and Mobile Homes

Modular homes, doublewide mobile homes and single mobile homes, pre-fabricated or like structures, are prohibited.

4-4-40. Porch Railings

Porch railings shall be installed in accordance with the current State of Indiana and Dearborn County Codes.

4-5. House Plans (New Structures) Rules

4-5-1. Specific Requirements when Submitting Plans for a New Home

All new houses require HVL POA Architecture Committee approval prior to being constructed. When applying for approval, the following items must be submitted at the HVL POA office by 4:00 p.m. 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.

4-5-2. Distribution of Copies After Architecture Committee Approval

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.

4-5-3. Duty to Contact Dearborn County for Building Permit

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.

4-5-4. Performance Bond for New House

- a. The HVL POA Architecture Committee requires a \$3500.00 Performance Bond for the duration of the new house construction. 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.
- b. 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.
- c. 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.
- d. 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:
 - 1. Obtaining an Occupancy Permit from the Dearborn County Building Inspector's office.
 - 2. Completing the exterior of the structure (including paint, stain etc.).
 - 3. Cleaning up the building site and restoration of adjacent lots.
 - 4. Completing of an inspection of roadway, culvert and ditch line conditions.
 - 5. Completing of the final grading, seeding and strawing (or sodding) of all disturbed ground areas.
- e. 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.

4-5-5. Minimum Appraised Value for Homes Required to have Greater Square Footage

The appraised value of a house and associated lot improvements must 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.

4-5-6. Reserved Right to Order an Appraisal

The HVL POA Architecture Committee may request an appraisal by a POA-approved Indiana certified appraiser on any house plan submitted at the owner's expense.

4-5-7. New Houses Require Submission of Plot Plans

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.
- b. Elevation of all corners.
- c. Exterior dimensions of house including overhang and any decks or porches.
- d. Location and size of culvert for drive if required.
- 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.
- j. Name of township (Miller or Lawrenceburg).
- k. Location of propane tank to be buried.
- l. Ditch and driveway provisions.
- m. Distance of culvert pipe(s) from the side property line(s).

4-5-8. Distribution of Plot Plans after Approval

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.

4-5-9. Locating Utility Lines

Utility line locations for water, sewer, electrical, telephone and cable TV, and gas lines if applicable, are available by contacting the appropriate utility office.

4-5-10. Notice of Excavation

Property owners shall notify all utility companies before any excavation is undertaken in an area of underground utilities.

4-5-11. Plot Plans Require an Indiana Registered Surveyor

- a. In order that all the required plot plan information be properly documented and correctly designated, it is necessary that all plot plans must be approved by an Indiana registered surveyor.
- b. 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.

4-5-12. Stakes Must be Approved by POA Personnel

- a. House stakes shall be checked by HVL POA personnel prior to the approval of the plot plan by the HVL POA Architecture Committee.
- b. Offset stakes shall remain in place until the poured footers have been checked by HVL POA personnel.

4-5-13. A-frames

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.

4-5-14. Appraised Value Requirements Subject to Change

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.

4-6. House Plans (Additions or Changes to Existing Structures) Rules

4-6-1. Plans Required for Additions or Changes to Existing Structures

Additions or changes to a house require 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.

4-6-2. Distribution of Copies after Architecture Committee Approval

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.

4-6-3. Duty to Contact Dearborn County for Building Permit

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.

4-6-4. Performance Bond for Additions over 1,200 Square Feet

The rules for Performance Bonds for additions over 1,200 square feet to existing structures are the same as if the Performance Bond was for a new house.

4-6-5. Performance Bond for Additions under 900 Square Feet

- a. The HVL POA Architecture Committee may require a \$500 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 900 square feet (900 sq. ft.). The HVL POA Architecture Committee will make this determination based on the type of addition or change being proposed. The \$500 Performance Bond may be returnable upon completion.
- b. Application for this Performance Bond shall be made by completing an "Application for Performance Bond for Construction" form available from the HVL POA office.
- c. 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.
- d. 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:
 1. Obtaining an Occupancy Permit (if applicable) from the Dearborn County Building Inspector's office.
 2. Completing the exterior of the structure (including paint, stain etc.).
 3. Completing landscaping to a minimum value of one (1) per cent of the cost of structure.
 4. Cleaning up of building site and restoration of adjacent lots.
- e. 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.

4-6-6. Additions or Changes to Existing Structures Require Submission of Plot Plans

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 six hundred (600) total square feet. If the addition or change is less than six hundred (600) 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.
- b. Elevation of all corners.
- c. Exterior dimensions of house including overhang and any decks or porches.
- d. Location and size of culvert for drive if required.
- 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.
- j. Name of township (Miller or Lawrenceburg).
- k. Location of propane tank to be buried.
- l. Ditch and driveway provisions.
- m. Distance of culvert pipe(s) from the side property line(s).

4-6-7. Distribution of Plot Plans

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.

4-6-8. Locating Utility Lines

Utility line locations for water, sewer, electrical, telephone and cable TV, and gas lines if applicable, are available by contacting the appropriate utility office.

4-6-9. Notice of Excavation

Property owners shall notify all utility companies before any excavation is undertaken in an area of underground utilities.

4-6-10. Plot Plans Require an Indiana Registered Surveyor

- a. 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.
- b. 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.

4-6-11. Stakes must be Approved by POA Personnel

- a. House stakes shall be checked by HVL POA personnel prior to the approval of the plot plan by the HVL POA Architecture Committee.
- b. Offset stakes must remain in place until the poured footers have been checked by POA personnel.

4-7. Dearborn County Building Permits Rules

4-7-1. Dearborn County Permits Required for Structures Over Eight Inches

An approved Dearborn County Building Permit must be granted before new structures over eight (8) inches high may be constructed within Hidden Valley Lake.

4-7-2. Dearborn County Permits must be Posted at Construction Site

Permits must be posted at the construction site. However, posting the permit on a tree or on HVL POA community property is strictly prohibited.

4-8. Setback and Side Lot Dimensions Rules for Structures

4-8-1. Setback Rules

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 highest measured waterline.
- g. Rear (small lake lots) - fifty (50) feet from the shoreline or lot line, whichever is closer.

4-8-2. Construction Prohibited Under Certain Elevation

No portion of any main lake lakefront structure shall be constructed at a point below 645 feet elevation, excluding docks.

4-8-3. Visual Obstructions

No visual obstruction shall be located closer than fifteen (15) feet from the road pavement at any intersection.

4-8-4. Garages

No detached garage shall be located closer to the street than the front elevation of the house it serves.

4-8-5. Prohibition against Side Setback Variances

Although the Board may allow variance for rear and front setbacks, no side setback variances will be allowed.

4-8-6. Setbacks for Specific Structures Control

Certain setback criteria for specific structures may be different than the setback criteria listed in this Article. If the rules set forth in the Article are in conflict with a setback rule contained elsewhere in this title, then the setback rule listed elsewhere will control.

4-9. Foundations Rules

4-9-1. Hillside Footings

Hillside footings shall be stepped in accordance with the most current Dearborn County Building Code.

4-9-2. Types of Foundations Permitted

Four (4) basic types of foundations are permitted: slabs, concrete blocks, poured concrete, or wood.

4-9-3. Exceptions for Porches and Balconies

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.

4-10. Deck Construction Rules

4-10-1. Approval to Build a Deck

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 be 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.

4-10-2. Surveyor Required for Decks

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.

4-10-3. Performance Bond Required for Deck

The HVL POA Architecture Committee will require a \$500 returnable Performance Bond for the duration of the deck construction.

4-11. Roadside Ditches and Entrances to Property Rules

4-11-1. Ditches and Entrances Require Approval

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 be 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.

4-11-2. POA Representative Must Inspect Ditches before Construction of Culvert Pipe

A POA representative will inspect the ditch(es) 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 must be completed prior to installing a culvert pipe.

4-11-3. Culvert Pipe Requirements

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:

- 1. The property is located close to crest of hill.
- 2. The top of the fifteen (15) inch corrugated metal pipe culvert pipe, when placed in the ditch, would be above the road elevation.
- 3. 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.

4-11-4. Installation of Culvert Pipe

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 directly on top of or around the culvert pipe.

4-11-5. Maximum Length of Culvert Pipe

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.

4-11-6. Temporary or Construction Entrance

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.

4-11-7. Permanent Entrance

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.

4-12. Private Dock and Boatlift Rules

4-12-1. Lots Permitted to Have Docks

- a. 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: 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.
- b. Any lot that is not a main lake front lot that has prior approval for a dock may continue to have that approval.
- c. If an HVL POA greenbelt area exists between a private lot listed in section a 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.
- d. if public docks exist in front of a private lot, the property owner must build to avoid them, but has preference renting a public dock.

4-12-2. Docks and Boatlifts Require Approval

- Docks and boatlifts 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 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.

4-12-3. Setbacks for Docks and Boatlifts

Docks and boat lifts must meet the setback requirements of ten (10) feet from the side of the lot.

4-12-4. Free-floating or Stationary

Docks may be constructed as free-floating or stationary.

4-12-5. No Ferrous Building Materials

Docks shall be constructed only of non-ferrous materials. Boat lifts shall be constructed of either non-ferrous materials, stainless steel, or galvanized steel.

4-12-6. No Covers on Docks or Boat Lifts

A dock and a boatlift may not have covers.

4-12-7. Number of Levels for a Dock

Docks may have a maximum of two (2) levels with a maximum separation between levels of eighteen (18) inches.

4-12-8. No Closed Structures Over Two Feet High for Docks.

A dock cannot have closed structure more than two (2) feet in height.

4-12-9. Railing Height for Docks

The maximum railing height permitted on a dock is four (4) feet.

4-12-10. Maximum Extension of a Dock from the Shoreline

A dock may not extend more than eight (8) feet into the water from the shoreline.

4-12-11. Maximum Extension of a Boatlift from the Shoreline

The frame of a boatlift may not extend more than twelve (12) feet into the water from the shoreline at summer pool.

4-12-12. Boatlifts Require Reflectors

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.

4-12-13. Performance Bond for a Dock

The POA Architecture Committee may require a \$500.00 returnable Performance Bond for the duration of the dock or boat lift construction.

4-12-14. Docks and Boatlifts are only Permitted on the Main Lake

Boat docks and boat lifts are not permitted on the small lakes.

4-12-15. Dock and Boatlift Variances

Before any construction begins, any proposed variance to private docks and boatlifts 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.

4-13. Rules for Fences

4-13-1. Fences Require Approval

- a. 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:
 - 1. 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.
 - 2. Five (5) copies of a picture or a drawing showing the fence size, elevation and the construction materials to be used.
- b. 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.

4-13-2. Previously Approved Fences

Previously approved fences will retain approval unless changes to the fencing are made. If a fence is changed after the creation of a new rule, then the owner must re-submit his fence for approval

4-13-3. Location and Height of Fences

- a. Fences may follow the property line and must be located in the backyard with few exceptions and must not extend past the back corner of the dwelling closest to the road, which includes corner lots (the area a fence may occupy will hereinafter be referred to as the “buildable part.”)
- b. Fences must not exceed four (4) feet in height if decorative and six feet in height if for privacy.

4-13-4. Fencing Material

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.

4-13-5. Fencing Restrictions for Corner Lots

On a corner lot, the fencing material used at the portion of the backyard that faces on a street shall be limited to split rail with woven wire or decorative fencing.

4-13-6. Privacy Fence Restricted Materials

Privacy Fences must be constructed of wood, vinyl or masonry materials compatible with the style of the house.

4-13-7. Side Fences are Permitted under Limited Circumstances

Fencing in front and side yards shall be used for decorative purposes only and cannot be used to enclose the yard.

4-13-8. Fences Facing the Golf Course or Main Lake

- a. All fence facing the golf course or Main Lake must be constructed in the buildable part of the lot and chain link fencing material is prohibited.

4-13-9. Invisible Fences

- a. Invisible fences are permitted and do not require HVL POA Architecture Committee approval.
- b. Invisible fences may not be placed in the roadway easement area, which is typically the area eleven (11) feet from edge of the roadway.
- c. Electrical equipment used shall meet applicable codes.

4-13-10. Electric Fences

- a. A UL-listed, poly wire, electric fence may be installed to protect landscaping, but it must be approved by the HVL POA Architecture Committee.
- b. All electric fences must be no taller than 30”, and contain no more than 2 separate wires.
- c. 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.
- d. On main lakefront lots, no electric fence may be closer than 25 feet from the highest waterline or lot line, whichever is closer to the house.
- e. 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.

- f. 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.
- g. Fence operations, safety issues, and liability are the full responsibility of the homeowner.
- h. The approval by the HVL POA Architecture Committee only concerns the aesthetics of the fence.

4-14. Fuel Tanks Rules

4-14-1. Fuel Tanks Require Approval

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.

4-14-2. Maximum Capacity for a Fuel Tank

The maximum allowed capacity of a fuel tank is five hundred (500) gallons.

4-14-3. Fuel Tanks over Two Hundred Pounds

All fuel tanks over two hundred (200) pounds must 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 highest waterline of the Main Lake.

4-14-4. Buried Tanks

Buried fuel tanks shall meet all applicable manufacturer's recommendations and codes and shall be coated with a protective material.

4-14-5. Location of Fuel Tanks

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.).

4-14-6. Above Ground Tanks

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.

4-14-7. Prohibition Against Gasoline Tanks

Gasoline storage tanks larger than ten (10) gallons capacity are not permitted on, nor may be buried in private lots.

4-14-8. Removal of Tanks no Longer in Use

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.

4-15. Grading and Drainage Rules

4-15-1. Changes in Grading Requires Approval

Any change in grading must be approved by the POA.

4-15-2. Prohibition Against Impediments to Natural Drainage

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.

4-15-3. Prohibition Against Diverting Water Towards a Road

Diverting water onto or under a road is prohibited.

4-15-4. Drainage Rules for Roofs and Foundation

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.

4-15-5. Prohibition Against Other Means of Drainage

No new concentrated water flow can be directed on to other properties.

4-15-6. Drainage May Not be Diverted to Sewer Pipes

Directing storm water flow into VRUC lines is prohibited.

4-16. Lake Water Usage Rules

4-16-1. Using Lake Water Requires Approval

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 be 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.

4-16-2. POA Has No Liability for Members Use of Lake Water

Parties using lake water on their property do so at their own risk without any liability on behalf of the HVL POA.

4-16-3. Maximum Size of Pump System

The maximum size for the system intake is three (3) inches and one and one half (1.5) inches for the primary system.

4-16-4. Use of Lake Water will not Interfere with Lake Activities nor Lake Aesthetics

- a. The intake pipe opening shall be at least ten (10) feet below normal high-water level and may not interfere with boating, fishing or swimming, and must be concealed out of site under a dock.
- b. All system pumps must be covered and all exposed piping must be concealed.

4-16-5. Owners May Not Cross the Property of Others to Access the Lake

System piping shall not cross a road, community property within HVL, or another property owner's lot.

4-16-6. Ferrous Material May Not Contact the Lake

All system piping in the lake or in contact with lake water shall be made of non-ferrous materials.

4-16-7. Water Used Must be Returned

All lake water used shall be returned to the lake.

4-16-8. No Connections to VRUC Lines

Lake water connections to VRUC water or sewer lines are prohibited.

**4-17. Sheds, Gazebos, Shelters, Dog Runs Detached Garages and Other
Lot Improvements Rules**

4-17-1. Structures Over Eight Inches High Require Approval

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 be 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.

4-17-2. Structures Must Meet the Standard Setback Requirements

All structures or lot improvements shall meet the setback requirements for the lot and shall be placed in the side or backyard.

4-17-3. Only One Shed or Detached Garage is Permitted

More than one shed or detached garage on a lot is prohibited.

4-17-4. Only One Gazebo is Permitted

Only one (1) gazebo or shelter on a lot is permitted.

4-17-5. Distance of Structures from the Main Lake

Gazebos, shelters, sheds and dog runs shall not be placed closer than fifty (50) feet from the highest water line of the Main Lake.

4-17-6. Performance Bond may be Required

The HVL POA Architecture Committee may require a \$500.00 Performance Bond for the duration of the construction of the structure or lot improvement. An Occupancy Letter is not required.

4-17-7. Structures Not Covered by Any Rule

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.

4-17-8. Wood Fired Boilers and Furnaces

Outdoor wood fired boilers and outdoor wood fired furnaces are prohibited.

4-18. Play Structure Rules

4-18-1. Play Structures Require Approval

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.

4-18-2. Play Structures Must Meet Setback Requirements

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.

4-18-3. Only One Swing Set Allowed

Only one (1) wooden play set or swing set per lot is allowed.

4-18-4. Performance Bond for Play Structure May be Required

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. An Occupancy Letter is not required.

4-18-5. Play Structures Not Covered by Any Rule

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.

4-19. Retaining Wall and Exterior Wall Rules

4-19-1. Retaining Walls Require Approval

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.

4-19-2. Hollow Exterior Walls and Retaining Walls must be Childproofed

All hollow exterior and retaining walls must have a childproof cap or be filled with aggregate.

4-19-3. Retaining Walls Over Four Feet High Require a Safety Fence

All retaining walls over four (4) feet in height must have a security fence that meets the Dearborn County code requirements for deck railing or have a three-rail split rail fence with a mesh liner.

4-19-4. Exterior and Retaining Wall Aesthetics

Both exterior and retaining walls must be constructed of poured concrete, concrete blocks, brick, stone, or wood. The design or color scheme of both exterior and retaining walls must be in harmony with the general surroundings or with adjacent buildings or structures.

4-19-5. Retaining Wall Must Have Drainage

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.

4-19-6. Retaining Wall Permitted Building Materials

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.

4-19-7. Performance Bond Will be Required

The HVL POA Architecture Committee may require a \$500 returnable Performance Bond for the duration of the construction of the exterior wall. An Occupancy Letter is not required.

4-20. Seawalls, Shoreline Protection and Shoreline Reclamation Rules

4-20-1. Owner is Permitted to Build Seawall

- a. A lakefront property owner, at his/her own expense, may construct a seawall to protect or reclaim his/her property at the lakefront.
- b. A seawall may extend to the property line.

4-20-2. Seawalls Require Approval

Seawalls require 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.

4-20-3. Performance Bond Required

The HVL POA Architecture Committee requires a \$500 returnable Performance Bond for the duration of the shoreline construction project.

4-20-4. Surveyor Required

The property line at the lakeside must be surveyed by an Indiana-registered surveyor and staked prior to the start of the shoreline construction project.

4-20-5. Scope of Reclamation

Property may be reclaimed to the property line or water line at normal low pool, whichever is less.

4-20-6. Placement of Seawall

Seawall construction must follow the contour of the water at normal low pool.

4-20-7. Permitted Seawall Construction Materials

A seawall shall be built of natural materials or concrete. Non-locking concrete block shall not be used in the construction of seawalls.

4-20-8. Maximum Height of Seawall

The top of a seawall shall not be constructed higher than twenty-four (24) inches above the normal summer pool waterline.

4-20-9. Permitted Backfill

Backfill material used in seawall construction shall be natural material.

4-20-10. All Changes to Existing Seawall Must Conform to These Rules

Any existing seawall that is altered, added to, or changed in any manner must be required to conform to the current rules.

4-20-11. Seawalls Made from Bagged Concrete or Sandbags are Prohibited

Construction of a new seawall with sandbags or bagged concrete is prohibited.

4-20-12. Seawalls May be Constructed before a Dwelling

Erection of seawalls, the placement of shoreline protection or shoreline reclamation may be undertaken on a lot prior to the erection of a dwelling.

4-20-13. Seawall Variances

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.

4-20-14. Dredging Requests

A member intending to dredge who has made a proper request to dredge must attend a Lakes Committee meeting with their plans and must gain approval from the Committee prior to dredging.

4-21. TV Antennas, Towers and Satellite Dishes Rules

4-21-1. Antennas, Towers, and Satellite Dishes Must be Attached to the Dwelling

Antennas, towers, and Satellite Dishes must be attached to the main residential structure and shall not exceed a height of fifteen (15) feet above the highest point of that structure.

4-21-2. Satellite Dishes Larger than a Meter are Prohibited

Installing a satellite dish one meter (39.37 inches) or larger in diameter at its widest point is prohibited within Hidden Valley Lake.

4-21-3. Satellite Dishes Smaller than a Meter Do Not Require Approval

A satellite dish less than one meter (39.37 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.

4-22. Pools

4-22-1. Pools Require Approval

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 must 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.

4-22-2. Pools Must Meet Setback Requirements

Pools and appurtenant structures must meet the setback requirements for the lot and shall be located only in the backyard.

4-22-3. Only One Pool is Permitted

Only one pool is permitted on a lot.

4-22-4. Pool Setback from Main Lake

Pools shall not be placed closer than fifty (50) feet from the main lake as measured from the high-water mark.

4-22-5. Surveyor Required

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.

4-22-6. Performance Bond Required

The HVL POA Architecture Committee requires a \$500.00 Performance Bond for the duration of the construction of the pool. A Dearborn County Certificate of Occupancy Letter for pools is required.

4-23. Parking Pads

4-23-1. Parking Pads Generally

- a. Parking pads shall be contiguous and parallel to either the street or to the driveway.
- b. Parking pads must be a minimum of 8 feet wide and no larger than 360 square feet per lot.
- c. Multiple parking pads are permitted but the total square footage of all parking pads on any lot must not exceed 360 square feet.
- d. Contiguous lots shall be considered as one lot.
- e. Parking Pads must be constructed of concrete, asphalt, paver block, turf block, or gravel.
- f. Requests for exceptions will be considered by the Architectural Committee on a case by case basis.

4-23-2. Gravel Parking Pads

- a. Gravel parking pads shall be constructed with a plastic underlayment or other underlayment suitable for controlling weed growth.
- b. Gravel will be a minimum of four (4) inches deep surrounded by a permanent border to contain the gravel.

4-24. Architectural Checklists Forms and Applications

4-24-1. Architectural Forms Generally

The Architecture Title references a number of different checklists, forms and applications required. Copies of these documents are available from the POA Office or online.

4-24-2. List of Architecture Forms, Checklists, and Applications

- a. Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements
- b. Application for Ditch/Driveway Culvert Permit
- c. Application for Performance Bond for Construction
- d. Application for Performance Bond Return
- e. Building Permit Checklist for Additions or Changes to Existing Structures
- f. Building Permit Checklist for New Structures
- g. Declaration of Contiguous Lots
- h. Declaration of Discontinuous Lots
- i. Disclaimer of Contiguous Lots
- j. General Rules for Construction of New Structures or Additions or Changes to Existing Structures

4-25. Architecture Assessment Schedule

4-25-1. Right to Suspend Work

- a. In the case of Architecture violations, the POA reserves the right to place a stop work order and halt construction at a job site after issuing of a citation.
- b. 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.
- c. Sundays and holidays may be excluded.

4-25-2. Assessment for Failure to Prepare Driveway Before Work Begins

If a driveway or ingress and egress is not prepared to specifications before work begins then the following assessment may be levied:

\$500 plus damages

4-25-3. Assessment for Culvert Pipe Violation

If culvert pipes are improperly installed, undersized (defined as being under 15 inches), made with the wrong materials, or any other culvert pipe issue, then the following assessment will be levied:

\$500 plus damages.

4-25-4. Assessment for not Using Prepared Driveway as Ingress or Egress

If the prepared driveway is not being used to enter a lot, or if there are multiple access point being used to enter a lot, then the following assessment will be levied:

\$100 - \$500.

4-25-5. Assessment for Malfunctioning Culvert Pipe

If a culvert pipe is bent or plugged, or ditch line blocked in any manner to disrupt the natural flow of water than the following assessment will be levied:

\$100 - \$500.

4-25-6. Assessment for Insufficient Gravel

If there is insufficient gravel then the following assessment will be levied:

\$100 plus 24 hours to remedy, each violation thereafter will increase by \$100 increments

4-25-7. Building Permit Affixed to a Tree or HVL property or No Permit Assessment

If a building permit is affixed to a tree or to HVL property the following assessment will be levied:

\$20 - \$50

4-25-8. Mud or Debris Assessment

a. If Mud or other debris is not cleaned up as soon as possible or by the end of the workday then the following assessment will be levied:

\$100.

b. If Mud or other debris is left on the street past normal working hours then the following assessment will be levied:

\$200.

4-25-9. Theft of Utilities Assessment

- a. If a person or his/her agent is found stealing utilities then the following assessment will be levied: \$100 - \$500 plus Damages.
- b. If a person or his/her agent is found stealing utilities on three or more occasions then the HVL Board of Directors may ban the violator from Hidden Valley Lake Subdivision.

4-25-10. Unsightly Construction Site Assessment

If a person or his/her agent does not keep a building sight clean and in a workmanlike fashion the following assessment will be levied:
\$100 - \$500

4-25-11. Not Following Approved Plans Assessment

If a person or his/her agent does not follow the plans approved by the Architectural Committee, including but not limited to following the dimensions, and locations as approved, then the following assessment will be levied:
\$500 - \$2000 plus Stop Work Order

4-25-12. Stop Work Order Assessment

If a Stop Work Order is issued then the following administrative assessment will be levied:
\$100

5. PRIVATE PROPERTY APPEARANCE AND MAINTENANCE

5-1. Private Property Appearance and Maintenance Terms

5-1-1. Statement Regarding Private Property Appearance and Maintenance Terms

For the following HVL POA Private Property Appearance and Maintenance Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply.

5-1-2. Definition of Terms

- a. **Grandfather or Grandfathering**—Provision in which a previous rule continues to apply to certain existing situations while the new rule applies to future cases. Those specific situations exempt from the new rule are considered Grandfathered.
- b. **Hard Surface** – Any surface constructed of concrete, gravel, paver blocks, turf blocks or asphalt.
- c. **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.
- d. **Large vehicle** – Any vehicle including, but not limited to, dump trucks, flatbed trucks, box trucks, buses, semis or other vehicles over seven thousand (7,000) pounds curb weight, excluding recreational vehicles (RV’s), boats and campers.
- e. **RV or Camper**—Vehicles with or without motive power initially designed and built by the manufacturer equipped exclusively with living quarters for traveling on the highway. Other vehicles including but not limited to trucks, semi-tractors or trailers, utility trailers, buses, etc. with living

quarters added are not considered RV's or campers for purposes of being stored in HVL regardless of type of title, license, or registration.

f. **Unlicensed motorized vehicle** – Any motorized vehicle not having a current vehicle license plate displayed on the vehicle.

g. **Utility Trailer**—Any trailer not originally designed by the manufacturer to be used to transport watercraft or not originally designed by the manufacturer to be used primarily as a recreational vehicle (RV) or camper.

5-2. Private Property Appearance and Maintenance Rules

5-2-1. Lots Must be Tidy

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

5-2-2. Exterior Must be Free of Rubbish

Exterior property and premises, including but not limited to carports, decks, and patios must be free from the accumulation of yard waste, garbage, rubbish, clutter, etc.

5-2-3. Exterior Structures Must be in a Proper State of Repair

- a. Sidewalks, walkways, stairs, driveways, parking spaces, and similar areas must be kept in a proper state of repair, and maintained free from hazardous conditions.
- b. Structures must be maintained, structurally sound, and free of deterioration.

5-2-4. Cultivated Areas Free of Weeds

Cultivated areas including, but not limited to, gardens and landscaping shall be kept free of high weeds and maintained.

5-2-5. Exterior Surfaces Kept in Good Condition

Exterior surfaces of structures shall be maintained in good condition.

5-2-6. Pools, Hot Tubs, Spas and Other Water Features Kept Sanitary and in Good Repair

Swimming pools, spas, hot tubs, and other water features must be maintained in good repair and shall be maintained in a clean and sanitary condition.

5-2-7. Motor Vehicles Must be Licensed and in Working Order

No inoperative or unlicensed motorized vehicle may be parked, kept, or stored outside on any private property.

5-2-8. Vehicles Must be Parked on Hard Surfaces with Exception

All vehicles shall be parked on a hard surface; however, parking on a private lawn area is permitted for special short-term events.

5-2-9. Boats, Campers, Recreational Vehicles, and Trailers Storage Rule

Boats, campers, recreational vehicles and trailers parked or stored outside on private property shall be titled and licensed or registered to the property owner or occupant.

5-2-10. Request for Variance Made to POA Office

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.

5-2-11. Grass Must be Mowed

Grass that is 6 inches or more in height on an improved lot is regarded as an untidy lot.

5-2-12. Dead Trees

Dead or dying trees must be removed if visible from the lake or road, or if they could fall on the property of another.

5-2-13. Trash Receptacle Placement

- a. Trash Receptacles stored on any side of the house facing a street must be completely screened from the street.
- b. Trash Receptacles located in a side or backyard area not facing a street are not required to be screened, but shall be maintained and stored in a clean and orderly manner.
- c. Any structure that contains or screens trash receptacles must satisfy all other applicable regulations.
- d. Extenuating circumstances will be given consideration.
- e. The term “trash receptacle” includes recycling bins.

5-2-14. Number of RVs, Motor Boats, and Trailers Permitted to be Stored

- a. A combined total of one (1) trailer, motorized boat, camper, RV, motor home is permitted to be stored outside.
- b. A combined total of two (2) is permitted to be stored outside if two (2) or more full size lots are contiguous.
- c. Boats, trailers, campers, RVs and motor homes must be placed on a hard surface.
- d. No utility trailers over 16 feet in length including tongue are permitted to be stored outside on Hidden Valley Lake private property. (See “grandfather” clause below)

5-2-15. Boats, Campers, Recreational Vehicles, and Trailers Storage Rule

- a. All Boats, campers, recreational vehicles and trailers parked or stored outside on private property must be titled and licensed or registered to the property owner or occupant.
- b. Boats **NOT** registered on Hidden Valley Lake, campers, RVs, and trailers shall be stored on the side of the members’ house completely behind the front setback of the house (see grandfather clause).
- c. Boats registered on Hidden Valley Lake and their trailers may continue to be parked on the property 20 feet from the road according to existing rules.

5-2-16. “Grandfathering” Exempts Certain Titled Vehicles and Trailers

All boats not registered for use on Hidden Valley Lake, campers, RVs, 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.

5-2-17. Vehicles that Must be Stored in a Garage

Vehicles larger than a standard full size pickup truck or van used in a trade or business, other large vehicles, 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.

5-3. Landscaping Rules

5-3-1. Yards Must be Landscaped

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.

5-3-2. Disturbed Ground

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.

6. ANIMALS

6-1. Deer Management Program Bow Hunting, Deer Culling Rules

6-1-1. Deer Management Program Generally

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.

6-1-2. 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**.
- d. The property owner shall be provided the names of the hunters assigned to use the approved culling zone that includes their property.
- e. Any private property approved for the use of extending the size of a culling zone shall be adjacent to community property within HVL.
- f. More than one hunter may be assigned a single culling zone and/or a single hunter may be assigned more than one culling zone.

6-1-3. 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.

6-1-4. 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.

6-1-5. Harvested Animal Procedures

- a. Qualified hunters shall record all harvested animals at a State of Indiana Check-in Station and must 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 must 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.

6-1-6. 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.

6-1-7. 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 will 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.

6-2. Dogs

6-2-1. Dog Control Definition

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

- a. **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 harbinger, 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.

b. **Dog at large** – Any dog not under restraint of a person capable of controlling the dog on or off the premises of the owner.

c. **Dog owner** – Any person, partnership, or corporation owning, keeping, or harboring one or more dogs.

d. **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.

e. **Harbored dog** - Any dog that is fed or sheltered for three consecutive days or more.

f. **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.

g. **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.

h. **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.

i. **Stray** – Any dog that does not appear, upon reasonable inquiry, to have an owner.

j. **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.
4. A vicious dog does not include either of the following:
 - A. 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.
 - B. 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 harborer of the dog.

k. **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.

6-2-2. Licensing of Dogs Rules

a. Any person owning, keeping, harboring, or having custody of a dog over six (6) months of age must obtain a license from the county.

- b. 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.
- c. Application for a license must be made within thirty (30) days after obtaining the dog over six (6) months of age.

6-2-3. Restraint of Dogs Rules

- a. All dogs shall be kept under restraint.
- b. No dog owner shall fail to exercise proper care and control of his dogs to prevent it from becoming a public nuisance.
- c. No dog owner shall fail to clean up feces left by their dog on community property within HVL or another person's private property.
- d. No dog owner, keeper, or harbinger of a dangerous or vicious dog will fail to do either of the following:
 - 1. While the dog is on the premises of the owner, keeper, or harbinger, the dog must be securely confined 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.
 - 2. While the dog is off the premises of the dog owner, keeper, or harbinger, the dog must be on a leash or tether that is adequate to control the dog and do at least one of the following:
 - A. Keep the dog in a locked pen, which has a top, locked fenced yard, or other locked enclosure, which has a top.
 - B. 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.
 - C. Muzzle the dog.
- e. If the dog is a vicious dog, then the dog must be muzzled at all times, whether on or off the premises.
- f. A dog owner, keeper, or harbinger of a vicious dog must have 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.

6-3. Fishing Rules

6-3-1. People Allowed to Fish in HVL

Only 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.

6-3-2. Fishing Pass for a Guest

- a. Any HVL POA member may obtain a daily fishing guest pass from the HVL POA office for up to three guests per day.
- b. A guest may fish for only three (3) days per month.
- c. A guest may get a one (1), two (2) or three (3) day pass.

6-3-3. Guests Must Carry a Valid Fishing Pass

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.

6-3-4. Hours that Fishing is Permitted

Fishing on HVL POA lakes is permitted 24 hours a day.

6-3-5. Prohibited Fishing Methods

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.

6-3-6. Removal of Bullfrogs is Prohibited

Removing bullfrogs from any HVL POA lake at any time by any means is prohibited.

6-3-7. Fishing License is not Required

No fishing license is required to fish in HVL POA lakes.

6-3-8. Commercial Fishing is Prohibited

Commercial fishing of any kind including but not limited to the capturing of minnows, fry, or other small fish in any POA lake is prohibited.

6-3-9. Fish May not be Added to any Lake or Pond Without Approval

New and additional fish may not be placed in POA lakes without permission of the POA Board of Directors.

6-3-10. Bait Minnows

- a. Minnows may be used for bait on any HVL POA lake only if purchased at a reputable bait store.
- b. Emptying the bait fish in whole or in part of a bait bucket into any HVL POA lake is prohibited.

6-3-11. Fishing Near or At the Beach is Prohibited

Fishing in the main lake beach, the area between the homes on either side of the beach, and by the buoys marking the beach is prohibited.

6-3-12. Fishing Catch Limits

- a. Fishing limits and rules apply to all 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. Largemouth Bass
 1. An individual may take unlimited largemouth bass that are between nine (9) inches and thirteen (13) inches in length.
 2. An individual may take one largemouth bass twenty-two (22) inches or longer.
 3. All largemouth bass caught that are less than nine (9) inches in length must be immediately released
 4. All largemouth bass between thirteen (13) inches and twenty-two (22) inches in length must be immediately released.
- e. Red Ear Sunfish
 1. An individual may take a maximum of five (5) red ear sunfish from HVL POA lakes.
 2. All red ear sunfish less than eight (8) inches long must be immediately released.
- f. Crappie
 1. An individual may take a maximum of five (5) crappie from HVL POA lakes.
 2. All crappie less than eight (8) inches long must be immediately released.
- g. Bluegill
 1. An individual may take a maximum of ten (10) bluegill from HVL POA lakes.
 2. All bluegill less than eight (8) inches long must be immediately released.
- f. There is no limit on number of other species of fish taken per day from HVL POA lakes.

6-3-13. Turtles

Removing turtles from any HVL POA lake is prohibited. Properly identified snapping turtles may be removed from an HVL POA lake using appropriate caution.

6-3-14. Grass Carp

Grass carp have been placed in the small lakes to help control vegetation. Removing these carp is prohibited.

6-3-15. Disclosure of Catch

Upon request from a Hidden Valley employee, a resident or visitor must disclose and show the amount of fish in his/her possession.

6-4. Deer Feeding Rules

6-4-1. Feeding Deer is 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.
- b. 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.
- c. 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.
- d. 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.

6-4-2. Removal of Deer 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.

6-4-3. Penalty for Feeding Deer

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

6-4-4. Exception to Deed Feeding Rule

The POA Board of Directors may vote to allow deer feeding as part of the Deer Culling Program.

6-5. Animal Assessment Schedule

6-5-1. Dog Noise Assessment

a. If an owner or harbinger of a dog or dogs negligently allows the dog or dogs in his/her care to cause a noise at such a level as to be a nuisance to neighbors as set forth herein then the following assessment will be levied against the owner or the keeper:

\$50.

b. If an owner or harbinger of a dog or dogs has already had an assessment levied against them as prescribed in part "a" of this section and violates again, this second violation and each subsequent violation thereafter will have the following assessment levied:

\$100. (as amended 11/29/18)

6-5-2. Dog Running Loose Assessment

a. If an owner or harbinger of a dog or dogs negligently allows the dog or dogs in his/her care to run loose then the following assessment will be levied:

WARNING

b. If an owner or harbinger of a dog or dogs has already received a warning as prescribed in part "a." of this section and violates again, this second violation and each subsequent violation thereafter will have the following assessment levied:

\$100.

6-5-3. Vicious Dog Assessment

a. If an owner's or harbinger's dog or dogs are found to be vicious, then the following assessment will be levied against the owner or harbinger:

\$250 plus the owner or harbinger will be sent a letter declaring that their dog or dogs are vicious and will be advised dog must be contained.

b. If an owner or harbinger of a dog or dogs has already received a warning letter as prescribed in part "a." of this section and there is a subsequent violation any rule herein set forth by the dog or dogs deemed to be vicious, then the following assessment will be levied:

\$250 plus removal of the vicious dog or dogs from HVL. (as amended 11/29/18)

6-5-4. Dangerous Dog Assessment

a. If an owner’s or harborer’s dog or dogs are found to be dangerous, then the following assessment will be levied against the owner or harborer:

WARNING

b. If an owner or harborer of a dog or dogs has already received a warning as prescribed in part “a” of this section and there is any subsequent violation of any rule set forth herein by the dog or dogs deemed to be dangerous, then the following assessment will be levied:

\$250.

c. If an owner or harborer of a dog or dogs has already received a warning as prescribed in part “a” of this section and a fine as prescribed in part “b” of this section and there is a subsequent violation of any rule set forth herein by the dog or dogs deemed to be dangerous, then the following assessment will be levied:

\$250 plus removal of the dangerous dog or dogs from HVL.

6-5-5. Hunting or Fishing Violation Assessment

If a person violates the rules for hunting and fishing, as set forth in these by-laws then the following assessment will be levied:

\$50 – 1000 (as amended 11/29/18)

7. LAKES & WATERCRAFTS

7-1. Lakes and Parks Committee Purposes and Meeting Times

7-1-1. Lakes & Parks Committee Purposes

a. 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 green space areas for the enjoyment of Hidden Valley property owners and their guests.

b. To accomplish this purpose, the Committee shall be engaged in activities which include, but are not limited to:

1. Scheduling and holding open monthly meetings for the purpose of addressing all HVL lakes and park and recreational issues.
2. Recommending and maintaining the POA Lakes and Water Craft Rules as well as the Parks, Recreation facilities and Pool and Beach Rules.
3. 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.
4. Designing and recommending the docks, dams, spillways, marinas, buoys (including lines and lights) and lake status lights within HVL.
5. Monitoring the quality of water in the HVL lakes.
6. Making recommendations on requests for variances to the rules governing the size, location and features of all docks and boat racks within HVL.
7. Recommending and monitoring the types of water craft and flotation devices allowed on HVL lakes.

8. Planning, recommending, monitoring and scheduling community recreational events involving the HVL lakes, parks, athletic fields, beach, pool, playgrounds, shelters and green space areas within HVL.
9. 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.
10. Making recommendations regarding safety patrol personnel and equipment for HVL lakes.
11. 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.
12. Determining the requirements for and issuing of HVL POA water craft registration stickers.
13. Conducting yearly State of Indiana MS4, Rule 13 inspections of HVL drainage systems.
14. Reviewing safety equipment at the marina, main lake and at the small lakes, pool, beach, athletic fields and parks.
15. Recommending and approving the annual driver's test for all boat owners applying for boat registrations.
16. 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.
17. In cooperation with the POA Community Manager, making suggestions regarding the POA Lake Patrol activities.
18. In cooperation with the POA Community Manager, making suggestions regarding the status of the lake and when it should be changed.
19. Recommending fishing rules and fish limits.
20. Coordinating the activities relating to the selection of the lake treatment firm and determining what and how much treatment is done.
21. Coordinating with the POA Board of Directors the setting of the rules and regulations regarding the renting of the docks.
22. 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.

7-1-2. Lakes and Parks Committee Meeting Times

The Lakes and Parks Committee shall meet on the 2nd Wednesday of the month at 7:30 pm.

7-2. Lakes and Watercraft General Statements

7-2-1. Boat at Your Own Risk

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

7-2-2. Violators of Lake and Watercraft Rules May be Banned

Violations of the POA Lakes and Watercraft 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.

7-2-3. Statement Concerning Watercraft Rules

- a. The rules concerning watercraft apply to all watercraft operated in any POA Lake.

- b. POA Employees or Agents may be exempted from portions of these Rules.

7-3. Lakes and Watercrafts Definitions of Terms

7-3-1. Definitions

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

- a. **Airboat** - A buoyant self-propelled, multi-terrain vehicle that depends primarily on air thrust for propulsion.
- b. **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.
- c. **Emergency spillway area** - The parking area and spillway located immediately adjacent to the HVL POA boat-launching ramp.
- d. **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.
- e. **Main lake** - The large lake (known as Hidden Valley Lake) that is contained by the dam located along Alpine Drive.
- f. **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.
- g. **Motorized water craft** – Any motor-driven water craft equipped with any type of motor including powerboats, pontoon boats and other water craft.
- h. **Non-motorized water craft** – Any water craft not equipped or propelled by a motor.
- i. **No-wake idle speed** – Operating a powerboat with the throttle “just in gear” or at the lowest speed possible for safe boat operation.
- j. **No-wake idle-speed zone** - The area of the main lake between the shoreline and the buoys marking the high-speed zone.
- k. **Other water craft** – Water craft such as sailboats, canoes, kayaks, paddle boats, rafts, etc. and those boats with 10.0 horsepower or less.
- l. **Personal Flotation Devices (PFDs)** – A vest or jacket approved by the U.S. Coast Guard for life preserving functions.
- m. **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 or more persons and can be operated by a person sitting, standing or kneeling on the water craft.
- n. **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.
- o. **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.
- p. **Rules card** – A laminated card of Lakes and Water Craft Rules issued by the HVL POA office at the time of boat registration.
- q. **Ski zone** – Same as High-speed zone.
- r. **Small lakes** - All other lakes within HVL including Kathy, Alpine, Holiday, Paradise, Crystal, Melody, and the lake on the 77 acres.

s. **Throwable, PFD** – A U.S. Coast Guard-approved flotation device such as a seat cushion or ring used for life preserving functions.

7-4. General Lakes Rules

7-4-1. People Allowed to Use Lakes

All POA members, their immediate family members and renters who have paid the Renter Amenity Fee may utilize the POA lakes but must be prepared to show a valid POA identification when requested by an POA Deputy or other POA staff member.

7-4-2. Injuries on Lakes Should be Reported

All injuries that occur on the POA lakes should be reported to the POA Deputies.

7-4-3. No Fires at Certain Locations Except with Approval

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 Property Manager.

7-4-4. Litter

All litter must be placed in the containers provided. If containers are not present, take your trash with you when leaving the area.

7-4-5. Ice Skating and Fishing

Ice skating and ice fishing are permitted on HVL POA lakes at your own risk.

7-4-6. Swimming is Prohibited in Certain Areas

Swimming in restricted areas (marinas, Willie's dock area, beach after posted hours, high-speed zone during open status) is prohibited.

7-4-7. Use of Mooring Buoys is Prohibited

The use of mooring buoys on HVL POA lakes is prohibited.

7-4-8. Lakes Treated Twice a Year

- a. The POA lakes are treated with chemicals at least twice a year.
- b. The Lakes are usually treated on the second Monday in June and August. NOTE Dates are subject to change.
- c. All POA lakes are closed the day of chemical treatment.
- d. The POA member is responsible for being aware of these treatment dates.
- e. The treatment dates and lake usage restrictions are published in the Echoes newspaper and on public signs within HVL.
- f. Depending on weather conditions, rain dates may apply.

7-4-9. Property Owners Are Prohibited from Adding Herbicides to the Lakes

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.

7-4-10. Putting Waste into Lakes

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.

7-4-11. Adoption of the IDDE

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.

7-5. Main Lake, Public Docks and Spillway Rules

7-5-1. Sluice Gate

- a. The sluice gate on the main lake is opened on the first Monday in November and remains opened until the Saturday prior to the first Monday in March.
- b. Water craft may be damaged if left in the water during this period.
- c. 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.
- d. There will be a “no-wake” status on the lake from one week after the opening of the sluice gate until the lake is full at winter pool. Then the normal lake status resumes.

7-5-2. POA Deputy May Limit Otherwise Legal Activities on the Lakes

An HVL POA Deputy may, at his/her discretion, limit activities that could endanger anyone on the lakes. Boaters are urged to help limit the number of watercraft using the high-speed zone at any given time.

7-5-3. Limitation on Use of Public Docks

No one is permitted on the HVL POA rental docks from dusk to dawn other than dock renters, their immediate family, and their guests.

7-5-4. Boat Trailers Parked in Spillway

- a. Boat trailers may not be stored in the emergency spillway area overnight.
- b. When a watercraft is in use on lake, boat trailers attached to the towing vehicle may be parked in the emergency spillway area.

7-5-5. Water Level of Lakes Not Guaranteed

The HVL POA does not guarantee a specific water level for the HVL lakes.

7-5-6. Renting a Public Dock

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.

7-5-7. Subleasing and Non-Lessee Use of Public Docks is Prohibited

- a. 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.
- b. If it is found that a subleasing arrangement does exist, then the dock lessee will forfeit his/her right to lease the dock immediately and forfeit lease payments already made.

See Recreational

7-6. Small Lakes Rules

7-6-1. Area Around Small Lakes

Only the designated access areas may be used around the small lakes and only foot traffic is permitted.

7-6-2. Construction of Docks Prohibited on Small Lakes

Construction of new docks on the small lakes is prohibited.

7-6-3. Use of Motorboats on Small Lakes is Prohibited with Few Exceptions

- a. Use of gas motors of any kind on the small lakes is prohibited.
- b. Electric motors will be allowed on Lake Alpine and Kathy Lake with the following stipulations:
 - 1. All batteries used must be sealed
 - 2. There will not be any trailer launching allowed or launching from the back of a truck.
 - 3. All boats being used on the lakes must be carried to the lake or wheeled, if the boat is equipped with wheels.
 - 4. Only those living on a lake can leave a boat on the lake or shore overnight.
 - 5. No special weight or size limits other than those set for the main lake will apply.
 - 6. Both Alpine and Kathy are no wake lakes.

7-7. Watercraft Registration Rules

7-7-1. Watercraft must meet U.S. Coast Guard Requirements

- a. All watercraft must meet U.S. Coast Guard requirements for safety equipment and safe operation.
- b. U.S. Coast Guard requirements are published in the most recent addition of the "Federal Requirements and Safety Tips for Recreational Boats", available from the U.S. Coast Guard.

7-7-2. Watercraft Must be Registered Annually With the POA

All POA members who desire to operate a watercraft in the Main Lake or any small lake must register his/her watercraft with the POA annually, by filling out a watercraft registration form.

7-7-3. Only a POA Member May Register a Watercraft

Only an HVL POA member may register his/her watercraft.

7-7-4. Proof of Insurance for Watercraft

Before a registration sticker is issued, the registrant must exhibit to the HVL POA office, or its representatives, a certificate evidencing a minimum watercraft liability insurance of \$100,000 coverage.

7-7-5. POA Member Must Pass a Written Test

In order to obtain a registration sticker or stickers a POA member must answer all questions correctly on an HVL POA Boat Driver Examination, which is distributed with the watercraft registration form.

7-7-6. Displaying Registration Stickers

- a. Current annual registration stickers issued must be permanently displayed in the POA-designated areas on the port and starboard sides of the watercraft by May 1st.
- b. All watercraft must display current annual registration stickers prior to putting the watercraft on HVL lakes.
- c. Approved watercraft stickers include:
 1. Powerboats (square) AND
 2. Other watercrafts (triangle).

7-7-7. Stickers Validity Date

Water craft annual stickers are valid through April 30th of the following year.

7-7-8. Cost of Registration Stickers

The annual watercraft registration fee shall be a fixed cost set by the HVL POA Board of Directors.

7-7-9. Dues and Assessments Must be Current as a Prerequisite for Registration Sticker

All POA dues and assessments must be current to complete the registration procedures.

7-7-10. Requirements When Registering a New Watercraft

When registering new watercraft, the owner must provide proper documentation of ownership and length of the watercraft, i.e. Title to prove ownership and technical documentation indicating the length of the watercraft

7-7-11. Only One Watercraft Over Ten Horsepower per Member

Only one (1) powered watercraft in excess of ten (10.0) horsepower may be registered per POA member.

7-7-12. Prohibited Watercraft

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.

7-7-13. First Watercraft Registered by an HVL POA Member

Before an HVL POA Member registers his/her first watercraft with the HVL POA, the HVL POA Member must attend a POA-sponsored Boat Safety Familiarization Course conducted by a current member of the HVL POA Boat Patrol. (as added 7/26/18).

7-8. Watercraft Length Rules

7-8-1. Maximum Length of Powerboats

The maximum allowable length for a powerboat is twenty (20) feet zero (0) inches in length.

7-8-2. Maximum Length of Pontoon Boats and Non-Powered Watercraft

Pontoon boats and non-powered water craft may not exceed twenty-six (26) feet zero (0) inches in length.

7-8-3. Maximum Width of All Watercraft

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.

7-8-4. Length of Watercraft Defined

- a. The length of a powerboat watercraft is defined as the distance from the bow, excepting the rub rail, to the last point on a powerboat where the hull turns up to turn out of the water.
- b. The length of a pontoon boat watercraft is defined as the length of the outside pontoons OR the deck, whichever is greater.
- 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 watercraft shall not include a stern-drive lower unit, an outboard motor or removable items such as platforms, pulpits, lights, ladders, poles, etc. (as amended 9/27/18).

7-8-5. Methods of Determining Length

There is one method for determining the length of a watercraft:

1. An actual measurement of the watercraft by at least two (2) POA employees. (as amended 9/27/18).

7-8-6. Proper Documentation Defined

Proper documentation of a watercraft is defined as:

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 owner's watercraft title showing the hull number and verifying ownership.

7-8-7. Proper Documentation Used as Proof of Length (REPEALED)

(as amended 7/26/18).

7-8-8. Physical Measurement of Watercraft

- a. At any time, an HVL POA member may request that an actual length measurement be made and if the watercraft length meets the HVL POA requirements, a new water craft registration sticker will be issued to the owner.
- b. Barring unforeseen circumstances, all requests for an actual water craft length measurement will be completed within one week of the date of the request.

- c. If a watercraft is to be actually measured, the owner or their designated representative must deliver the watercraft to a water craft measuring area designated by the HVL POA.
- d. Two certified HVL POA employees will perform the watercraft measurement.
 - 1. 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 watercraft measurement process.
 - 2. 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.

7-8-9. Process by which Physical Measurement of Watercraft is Conducted

To determine its length, the watercraft will be measured while the watercraft is approximately parallel to the ground in the following fashion:

- 1. The POA or its agent will measure a powerboat watercraft by measuring from the bow of the boat, excepting the rub rail, to the last point on a boat where the hull turns up to turn out of the water.
- 2. The POA or its agent will measure a pontoon boat watercraft by measuring the length of the outside pontoons OR the length of the deck and then will record which ever length is greater. (as amended 9/27/18).

7-8-10. POA Reserves the Right to Re-measure a Registered Watercraft

- a. 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.
- b. This process may only be used one more time per POA member/water craft.
- c. If a watercraft is re-measured, it shall be done by two different POA employees than the two who performed the first measurement.
- d. The length of a water craft can be challenged by the POA even if the owner has already been given a new registration sticker via the proper documentation method.
- e. Any water craft registered with a current annual sticker that is actually measured and does not meet the current watercraft length standard:
 - 1. Will be allowed to remain on the lake until the sticker expires. AND THEN
 - 2. Will not be issued a new annual sticker.

7-9. Watercraft Operation Rules

7-9-1. Watercraft that are Permitted on POA Lakes

- a. No watercraft shall be permitted on HVL POA lakes:
 - 1. Unless it is owned by an HVL POA member,
 - 2. Is registered with the HVL POA office, and
 - 3. Has all HVL POA registration stickers properly affixed to the water craft and trailer.
- b. The HVL POA may, from time to time, exempt certain watercraft from some of these rules for the purpose of special events.

7-9-2. Watercraft Traffic Lights

- a. The HVL POA traffic lights located around the lake are the primary notification of the main lake status.

- b. A green light indicates that the main lake is open to all normal activities.
- c. A yellow light indicates that the entire main lake is in no-wake, idle-speed status.
- d. 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.

7-9-3. Usual Hours Lake is Open to All Normal Activities

- a. 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.
- b. In the event the HVL POA traffic lights are not functioning, the Cincinnati Enquirer newspaper will be the determination of daily sunset time.

7-9-4. Times High-Speed Operation is Prohibited

- a. No high-speed operation of any watercraft is permitted on the main lake when the lake is at no-wake idle speed (yellow light) or closed (red light) status.
- b. High speed boating is permitted only when the main lake is in open (green light) status.

7-9-5. Restrictions on Operating in a No-Wake Zone

Operating any watercraft at a speed in excess of no-wake idle speed in any portion of the no-wake zone is strictly prohibited.

7-9-6. Locations Where High-Speed Boating is Permitted

- a. 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.
- b. HVL POA buoys mark this area.
- c. If a buoy has broken loose or is missing, watercraft operating at high speed must stay 150 feet from the shore.

7-9-7. Maximum Speed Permitted for Watercraft

The maximum speed for operating a watercraft on the main lake is thirty-five (35) miles per hour.

7-9-8. Safe Distance from a Watercraft Towing a Person

Any watercraft 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.

7-9-9. Non-motorized Watercraft Have the Right of Way

- a. Non-motorized water craft shall have the right-of-way over all motorized water craft.
- b. When motorized watercraft are using the high-speed zone at high speed, non-motorized watercraft should avoid the high-speed zone.

7-9-10. Watercraft in the High-speed Zone, During Open Status

- a. No watercraft or device shall anchor or drift in the high-speed zone when the lake is in open status (green light).

b. When drifting on the main lake, US Coast Guard-approved navigation lights must be turned on, when the lake is at no-wake status.

7-9-11. Tying up to Buoys is Prohibited

Tying watercraft, floats, or other devices to any buoy is prohibited.

7-9-12. Registrant is Solely Liable for the Operation of the Watercraft

The HVL POA member to whom the watercraft is registered is responsible for the safe and proper operation of the watercraft.

7-9-13. Direction of Watercraft Traffic

All powered watercraft 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.

7-9-14. "S" Turns and "Figure-8" Turns are Prohibited

Watercraft shall not perform "S" turns or "Figure-8" turns while operating at high-speed.

7-9-15. Mufflers Required on Watercrafts

All powered watercraft must be equipped with and use at all times an effective muffler system. Muffler bypass systems must not be engaged.

7-9-16. Instructions to Guest Operating a POA Member's Watercraft

The POA member owning the watercraft must provide permission for any guest or relative to use it, instruct the guest on how to operate the watercraft, and instruct the guest on the POA watercraft rules according to the current year's laminated rule card.

7-9-17. Laminated Rule Card must be on Watercraft

A current laminated rule card must be present on all motorized water craft at all times.

7-9-18. Running Lights

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.

7-9-19. Personal Flotation Device Requirements for All Watercraft

When on the lake, all watercraft 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 watercraft (except canoes and kayaks) which are sixteen (16) feet or longer, must carry at least one Type IV, throwable, PFD.

7-10. Water Skiing, Tubing and Wake Boarding Rules

7-10-1. General Statement Regarding Watercraft Towing People

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

7-10-2. Circumstances When Towing a Person Behind a Watercraft is Permitted

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).

7-10-3. Watercraft Must Travel Counter-clockwise, While Towing a Person

Watercraft pulling or towing a person in excess of no-wake idle speed must travel in a counter-clockwise direction within the high-speed zone.

7-10-4. Towed Person Moving at High Speed Must Remain in High-Speed Zone

Any person being pulled or towed by a watercraft operating at high speed must remain within the high-speed zone.

7-10-5. Two People Required in Watercraft While Person is Towed

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.

7-10-6. Only One Person May be Towed

A watercraft 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.

7-10-7. Retrieving a Person after being Towed by a Watercraft

Watercraft 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.

7-10-8. Towed Person Must Wear a Life Jacket

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.

7-10-9. Jumping Objects While Being Towed is Prohibited

Water ski or wake board jumping over any object is strictly prohibited.

7-10-10. Towed Person Must Start while Floating in Water

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.

7-10-11. Towed Person May Begin in Idle Speed Zone

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.

7-10-12. Damaging or Dangerous Wake is Prohibited

The use of installed boat devices and/or boat operations that cause the creation of damaging or dangerous wake are prohibited on the HVL Main Lake

7-11. Water Trampolines and Large Flotation Devices

7-11-1. Maximum Diameter of a Flotation Device

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 flotation device must fit into a square footprint that is no more than twenty (20) feet long and twenty (20) feet wide.

7-11-2. Removal of Flotation Devices at Dusk

Flotation 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.

7-12. Lakes and Water Craft Assessment Schedule

7-12-1. Operating a Watercraft in Excess of 35 MPH Assessment

If a person operates a watercraft in excess of 35 mph, then the following assessment will be levied: \$50 – \$100

7-12-2. Lake Status Violation Assessment

If a person operates a watercraft in violation of the defined lake status the following assessment will be levied: \$50 - \$100.

7-12-3. No Wake Assessment

If a person operates a watercraft in a no wake zone above idle speed then the following assessment will be levied: \$50 - \$100

7-12-4. Failure to Follow a Towed Person at a Safe Distance

If a person while operating a watercraft fails to maintain a following distance of at least 300 feet behind another watercraft towing a person on skis or any other type of device meant to be towed behind a watercraft the following assessment will be levied: \$50 - \$100

7-12-5. Only One Person in a Watercraft with a Person in Tow Assessment

If a person operates a watercraft without another person accompanying him in the watercraft, while towing a person on skis or any other type of device meant to be towed, then the following assessment will be levied:

\$50 - \$100

7-12-6. Missing Required Equipment Assessment

If a watercraft does not have the required equipment as set forth herein, then the following assessment will be levied:

\$50 - \$200 (as amended 11/29/18)

7-12-7. Skiing, Tubing, or Flotation Violation Assessment

If a person violates the rules pertaining to Skiing, Tubing, or use a Flotation device as set forth herein, then the following assessment will be levied:

\$50 - \$100.

7-12-8. Operating a Watercraft in the Wrong Direction Assessment

If a person operates a watercraft in the wrong direction, while in the high-speed zone as described herein, then the following assessment will be levied:

\$50 – \$100.

7-12-9. Creating Wake in a No Wake Zone Assessment

If a person operates a watercraft so that it creates wake in zone designated as a no wake zone, then the following assessment will be levied:

\$50 - \$100. (as amended 11/29/18)

7-12-10. Failure to Yield the Right of Way or Reckless Operation Assessment

If a person operating a watercraft fails to yield the right to another watercraft or operates his or her watercraft recklessly as defined in these by-laws, then the following assessment will be levied:

\$100 - \$500.

7-12-11. Non-Property Owner Boating on the Lake Assessment

If a person operates a watercraft in violation of these By-laws who is not a resident of HVL then the following assessment will be levied jointly and severally against both the person who is not a resident and, if applicable, the resident who allowed the nonresident access:

\$100 - \$300

7-12-12. Boat Sticker Not Displayed Correctly Assessment

If a person does not display the HVL POA sticker properly as defined within these by-laws then the following assessment will be levied:

\$50 - \$100. (as amended 11/29/18)

7-12-13. Boat or Trailer Parking Violation Assessment

If a person parks a boat or a trailer for a boat in defiance to these rules then the following Assessment will be levied:

\$50 - \$100 (as amended 11/29/18)

7-12-14. Discarding Materials into the Lake Assessment

If a person negligently deposits Waste, Litter, or other proscribed materials into the Lake, then the following assessment will be levied:
\$100 - \$500 plus damages.

7-12-15. Unlawful Swimming Assessment

If a person swims in violation of these by-laws then the following assessment will be levied:
\$50 - \$100. (as amended 11/29/18)

8. FUTURE PLANNING COMMITTEE

8-1. Future Planning Committee Purpose and Times

8-1-1. Future Planning Committee Purposes

- a. The first purpose of the HVL POA Future Planning Committee is to develop a working Master Plan that provides the HVL POA with continuity, organization and management goals.
- b. The second purpose is to provide information to residents and property owners regarding political issues, elections and referendums that affect the HVL community.
- c. To accomplish these purposes, the Committee shall be engaged in activities which include, but are not limited to:
 - 1. Scheduling and holding open monthly meetings for the purpose of addressing all planning and political issues pertinent to HVL.
 - 2. Developing an organized Master Plan to continue the improvement of existing HVL POA amenities and creation of new amenities.
 - 3. Planning and presenting strategic actions that will create income and/or make further enhancements to HVL.
 - 4. Developing community support for a variety of financial elements evolving around the Master Plan.
 - 5. 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.

8-1-2. Future Planning Committee Meeting Times

The Future Planning and Political Action Committee shall meet as posted.

9. SAFETY, SECURITY, AND ELECTIONS COMMITTEE

9-1. Safety, Security, and Elections Committee Purposes and Meeting Times

9-1-1. Safety, Security, and Elections Committee Purposes

- a. 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.

b. The second purpose is to conduct all elections, including but not limited to, elections of members of the HVL POA Board of Directors, recall and referendums.

c. To accomplish these purposes, the Committee shall be engaged in activities which include, but are not limited to:

1. Scheduling and holding open monthly meetings for the purpose of addressing all safety, security and elections issues within HVL.
2. 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.
3. 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.
4. 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.)
5. Reviewing the procedures and duties of the HVL POA Deputies.
6. Informing the HVL POA Community Manager of any safety hazards and their possible solutions.
7. 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.
8. Reviewing the requirements and recommending the acquisition, relocation or replacement of public signage needed to ensure safety and security within HVL.
9. Recommending the HVL POA Board Election Policies.
10. Reviewing safety equipment in the HVL POA office and at all lakes.
11. Assisting the HVL Deputies and office staff with safety programs.

9-1-2. Safety, Security, and Elections Committee Meeting Times

The Safety, Security, and Elections Committee shall meet as posted.

10. TRAFFIC

10-1. Definition of Terms

10-1-1. General Statement Regarding Traffic 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.

10-1-2. Definition of Terms

a. **Abandoned vehicle** – Will be defined as any motorized vehicle located on community property within HVL that:

1. Does not have a valid license plate permitting its operation.
2. Has been left for a period of three (3) days continuously without being moved.
3. 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, or parking areas.

4. Has its engine, transmission or differential removed or is otherwise partially dismantled or inoperable. OR
 5. Is not on community property, but has remained on private property without the consent of the owner or persons in control of such property.
- b. **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 power from a source other than muscle or wind.
 5. A snowmobile.
 6. An all-terrain vehicle (ATV)/off-road vehicle does not include the following:
 - A. A farm vehicle being used for farming.
 - B. A vehicle being used for military or law enforcement purposes.
 - C. A construction, mining, or other industrial-related vehicle used in performance of the vehicle's common function.
 - D. A registered aircraft.
 - E. Any other vehicle properly registered by the Bureau of Motor Vehicles.
 - F. Any watercraft that is registered under Indiana statutes.
 - G. A golf cart vehicle.
- c. **Concrete Truck** – Any vehicle used to carry un-poured mixed concrete.
- d. **Concrete pumper truck** – Any vehicle used to pump concrete from a concrete truck onto the construction site.
- e. **HVL streets, roadways, or parking areas** – Right-of-ways on community property within HVL for the use of vehicles and pedestrians.
- f. **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).
- g. **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).
- h. **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.
- i. **Motorized vehicle** - Any car, truck, semi-trailer or motor bus, including any other motor-driven vehicle, which vehicle is operated upon HVL streets, roadways, or parking areas.
- j. **Vehicle** – Any powered or non-powered mode of transporting people upon HVL streets, roadways, or parking areas.
- k. **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.

10-2. Stopping, Standing and Parking Rules

10-2-1. Parking and Non-Movement Restrictions

At any time, it will 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:

1. Within twenty (20) feet of any intersection or crosswalk.
2. Other than parallel with the edge of the pavement and in the direction of traffic.
3. 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.
4. To cause in any way a hazardous condition for moving traffic or pedestrians.
5. Within fifteen (15) feet of a fire hydrant.
6. Anyplace where the vehicle would block the use of a driveway or mailbox.
7. On any sidewalk.
8. At any place where official signs prohibit parking.
9. On streets during a snow removal period. Vehicles should be parked in a driveway and not on the street.

10-2-2. Absence of Proper Reflectors

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.

10-2-3. Unlicensed Motorized Vehicle, Boat, or Trailer

Any unlicensed motorized vehicle, boat, trailer, camper, or any other type of private recreational or commercial vehicle must be removed from HVL streets, roadways, or parking areas by sunset each day. All violators will be subject to towing.

10-2-4. Parking Concrete Trucks

- a. The parking of concrete trucks at or near the construction site is limited to two vehicles – one actively unloading and one staged.
- b. The concrete truck being staged must be parked within thirty-five (35) feet of the construction site.
- c. If additional concrete trucks for the construction site are on HVL premises, they must be staged at the main entrance pull-off area, space permitting.
- d. Any concrete pumper truck needed for construction must be positioned completely off the roadway while in use.
- e. Requests for exceptions to this rule must be submitted in writing to the HVL POA Community Manager.
- f. If the exceptions are approved, they will be sent by the HVL POA office in writing to the person requesting them.
- g. This policy will be strictly enforced and violators are subject to assessment.

10-3. Abandoned Vehicles Rules

10-3-1. Abandoned Vehicles

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

10-4. Repair or Restoration of Vehicles Rules

10-4-1. Restriction Against Repairing Motors

A person may not 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.

10-4-2. Parking a Leaky Vehicle

A person may not park any vehicle leaking gas, oil or transmission fluid(s) upon any HVL street, roadway, and/or parking area.

10-4-3. Restriction Against Performing Work on A Vehicle

A person may not perform work on any vehicle under restoration on community property within HVL.

10-5. Muffler Equipment for Motorized Vehicles Rules

10-5-1. Muffler must be Unaltered from Factory Specification

A person may not 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.

10-6. Truck Weight Limitations Rules

10-6-1. Trucks Over 7,000 pounds are Prohibited with Exception

- a. A person may **NOT** drive any truck over seven thousand (7,000) pounds gross vehicle weight on any HVL street, roadway and/or parking area so marked.
- b. However, trucks making deliveries or picking up materials or merchandise may use such streets, roadways, and/or parking areas, 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.

10-7. Signs and Barricades Rules

10-7-1. Fraudulent Communication Concerning Availability of Parking

An unauthorized person may not post any signs or place any barricades that state or imply that parking there is limited or prohibited by the HVL POA office.

10-8. Refusal to Remove Parked or Stopped Vehicles Rules

10-8-1. Refusal to Remove Parked or Stopped Vehicle

- a. An owner or operator of any vehicle is subject to an assessment if he/she refuses 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.
- b. 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.

10-9. Littering from a Vehicle is Strictly Forbidden

10-9-1. Littering from a Vehicle

A person is subject to an assessment if he/she deposits, permits to be deposited or negligently allows any garbage, refuse or natural debris to fall from a vehicle and land upon any private property or community property within HVL.

10-10. Traffic and Vehicle Operations Rules

10-10-1. All Motor Vehicles Must Have Valid License Plates and Registration

All motor vehicles operating on HVL streets, roadways, and/or parking areas must have a current and valid license plate and registration.

10-10-2. Drivers Must Have a Valid Driver's License

All motor vehicle operators must have a valid driver's license.

10-10-3. Drivers Must Stop at All Stop Signs

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.

10-10-4. Drivers Must Obey All Traffic Signs or Devices

Vehicle operators must obey all traffic control signs or devices posted on HVL streets, roadways, and/or parking areas, including speed limit signs.

10-10-5. Passing is Prohibited

Passing of moving vehicles when driving on HVL streets and roadways is prohibited.

10-10-6. Speed Limit

- a. The speed limit in HVL is 25 mph, unless otherwise indicated.
- b. The speed limit on Alpine near the Sports Complex is 15 mph.
- c. The speed limit on Lakeview near the pool from Memorial Day to Labor Day is 15 mph between the hours of 8:00 a.m. and midnight.

10-10-7. Courteous Driving is Required

No person shall operate a motor vehicle in such a manner as to cause the following:

1. Spinning of tires.
2. "Fish tailing." Or

3. Loud noises which would cause annoyance of property owners and/or guests.

10-10-8. Drivers Must Comply with Lawful Orders

All Drivers must comply with a lawful order of an HVL Deputy while the Deputy is acting for the benefit and safety of property owners and guests of HVL property owners.

10-10-9. All Vehicles Must be in a Safe Operating Condition

Any vehicle using an HVL street, roadway, and/or parking area must be in a safe operating condition and completely road worthy.

10-10-10. Golf Carts must be Registered

- a. All Golf Carts must be registered with the HVL POA Office by April 30th of each year for a \$25.00 annual fee.
- b. You must show proof of insurance for your golf cart at the time of registration.

10-11. Motorized Bicycles (MOPEDS), All-Terrain Vehicles (ATV)/Off-Road Vehicles, Motor Scooters/Motorized Skateboards and Motorcycles Rules

10-11-1. Driver Must Have a Valid Motorcycle License to Operate a Motorcycle

A person must have a valid motorcycle driver's license endorsement to operate a motorcycle on HVL Roads.

10-11-2. (ATV)/off-Road Vehicle Must be Registered

- a. (ATV)/off-road vehicle must be registered each year with the BMV and with the HVL POA Office by April 30th of each year for a \$25.00 annual fee.
- b. You must show proof of insurance of your golf cart at the time of registration.

10-11-3. Federal, State and Local Laws Apply

- a. All operators are subject to all local, state, and federal safety regulations governing the operation of motorized bicycles (MOPEDs), motor scooters/motorized skateboards, or motorcycles in Indiana.
- b. These laws include, but are not limited to the following:
 1. Equipped with handlebars that are more than fifteen (15) inches above the seat when occupied.
 2. Equipped with brakes in good working order on both front and rear.
 3. Equipped with footrests or foot pegs for both operator and passenger.
 4. Equipped with lamps and reflectors meeting standards of US Department of Transportation.
 5. Illumination of headlights at all times when a motorcycle or motorized bicycle is in operation.

10-11-4. Additional POA Requirements

In addition to the local, state and federal safety regulations, motorized bicycles (MOPEDs), motor scooters/motorized skateboards, or motorcycles must be:

1. Equipped with a baffled muffler (muffler to eliminate excessive noise). AND

2. 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.)

10-11-5. MOPED, Motorized Scooter, and Motorized Skateboard Requirements

No person shall operate a motorized bicycle (MOPED) or motor scooter/motorized skateboard within HVL unless:

1. They are at least fifteen (15) years of age.
2. They have a valid Driver's License or BMV-Issued Identification Card.
3. They pass the HVL POA written Moped test annually.
4. They present their Driver's 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.
5. They carry their Driver's License or BMV-Issued Identification Card with them while operating the motorized bicycle (MOPED) in HVL.
6. The property owner and the operator sign the registration form for the sticker. AND
7. The property owner accepts responsibility for any damage or liability incurred by the operator.

10-11-6. People Under 18 must Wear Helmets

A person less than eighteen (18) years of age who operates a motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle must wear protective headgear meeting the minimum standard established as prescribed by the United States Department of Transportation in Rule 49 CFR 571.218.

10-11-7. Moped Licensing Requirement

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.

10-11-8. Motor Vehicles Restricted to HVL Streets, Roadways, and/or Parking Areas

- a. 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.
- b. 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.

10-11-9. No Wheelies

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.

10-11-10. Reckless Driving is Prohibited

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".

10-12. Traffic and Vehicle Operation Assessment

10-12-1. Traffic Violation General Assessments

- a. If a person violates any traffic rule as contained in these by-laws then the following assessment will be levied:
\$143.50
- b. If a person commits a subsequent driving infraction within 90 days of the first then the following assessment will be levied:
Double the original assessment
- c. 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.
- d. Traffic assessments will be updated to correspond to Dearborn County fines. This will not require action of the HVL POA Board of Directors.

10-12-2. Speeding 20 MPH Over Posted Limit

If a person operates a vehicle 20 MPH over the posted speed limit, then the following assessment will be levied:
\$243.50

10-12-3. Fluid Leak Assessment

If a person allows a vehicle in his/her control to leak fluids onto HVL POA property, then the following assessment will be levied:
\$100 - \$500.

10-12-4. Commercial Vehicle Parking Assessment

- a. If a person during daylight hours parks a commercial vehicle for longer than 8 hours or blocks road usage, then the following assessment will be levied:
\$100.
- b. If a person after dark parks a commercial vehicle for longer than 8 hours or blocks road usage, then the following assessment will be levied:
\$200.

11. NUISANCE

11-1. Burning

11-1-1. Burning Definitions

Non-combustible container—A fire proof container that is vented to induce combustion with enclosed sides and bottom.

11-1-2. Burning on Community Property Rules

- a. 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.
- b. The POA Board of Directors may allow, by permit:
 - 1. Bonfires and fires for cooking on community property within HVL and may place restrictions on these permits as they see fit.
 - 2. Burning of refuse on community property within HVL when such refuse is the result of disaster, providing that a declared disaster exists.

11-1-3. Burning on Private Property Rules

- a. Burning on private property is prohibited unless a non-combustible container is used.
- b. Burning on private property is permitted during daylight hours only.
- c. 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.
- d. A fire must be continually attended by an adult until the fire is extinguished.

11-1-4. Unless specified otherwise, the following conditions apply to any fire allowed by the POA:

- a. Fires must be attended at all times and until completely extinguished.
- b. A fire shall be extinguished if at any time it creates a:
 - 1. pollution problem
 - 2. threat to public health
 - 3. nuisance
 - 4. fire hazard
- c. No burning shall be conducted during unfavorable meteorological conditions such as any of the following:
 - 1. High winds.
 - 2. Temperature inversions.
 - 3. Air stagnation.
 - 4. When a pollution alert or air quality action day has been declared.
- d. All burning shall comply with other federal, state, and local laws, rules, and ordinances.
- e. Adequate firefighting equipment shall be on-site for extinguishing purposes during burning times.
- f. Burning shall be conducted during daylight hours only, and all fires shall be extinguished before sunset.
- g. Fires must be 30 feet away from any structure.
- h. All burning must be conducted in such a manner so as to prevent any possibility of soil contamination.

11-1-5. Other Burning on Private Property Rules

- a. 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.
- b. 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.
- c. Campfire and fireplace recreational burning does not have to meet the 30-foot distant rule.

11-2. Curfew

11-2-1. Curfew Definitions

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.

11-2-2. General Curfew Rules

- a. An unaccompanied child fifteen (15), sixteen (16) or seventeen (17) years of age violates curfew, if he/she is on community property:
 1. After 11:00 pm on Sunday, Monday, Tuesday, Wednesday and Thursday;
 2. Before 5:00 am on Monday, Tuesday, Wednesday, Thursday and Friday;
 3. Between the hours of 1:00 am and 5:00 am on Saturday and Sunday.
- b. An unaccompanied child under fifteen (15) years of age violates curfew, if he/she is on community property after 11 p.m. or before 5 a.m. on any day.
- c. Paragraphs a. and b. do not apply if the unaccompanied child is participating in, going to or returning from lawful employment, a school-sanctioned activity or a religious event.

11-2-3. Advancing Curfew Time Rules

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

11-3. Noise

11-3-1. General Statement Regarding Noise Definitions

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.

11-3-2. Definitions

- a. **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.
- b. **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.
- c. **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.

11-3-3. Noise from a Device

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.

11-3-4. Motor Vehicle Noise

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.

11-3-5. Firework Noise

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.

11-3-6. Violation Occurs After Notice Except in Certain Situations

A person violates 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.

11-3-7. Exceptions to Noise Rules

The following are exempt from noise level regulations:

- 1. Noises of safety signals, warning devices and emergency pressure relief valves.
- 2. Noise of emergency vehicles when responding to or acting in time of emergency.
- 3. Any other noise resulting from activities from vehicles of a temporary duration, such as, parades or festivals.

11-3-8. POA Board of Directors May Exempt Other Activities from These Rules

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.

11-4. Abuse, Harassment, and Disorderly Conduct

11-4-1. General Statement Regarding Definitions

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.

11-4-2. Definition of Abuse, Harassment, and Disorderly Conduct

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

c. **Harassment** - Causing annoyance by verbal, written or physical means.

11-4-3. Disorderly Conduct is Prohibited

No person may engage in disorderly conduct within HVL.

11-4-4. Abuse Against a POA Employee is Prohibited

No person may abuse a POA employee while such employee is acting in a lawful manner as an agent for Hidden Valley Lake.

11-4-5. Abuse Against a POA Volunteer is Prohibited

No person may abuse an HVL POA volunteer while such volunteer is acting in a lawful manner as an agent for Hidden Valley Lake.

11-4-6. Harassment Against an Employee or Agent of the POA is Prohibited

No person may harass an employee or agent of the HVL POA while such employee or agent is acting in his/her official capacity.

11-4-7. Harassment and Abuse Against a Resident of HVL is Prohibited

No person shall harass or abuse any Hidden Valley Lake resident while on Hidden Valley Lake property (private or community).

11-5. Nuisance Against Property

11-5-1. General Statement About Terms Regarding Nuisance Against Property

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.

11-5-2. Definition of Terms

- a. **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.
- b. **Vandalism** - Knowingly causing injury or damage to property.

11-5-3. Prohibition Against Trespassing

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.

11-5-4. Prohibition Against Vandalism

No person shall vandalize community property within HVL or the property of owners, renters or guests.

11-5-5. Prohibition Against Hunting or Discharging a Firearm

Hunting or discharging a firearm of any kind within HVL is prohibited unless authorized by the HVL POA Board.

11-5-6. Prohibition Against Devices Capable of Discharging a Projectile

Using any device capable of discharging a projectile within HVL is prohibited unless authorized by the HVL POA Board.

11-6. Signs and Solicitation

11-6-1. General Statement Regarding Signs and Solicitation Terms

For the following HVL POA Signs and Solicitation Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply.

11-6-2. Definition of Terms

- a. **Sign** – Any structure, poster, placard or banner that contains information, fact, quality, advertising, etc.
- b. **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.

11-6-3. General Sign 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 will not be permitted without the written approval of the HVL POA Community Manager.
- 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.

11-6-4. Election and Political Sign 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.

11-6-5. Signs May be Posted on Community Property for Events and Sales of Personal Property

- a. Directional signs for garage sales, parties and sales of personal property located in HVL may be posted on community property by POA members.
- b. Prices shall not be displayed on any sign posted on community property.
- c. 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.

11-6-6. Real Estate Signs

- a. Only One (1) Real Estate and One (1) Open House sign may be placed on an owner’s private property.

- b. Two (2) Real Estate and two (2) Open House signs are permitted on private lakefront property, private golf course property and private double frontage property.
- c. Only one (1) Real Estate sign is permitted on private lots located on street corners.
- d. Prices shall not be displayed on any sign posted on private property or on community property within HVL at any time.
- e. MLS sheets may be included in an enclosed container or box affixed to the "Real Estate" sign on private property.
- f. "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.
- g. All "Real Estate" signs shall be removed thirty (30) days after the date of closing. The Realtor and the Property owner are responsible for the removal of signs under this section.

11-6-7. Builder Signs

All Builder signs must 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.

11-6-8. Sign Approval Process

- a. Before a sign is approved an applicant must do the following:
 - 1. Complete a Sign Approval Request Form. AND
 - 2. Bring the sign to the POA office so that the sign may be inspected.
- b. All Sign Approval Request Forms will be approved or denied in writing by the POA Community Manager within two (2) weeks of the submission of the form and presentation of the sign.
- c. Each sign may be approved for a time frame no longer than thirty (30) days as determined by the HVL POA Community Manager.
- d. Beware-of-dog signs, if approved, will be approved for a term of one (1) year.

11-6-9. Signs in Violation of Rules

- a. Persons in violation of the above rules will receive a citation and the offending sign will be removed by HVL POA personnel.
- b. HVL POA personnel will attempt to notify the person of the sign violation.
- c. Signs removed shall be kept for fifteen (15) days at the HVL POA Office and then disposed of.

11-7. Solicitation and Campaigning Rules

11-7-1. Solicitation in HVL is Prohibited

Door-to-door sales or solicitation within HVL is prohibited. POA Deputy Dispatch should be contacted if solicitation is observed.

11-7-2. Leaving Literature on HVL Property is Prohibited

Placing of literature or brochures on doors, mailboxes, etc. within HVL is prohibited.

11-7-3. Distributing Literature on POA Property is Prohibited

Distribution of literature or information on streets, street corners, etc. within HVL is prohibited.

11-7-4. Solicitation Allowed with POA Board of Directors Approval

- a. The POA Board of Directors may allow solicitation within HVL by issuing a permit.
- b. The POA Board of Directors may restrict the solicitation as it sees fit.
- c. If a person wants to obtain a solicitation permit it 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.

11-7-5. Political Candidates

- a. Duly nominated candidates must register in writing at the POA office to campaign in Hidden Valley Lake.
- b. Candidates may only campaign from 9:00 a.m. to 6:00 p.m.
- c. Candidates may campaign no sooner than 30 days prior to the election.
- d. The candidate may not send supporters to campaign on his/her behalf.

11-8. Burning Assessment Schedule

11-8-1. Daylight Burning Assessment

If a person burns items in violation of the rules set forth herein during daylight hours, then the following assessment will be levied:

\$100

11-8-2. After Dark Burning Assessment

a. If a person burns items, in violation of the rules set forth herein, during night time hours, and supervises the burn, then the following assessment will be levied:

\$100.

b. If a person burns items, in violation of the rules set forth herein, during night time hours, and DOES NOT supervise the burn, then the following assessment will be levied:

\$200

11-8-3. Burning Material Escaping Container Assessment

a. If materials that a person is burning escapes the container in which the materials were intended to be burned in, while the person supervises the burn, then the following assessment will be levied:

\$100.

b. If materials that a person is burning escapes the container in which the materials were intended to be burned in, while the person DOES NOT supervise the burn, then the following assessment will be levied:

\$200

11-8-4. Burning Material Other than Wood or Paper Assessment

If a person burns materials other than wood or paper, in violation of the rules set forth herein, then the following assessment will be levied:

\$500.

11-8-5. Using Improper Container or No Container Assessment

If a person does not use a prescribed container as defined herein or does not use any container to burn materials, then the following assessment will be levied:

\$500.

11-8-6. Fire Extinguished by Public Employee or HVL POA Employee Assessment

If a fire in violation of these rules is extinguished by any public employee or an HVL POA employee, then the following assessment will be levied:
\$100.

11-8-7. Fire Requiring the Fire Department to Respond

If a fire in violation of these rules is of such magnitude that the Fire Department must be called, then the following assessment will be levied:
\$500.

11-9. Personal Violations Assessment Schedule

11-9-1. Harassment Assessment

If a person abuses or harasses an HVL POA employee, HVL POA committee member or resident then the following assessment will be levied:
\$100 - \$700 (as amended 11/29/18)

11-9-2. Disorderly Conduct Assessment

If a person acts disorderly or mischievous then the following assessment will be levied:
\$50 - \$500 plus damages (as amended 11/29/18)

11-9-3. Invalid HVL Identification Card Assessment

If a person is found to possess an invalid HVL POA card the following assessment will be levied:
\$10 - \$50.

11-9-4. Property Damage, Vandalism Assessment

If a person is found to have intentionally caused property damage to another then the following assessment will be levied:
\$50 - \$500 plus damages. (as amended 11/29/18)

11-9-5. Trespassing Assessment

If a person is found to have intentionally or knowingly entered upon the property of another without permission or excuse, then the following assessment will be levied:
\$50 - \$200 plus damages. (as amended 11/29/18)

11-9-6. Littering Assessment

If a person is found to have littered or unlawfully deposited an item on either the property of another or upon any property owned by the HVL POA, then the following assessment will be levied:
\$100 - \$500.

11-9-7. Firearm Violation Assessment

If a person violates the rules set forth for firearms the following assessment will be levied:
\$100 - \$1,000.

11-9-8. Damage to Community Property Assessment

If a person damages HVL POA property then the following assessment will be levied:
\$100 - \$1,000 plus damages. (as amended 11/29/18)

11-9-9. Curfew Violation Assessment

If a person violates the curfew rules set forth herein then the following assessment will be levied:
\$50 - \$200 (as amended 11/29/18)

11-9-10. Improper Noise Violation Assessment

If a person violates the noise rules set forth herein then the following assessment will be levied:
\$100. (as amended 11/29/18)

11-10. Signs and Solicitation Assessment Schedule

11-10-1. Sign Violation Assessment

- a. If a person violates the sign rules set forth herein then the following assessment will be levied:
\$25 - \$100.
- b. If a person does not otherwise violate a sign rule, but affixes the sign improperly to property owned by the HVL POA or to a tree then the following assessment will be levied:
\$50 - \$100. (as amended 11/29/18)

12. PARKS AND RECREATIONAL FACILITIES

12-1. Definitions of Terms Regarding Parks and Recreation

12-1-1. Definitions

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:

- a. **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, green space areas, hiking trails, swimming pool, sports complexes, lakes, parks and beaches.
- b. **Littering** - Depositing injurious or other material along the roadway or any other community property within HVL.
- c. **Vandalism**—Knowingly causing injury or damage to property.
- d. **Swimming Areas**—The HVL swimming pool located at 20698 Lakeview Drive and the HVL beach area on the main lake.

12-2. Usage Rules

12-2-1. Parking at Recreational Areas

Vehicle parking at parks and recreational facilities is permitted only in the designated areas. Parking on grassy areas is prohibited.

12-2-2. Littering Prohibited

No person shall litter on community property within HVL.

12-2-3. Use of Trash Receptacles

HVL POA-provided litter containers may only be used in a lawful manner.

12-2-4. Vandalism is Prohibited

No person shall vandalize parks and recreational facilities.

12-2-5. Dumpsters for POA Only

HVL dumpsters are for HVL POA use only.

12-2-6. Hunting and Shooting Prohibited

Hunting, trapping, or discharging a firearm of any kind in parks and recreational facilities is prohibited except for an authorized deer cull with Community Manager approval.

12-2-7. Recreational Areas are to be Undisturbed

Parks and recreational facilities are to be left undisturbed and in their natural state and are to be maintained only by POA employees and POA volunteers with the appropriate approval.

12-2-8. Access Restrictions to Recreational Areas

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.

12-2-9. Burning in Recreational Areas

Burning in parks and recreational facilities is prohibited without the use of a non-combustible container and approval from the HVL POA Community Manager.

12-2-10. ATVs Prohibited with Exception

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.

12-2-11. Landings for Loading and Unloading Only

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.

12-2-12. Tennis and Basketball Courts Used for Intended Purpose

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.

12-2-13. Age Restriction on Playground Equipment

Playground equipment is to be used only by persons twelve (12) years old or younger.

12-2-14. Only Members in Good Standing May Use Recreational Areas

Only HVL POA members in good standing, their immediate family members and their guests may use the green space areas, walking and nature trails, tennis courts, basketball courts and playground equipment on a first-come-first-served basis.

12-2-14. Exclusive Events at Recreational Areas

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.

12-2-15. HVL Resident Must Have ID Card to Use Amenities

An HVL Resident using an Amenity in HVL must show his/her identification card if asked by any HVL employee.

12-3. Scheduling Rules

12-3-1. Ball Fields

The HVL POA ball diamonds and soccer fields are managed by the HVL POA Athletic Club and are to be 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.

12-3-2. Reserving Picnic Shelters

HVL POA picnic shelters and tables are located at the swimming pool, baseball diamonds, beach (2), Lake Melody and several other small lakes throughout HVL. Only 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.

12-3-3. Reserving the Community Center Meeting Room

- a. HVL POA members in good standing may reserve the HVL Community Center Meeting Room up to 6 months in advance.
- b. Reservations must be made at least 2 weeks in advance of event by contacting the POA Office.
- c. Cancellations must be made no later than 2 weeks prior to the event.
- d. A rental agreement must be completed and signed at the time the reservation is made.
- e. \$75 facility fee must be paid in full.
- f. Please see the Community Room Rental Agreement and Rules for a complete list of rules and procedures, which may be found at the POA office or on the HVL website.
- g. The HVL Community Manager will have administrative authority over the building.
- h. HVL POA Committees and Clubs are exempt from the facility fee.

12-4. Pool and Beach

12-4-1. POA is Not Responsible for Personal Injuries or Stolen Items at the Pool or the Beach

- a. All persons using HVL POA swimming areas do so at their own risk.
- b. 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.

12-4-2. POA Member is Liable for Damage Caused at the Pool and the Beach

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

12-4-3. Definition of Swimming Area

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

12-5. General Swimming Rules at Swimming Areas

12-5-1. POA Members Must Identify Themselves

Before entering the pool or beach area, all POA members must identify themselves by displaying their POA identification card.

12-5-2. Profanity and Offensive Language is Prohibited

Improper or offensive language is strictly prohibited and may be cause for removal from HVL POA swimming areas.

12-5-3. Towels Are Not Available at Swimming Areas

No towel or basket service will be provided at the HVL POA swimming areas.

12-5-4. Pets are Prohibited in Swimming Areas

Pets are prohibited inside the POA swimming areas, except for service animals.

12-5-5. Prohibition Against Alcohol at Swimming Areas with Exception

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.

12-5-6. Smoking is Permitted Where Designated at Swimming Areas

Smoking is permitted at the HVL POA swimming areas only in grassed areas. Disposal of tobacco products is required in the receptacles provided.

12-5-7. Food and Refreshments Must be Consumed where Designated

Food and refreshments are to be consumed in designated picnic areas. Picnic lunches may be brought into the HVL POA pool picnic area.

12-5-8. Glass is Prohibited at Swimming Areas

Glass containers and bottles are prohibited in the HVL POA swimming areas.

12-5-9. Rubbish Must be Placed in Proper Receptacles

All waste paper, cigar and cigarette butts, paper cups and other trash shall be placed in the proper receptacles.

12-5-10. Bicycle Parking

Bicycles shall be parked only in the designated areas.

12-5-11. Parents Must Attend to Children

No POA lifeguard or POA employee, under any circumstances will act or be expected to act as a baby sitter.

12-6. Hours of Operation for Swimming Areas

12-6-1. Where Dates and Hours of Operation Can be Found

- a. 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.
- b. Dates and hours will be established by the HVL POA Board of Directors.

12-6-2. Pool Manager May Close Swimming Areas

The HVL POA Pool Manager, at his or her discretion, may close the swimming areas for health, weather and/or safety reasons.

12-6-3. Pool May be Reserved for After Hour Parties

The pool is available for private pool parties after regular pool hours for an additional fee. Check with Pool Manager for availability and fees.

12-7. Guest Rules at Swimming Areas

12-7-1. All Guest Must be Accompanied or Have a Pool Pass

To use a swimming area, all guests must be accompanied by a POA member or be registered by a POA member and must display a written temporary pass issued from the POA Pool Manager.

12-7-2. Guests Will be Charged a Fee

The swimming areas will charge a fee for each guest on a daily basis. No refunds or rain checks shall be issued.

12-7-3. Limit of Eight Guests Without Prior Approval

- a. The number of guests at the swimming pool and beach is limited to eight (8) guests per day per 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.
- b. Excepting scheduled events.

12-7-4. Children and Grandchildren of POA Members May Purchase a Season Pass

- a. 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.
- b. The pass shall be valid for the current calendar year only.
- c. The person must be accompanied by a family member who is a POA member in good standing with their own POA-issued ID card.

12-7-5. HVL POA Member Will Receive 6 Guest Passes per Year.

Each HVL POA member will receive 6 guest passes a year for the pool and the beach upon request.

12-7-6. POA Member Responsible for Conduct of Guests

The POA resident shall be responsible for the conduct and actions of their guests.

12-8. Swimming Safety Rules at Swimming Areas

12-8-1. Children Under Eleven Subject to Special Rules

- a. 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.
- b. However, a child under eleven (11) years of age may be permitted to use the swimming areas without supervision if the following criteria are met:
 1. A legal guardian gives written permission stating that the child may swim without supervision.
 2. A legal guardian fills out an Emergency Contact Form that can be obtained from the Pool Manager or a certified lifeguard. AND
 3. The child passes a swimming test administered by either the Pool Manager or a certified HVL POA lifeguard.

12-8-2. Lifeguards May Limit Activities at Swimming Areas

The POA lifeguards may limit activities in the swimming areas that could be dangerous.

12-8-3. Injuries at Swimming Areas Should be Reported

All injuries occurring in the swimming areas should be immediately reported to the POA lifeguards.

12-8-4. Roped Areas at Beach

All swimmers must stay within the roped area at the beach.

12-8-5. Restriction on Use of Wading Pool

- a. Use of the wading pool is limited to children forty-eight (48) inches tall and under.
- b. Children must be supervised at all times.
- c. Children using the wading pool must wear protective pants.

12-8-6. Prohibited Flotation Devices

All flotation devices are prohibited at the beach or pool except for coast guard approved flotation devices and child safety flotation devices.

12-8-7. Pool Paraphernalia Must be Approved

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.

12-8-8. General Pool and Beach Safety Rules

To maintain a high level of safety, pushing, running, and unnecessary roughness are prohibited. Please walk at all times within the pool area.

12-8-9. Diving Board Rules

- a. 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.
- b. Swimming through diving areas is prohibited except to clear the area after a dive.
- c. Do not dive from the diving board until the person who went before you has reached the ladder and is exiting the diving area.
- d. Diving from the side of diving boards is prohibited.

12-9. Swimming Health Rules at Swimming Areas

12-9-1. Showers are Mandatory

All bathers must take a shower before entering the pool.

12-9-2. Manager May Deny Admission to Swimming Areas Because of Illness

Admission to the pool may be denied to persons suffering obvious diseases 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.

12-9-3. People with Medical Conditions Should Advise Lifeguards

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.

12-9-4. Spitting and Nose Blowing in the Pool is Prohibited

Spitting and nose blowing in the pool is prohibited.

13. FEES AND ASSESSMENTS

13-1. General Information

13-1-1. Billing Dates

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.

13-1-2. Power to Change Amount of Assessments Owed

The HVL Board of Directors may from time to time increase or decrease the amount of assessments due from HVL POA members if deemed to be in the best interests of the community. The assessment amounts listed in these By-laws may not be current; therefore, the HVL POA office must be contacted for current assessments.

13-1-3. Right to Increase Assessments on Delinquent Accounts

The HVL POA Board of Directors reserves the right to charge additional assessments and interest on delinquent accounts.

13-1-4. Refunds on Sold Property

No refunds are given on paid assessments for sold property.

13-1-5. Collection of Assessments upon the Sale or Transfer of Real Property

The buyer or transferee of real property located in the Hidden Valley Lake Subdivision or the title company or other agent responsible for the transfer or sale must contact the HVL POA and the VRUC for any assessments currently due. If the assessments currently due are not paid to the HVL POA and VRUC at the time of closing or the time of transfer, both the HVL POA and the VRUC may place a lien for the amount owed on the sold or transferred real property and may hold the buyer or transferee personally liable for the transfer fee and the seller personally liable for any past due assessments.

13-1-6. Waiver of Assessments for Deployed or Active Duty Sailors and Soldiers

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.

13-1-7. Payment Method for Assessments

- a. The HVL POA accepts cash, check, or money order for payment of assessments due.
- b. If a check tendered to the HVL POA for payment of an assessment is returned because of insufficient funds in the payor's account, the HVL POA may charge a \$30.00 assessment, which may be added to the payor's semi-annual assessment or may be pursued against the payor personally.

13-2. Schedule of Semi-Annual Assessments on Real Estate

13-2-1. Assessment Owed Semi-Annually for a Vacant Lot

The semi-annual assessment for a vacant lot is:
\$329.00

13-2-2. Assessment Owed Semi-Annually for a Lot with a House

The semi-annual assessment for a Lot with a House is:
\$469.00

13-2-3. Assessment Owed Semi-Annually for an Additional Lot with a House

If the same title owner of a lot with a house owns additional lots with houses, each additional lot with a house owned will be charged the following semi-annual assessment:
\$228.00

13-2-4. Assessment Owed Semi-Annually for an Additional Vacant Lot

The semi-annual assessment for an additional vacant lot owned by the same title owner is:
\$88.00

13-2-5. Assessment Owed Semi-Annually for a Split Lot

The semi-annual assessment for a split lot without a house:
\$44.00

13-3. Renters

13-3-1. New Renters

- a. Property owners/landlords renting properties in Hidden Valley Lake must supply their Renters with an Authorized HVL POA Renters/Lessor Agreement.
- b. Renters must sign and adhere to the guidelines contained in this HVL POA Renters/Lessor Agreement. (The HVL POA Renters/Lessor Agreement is located in Appendix A of these bylaws).
- c. Renters must be registered with the HVL POA regardless of the duration of the lease or rental term.
- d. A one-time payment of \$100.00 must be made to the HVL POA, upon registering new renters. (As amended 12/17/18)

13-3-2. Renters' Assessment to Use Amenities

Renters of property at Hidden Valley Lake Subdivision must pay an annual Renter Amenities Assessment in order to use the amenities provided by the HVL POA. The assessment for a renter and their immediate family to use the amenities at HVL is:
\$300.00

13-4. Trash Collection

13-4-1. Trash Collection Provisions

- a. Every Home will be provided trash removal service.
- b. Every Home Owner will be provided with his/her choice of either a 65 or 96-gallon trash bin at no additional cost.
- c. Every Home Owner will be provided with his/her choice of either a 65 or 96-gallon recycling bin at no additional cost.
- d. If the Home Owner desires an additional recycling bin or trash bin, each additional bin will be semi-annually assessed at the following rate:
\$21.00

13-5. Administrative Transfer Assessment

13-5-1. General Provisions for Deed Transfer Assessments on Real Property

Any deed or other document transferring property in the Hidden Valley Lake Subdivision shall be subject to an Administrative Transfer Assessment. This assessment shall be assessed per deed or other document regardless of the number of lots or parts of lots transferred by the deed or other instrument.

13-5-2. Transfer Assessment for a Lot with a House

The following assessment will be paid to the HVL POA at the time of transfer of a lot with a house:
\$400.00

13-5-3. Transfer Assessment for a Vacant Lot

The following assessment will be paid to the HVL POA at the time of transfer of a vacant lot:
\$200.00

13-5-4. Assessments Charged for Transfers Occurring Between Family Members

All transfers regardless if the lot is vacant or has a house between family members, including those transfers that occur during divorce shall be assessed at the following rate:
\$100.00

13-5-5. Assessments Charged for Transfers to Inter-Vivos Trusts

All transfers from a title owner to an inter-vivos trust, wherein the title owner is the settlor, will be assessed at the following rate:
\$100.00

13-5-6. Transfer Assessment Waived for Automatic Transfers Contained in the Vesting Instrument.

- a. If the title owners own the real estate as tenants by the entireties or as joint tenants with the right of survivorship, the death of one tenant will not cause the surviving tenant or tenants to owe a transfer assessment.
- b. The HVL POA must be informed of the automatic transfer within one year of the tenant by the entireties or joint tenant's death.
- c. This section does not apply to automatic transfers that occur because the vesting instrument is a transfer on death deed as set forth the Indiana Code.

13-6. Miscellaneous Assessments

13-6-1. Community Room Rental

Cost to rent the Community Room:
\$75.00

13-6-2. Upper Beach Shelter Reservation

Cost to reserve the Upper Beach Shelter:
\$25.00

13-6-3. Power Boat Dock Rental

Cost to use a power boat dock per year:

\$240.00

13-6-4. Pontoon Boat Dock Rental

Cost to use a pontoon boat dock per year:
\$310.00

13-6-5. Moeller Park Dock Rental

Cost to use a dock located at Moeller Park per year:
\$175.00

13-6-6. Sandamount/Meercham Dock Rental

Cost to use a dock located at Sandamount or Meercham per year:
\$105.00

13-6-7. Knollwood/Raylynn Dock Rental

Cost to use a dock located at Knollwood/Raylynn per year:
\$105.00

13-7. Collection Procedures

13-7-1. Collection Procedures for a Home

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 \$75.00 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.

13-7-2. Collection Procedures for a Vacant Lot

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 \$75.00 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.

13-7-3. Process Before Legal Action is Taken

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.

13-7-4. Additional Fees if Legal Action is Required

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

14. CONTACT INFORMATION

14-1. POA Office and Maintenance

14-1-1. POA Office Mailing Address

Hidden Valley Lake Property Owners Association
19303 Schmarr Drive
Lawrenceburg, IN 47025-8848

14-1-2. POA Office 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

14-1-3. POA Office Phone Numbers

Phone— (812) 537-3091
Fax— (812) 537-1521

14-1-4. Internet Access

Website—<http://hiddenvalleylakeindiana.com>
E-mail address—moemanion@comcast.net

14-1-5. HVL POA Maintenance Phone Number

(812) 537-3300

14-2. Emergency Numbers

14-2-1. Emergency Police Phone Number

- a. 537/539 Exchange—911
- b. 637 Exchange—911

14-2-2. Dearborn County Sheriff Dispatch Phone Numbers

- a. (812) 537-3431
- c. (800) 537-1149

14-2-3. Hidden Valley Lake Deputies Phone Numbers

(812) 537-9400

14-2-4. Fire Department and Life Squad Phone Numbers

- a. (812) 537-3431
- b. (800) 543-1149

14-2-5. Dearborn County Hospital Phone Numbers

- a. (812) 537-1010
- b. (800) 676-5572

14-2-6. Poison Control Center Phone Numbers

- a. (812) 537-8240
- b. (800) 872-5111

14-2-7. Animal Control Center Phone Number

(812) 537-0913

14-2-8. Natural Gas Emergency (24 hour)

(888) 784-6160

14-3. Hidden Valley Lake Recreational Facilities

14-3-1. HVL POA Pool Phone Number

(812) 537-1707

14-3-2. HVL POA Beach Phone Number

(812) 537-4151

14-3-3. HVL Golf Course

- a. (537) exchange— (812) 537-5033
- b. (637) exchange— (513) 241-6710

14-4. Utilities Contact Information

14-4-1. Cable TV – Comcast

- a. **Phone Number:** (800) 934-6489
- b. **Internet Access:** Web site: www.comcast.net

14-4-2. Electrical Power – Southeastern Indiana REMC

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

- b. **Office Hours:** 7:30 a.m. - 4:30 p.m., EST, Monday - Friday
- c. **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
- d. **Internet Access:** E-mail: contact_us@seiremc.com
Web site: <http://www.seiremc.com>

14-4-3. 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.

14-4-4. Natural Gas - Valley Rural Utility Company (VRUC)

- a. **Phone Numbers:** Non-emergency gas inquiries - (888) 863-0032
24-hour gas emergencies - (888) 784-6160
- b. **Internet Access:** Web site: www.utilitypipelineltd.com/valley-rural-utility-co
- c. **Natural Gas Connection Fees, Instructions,**
 1. The VRUC performs taps and meter installations for gas service after the appropriate fees are paid
 2. To apply for new gas service a signed application must be mailed to the address on the card.
 3. Application cards are available at the VRUC office or will be sent to you if you call the non-emergency number above.
- d. All gas customers will be subject to the Rules and Regulations governing gas distribution services as approved by the Indiana Utility Regulatory Commission.
- e. You will receive a copy of these rules upon application for service.
- f. Natural gas will be available on all streets throughout the HVL Development.
- g. The initial fee to connect to the VRUC gas system varies.
- h. Please call the Gas Company for appropriate fees.
- i. 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.
- j. All service line from the curb valve to the house (houeline) will be the responsibility of and owned by the customer, including the meter bracket on the house.
- k. The customer must ensure that the houeline installer has an operator qualification certificate with the U.S. Department of Transportation (DOT).
- l. **Natural Gas Bills:**
 1. 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.

14-4-5. Telecommunications - Indicom

- a. 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.

- b. **Mailing Address:** 777 East Eads Parkway
Lawrenceburg, IN 47025
- c. **Phone Numbers:** Indiana - (812) 537-3301
Ohio - (513) 564-0135

14-4-6. Telephone – Century Link

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

14-4-7. Telephone – Cincinnati Bell

- a. Phone Numbers: (513) 565-2210
- b. Repair Service – 611
- c. Internet Access: Web site: <http://www.cincinnati-bell.com/>

14-4-8. 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 pick up as the trash collectors tend to pick up very early in the morning.

14-4-9. Water and Sewage - Valley Rural Utility Company (VRUC)

- a. **Mailing Address:** 19435 Alpine Drive
Lawrenceburg, IN 47025
- b. **Internet Access:** Website: www.valleyruralutilityco.com
- c. **Office Hours:** 8:00 a.m. - 4:00 p.m. EST. Monday – Friday
- d. **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

14-4-10. Availability Fee for Water and Sewage on Vacant Lots

- a. 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.

14-4-11. Payment of Utility Bills

a. 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 re-connect. 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.

b. 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.

c. 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.

14-4-12. 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 as 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).

14-4-13. 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.

Appendix A Renter/Lessor Agreement



Hidden Valley Lake

Rent/Lease Amenity Agreement

The purpose of this agreement is to register those individuals who are renting/leasing homes in Hidden Valley Lake (HVL) and want to use our amenities. There is a onetime registration fee of \$100 for those renting/leasing in HVL and an annual \$300 fee for those who wish to use HVL amenities. No rentals/leases of less than six (6) months shall be allowed in HVL.

Renter: _____ Phone: () _____

Address: _____ Lot: _____

Email: _____ Date: _____

Landlord: _____ Phone: () _____

Names of others in household: _____

_____/_____/_____ I/We understand that we will pay a onetime \$100 renter registration fee and that if we choose to use the amenities, must pay another \$300 annually.

_____/_____/_____ I/We understand that the contract with the landlord must be a minimum of six (6) months and that day-to-day rentals are not allowed in HVL.

_____/_____/_____ I/We understand that dock rentals are not included in the amenities. (The Fitness Center may be used with an additional fee.)

_____/_____/_____ I/We will show proof of address by providing a utility bill or copy of the lease for the appropriate address and will notify the Property Owners Association (POA) any changes to the household.

_____/_____/_____ I/We understand that renters/lessors have no voting rights and cannot hold a Board of Directors position or be a committee member.

