

Rules for use and access to the Lake, Ponds, and associated Common Area facilities at Browning Creek.

I. General Rules for Access and Use

- A.** These rules apply to existing water bodies (currently Browning Creek Lake and the Lake Villas Pond) and future water resources if annexed to the Browning Creek development and accepted for regulation and maintenance by the Browning Creek Homeowners Association hereafter referred to as "Association". Browning Creek Lake is referred to as the "Lake" and the Lake Villas Pond is referred to as the "Pond" in the remainder of this document. A lot holding member of the Association is hereafter referred to as "Owner".

Each lot shall be issued a Lake Privilege Card. When lake privileges are being utilized, those exercising the privileges shall have in their possession, the lake privilege Card together with personal identification. Said Card will contain the name and telephone number of the Owner and other Immediate Family Members as defined under Authorized Users. If multiple lots are owned only one Card will be issued.

- B. Authorized Users:** Access to the water bodies and common areas maintained and regulated by the Association shall be limited to Owners and their Immediate Family and designated guests as set forth in these rules.

- a. **Immediate Family** is defined as the Owner, the Owner's spouse, the Owner's children including their spouses, Owner's grandchildren and Owner's parents, the foregoing referred to as "Immediate Family Member".
- b. **Owner Responsibility:** Either the Owner or other Immediate Family Member must accompany guests unless otherwise specified in other use regulations. Owners shall be responsible for the conduct of their guests and must make sure guests comply with all regulations governing activities at Browning Creek. Owner shall ensure that when lake privileges are being utilized that those exercising the privileges shall have in their possession, the lake privilege Card together with personal identification.
- c. **Association Regulations:** All authorized users shall abide by all regulations as set forth in this document and in the Declaration of Covenants, Conditions and Restrictions.
- d. **Laws:** All authorized users shall abide by all Local, State, and Federal Laws relevant to use of facilities and conduct at Browning Creek.

- e. **Assumption of Risk:** All authorized users of Browning Creek recreational areas and facilities do so at their own risk.
- f. **Legal:** Anyone entering the Lake or the Pond or associated common areas of Browning Creek other than according to the regulations set forth in this document will be considered to be trespassing on private property and may be prosecuted.
- g. Loss of lake privileges shall result to Owners in arrears of dues and assessments as well as for violations of these lake rules as defined in the Browning Creek Covenants.
- h. No Owner or other Immediate Family Member or a guest shall be allowed to take fish out of the Browning Creek lakes for sale or barter. Any Owner allowing or doing this is subject to loss of all lake privileges for a period of time determined by the Browning Creek Board.
- i. No Owner or other Immediate Family Member or a guest shall allow, sell or trade fishing rights or trips for gain or profit whether in receipt of money or services. Any Owner allowing or doing this is subject to loss of all lake and fishing privileges for a period of time determined by the Browning Creek Board.

C. Lake Access: For security reasons, the lake boat ramps are locked. A key is available to Owners at the Browning Creek office at a rental cost of \$10.00 each. Replacement keys cost \$100.

D. Watercraft

- a. **All Owners' boats motorized or non-motorized and trailers must be registered with the Association** and must display permanent Browning Creek decals affixed to both sides of the bow. Non-motorized watercraft shall display a permanent Browning Creek decal which will be of a different color than the decal for motorized boats. Owners will store large boats either in the marina, moored to an approved dock or if on a trailer in an enclosed location or in a rented space in the storage parking lot as specified in the Browning Creek Owners Association Covenants. Trailers that are temporarily parked at the boat launch shall display a decal next to the trailer hitch. Long-term storage of trailers at the boat launch is prohibited. Small boats such as canoes, kayaks, small fishing skiffs, etc. will be stored by the owner in a discrete location to avoid unsightly appearances of the Lake and Pond shorelines. Owners are responsible for properly voiding/destroying permanent decals on boats that are sold to non-owners.

b. **Guest Boat Regulations:**

1. Owner-host must pick up a Guest Boat packet from the Browning Creek office before the day of use and place a refundable deposit of \$ 100.00. The Guest Boat packet contains a key to the boat launch, guest decal and a registration form. A log will be maintained by the on-site manager of packets picked up and returned.
2. The guest registration form must be filled out and placed on the dash of the guest vehicle.
3. The transferable decal must be displayed on the Guest Boat.
4. There must be an Owner or another Immediate Family Member present in the Guest Boat.
5. The Owner-must return the Guest Registration form, the key and transferable decal to the Browning Creek office to obtain the refundable deposit of \$ 100.00.

c. **General Purpose Recreational Motorboats are the only motorized vehicles allowed on the lake:**

1. Federal, State, and Association boating regulations must be observed at all times. All boat operators are reminded that the same laws governing the operation of motor vehicles on roads under the influence of alcohol or other mind altering substances also apply to the operation of motor boats.
2. No horsepower limits will apply.
3. Idle speed must always be used in the no-wake zone north of the marker buoys in the Lake. Idle speed must be April 1 – October 31 between 8:00 P. M. and 8:00 A. M.; November 1 – March 31 between 6:00 P. M. and 8:00 A.M.

d. **Prohibited watercraft include:**

1. Jet skis and similar jet propulsion personal watercraft
2. Jet Boats
3. Racing Boats
4. House Boats
5. Boats rigged with galleys, latrines or overnight accommodations.

e. **All other non-powered watercraft are allowed.**

f. **Gasoline powered boats are prohibited on the pond.**

E. Lake Activities: The following activities are allowed on the Lake as governed by the rules and regulations set forth in this Document and as may be further amended by the Association.

- a. Fishing
- b. Boating
- c. Skiing
- d. Swimming

II. Fishing

A. Angler Regulations

All anglers shall abide by current-year angling and harvest regulations as recommended by the Browning Creek Fisheries Scientist consultant and approved by the Association. Angling regulations shall be reviewed and published annually, posted at access areas and distributed to all Owners. These regulations will include daily creel limits, size restrictions for all species and care instructions for catch and release fishing.

B. Authorized Users will abide by the following additional fishing regulations:

- a. Guests may fish unaccompanied by an Owner if they do so from the shore of their host's lot provided that the Owner or another Immediate Family Member is on the lake or grounds of Browning Creek at that time.
- b. Guests may fish unaccompanied by an Owner or other Immediate Family Member if they do so from an Owner's boat that displays the Owner's permanently affixed Browning Creek boat decal and provided the Owner or another Immediate Family Member is present on the lake or grounds of Browning Creek at that time.
- c. Guests must be accompanied by an Owner or Immediate Family Member to fish from the guest's boat and must comply with Guest Boat regulations as stated in Section I.
- d. Guests must be accompanied by an Owner or Immediate Family Member to fish at all other locations on water bodies regulated by the Association.

C. Stocking of fish from other lakes or streams is prohibited.

III. Skiing

A. Guests: Guests must be accompanied by an Owner or Immediate Family Member when skiing at Browning Creek.

B. Observer: All boats towing skiers must have an observer in addition to the boat operator.

C. Designated Areas: Skiing is permitted in the Lake South of the No-Wake Zone and East of the red buoys. Boats will follow the full length

of the designated ski area in a counter-clockwise direction. Skiing is not permitted within 100 feet of any swimming area, dock, or the Lake dam. Skiers are strictly forbidden from using the red marker buoys as a slalom course

D. Skiing Hours: Skiing is allowed between the hours of 10:00 A.M. and Sunset. The association may further restrict times and days.

E. Number of Boats: The number of active ski boats on the Lake at any one time is restricted to two for safety considerations.

IV. Swimming Areas: Swimming is allowed in the Lake at the designated location at the park. Swimming from the shoreline of an Owner's lot is allowed subject to Owner discretion and common sense.

V. Amendments/Changes to Rules and Regulations

The Association reserves the right to amend these rules and regulations when such changes are deemed appropriate and necessary provided that the procedures for such changes follow those described in the Browning Creek Owners Association Declaration of Covenants, Conditions and Restrictions.