



Hidden Valley Lake

Property Owners Association Handbook

**Hidden Valley Lake POA
19303 Schmarr Drive
Lawrenceburg, IN 47025
(812) 537-3091
Fax: (812) 537-1521**

The original print of this Handbook was approved by the Committees and Board of Directors of Hidden Valley Lake on March 25, 2004 with revisions added periodically

I. Introduction to Handbook

This new version of the Hidden Valley Lake Property Owners Association Handbook contains 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 this Handbook are the product of ongoing citizen committee 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. Because of this, 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.

In addition, we think it is the obligation of HVL residents to learn and observe the rules in this Handbook. The new format and organization of this Handbook should help you locate and understand specific rules. It is our intention to keep the Handbook and its contents updated in a timelier manner. The new loose-leaf format of the Handbook makes it convenient for us to distribute updated or additional pages as the rules and information change.

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

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 the decisions of the Manager, Assistant Manager, Deputies or other employees to the HVL POA Board of Directors.

These rules shall remain in force until changed or amended upon recommendation by the responsible HVL POA committee and approved by the HVL POA Board of Directors.

Thank you for your help and cooperation!

The HVL POA Board of Directors

Emergency Phone Numbers

	<u>537/539 Exchange</u>	<u>637 Exchange</u>	<u>800 number</u>
Emergency Police	911	911	
Dearborn County Sheriff Dispatch	(812) 537-3431	(812) 537-3431	(800) 543-1149
Hidden Valley Deputies	(812) 537-9400		
Fire Department & Life Squad	(812) 537-3431	(812) 537-3431	(800) 543-1149
Dearborn County Hospital	(812) 537-1010	(513) 621-4098	
Poison Control Center	(812) 537-8240	(812) 537-8240	(800) 872-5111
Animal Control Center	(812) 926-0910	(812) 926-0910	
Natural Gas (24 hour)	(888) 784-6160		
VRUC (Valley Rural Utility Co.)	(812) 539-3330	(513) 564-1500	

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III. Hidden Valley Lake Property Owners Association

A. General Information

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

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

B. Assets and Facilities

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

- ◆ 1,746 acres, 561 acres of common ground and recreational areas.
- ◆ A 150-acre main lake stocked with fish native to the area, approximately 1.5 miles long and 100+ feet deep with 4.5 miles of shoreline. The main lake offers the opportunity for powered and non-powered boating as well as swimming.
- ◆ A marina with a boat launch and dock rental facilities.
- ◆ Six (6) additional smaller lakes for fishing.
- ◆ A sandy beach on the main lake with bathhouse, 2 shelters, play area and restroom facilities.
- ◆ Many park and picnic areas scattered throughout the community.
- ◆ A sports complex of fifteen (15) acres with baseball and soccer fields.
- ◆ Nature and hiking trails.
- ◆ Tennis courts with Dynaflex sports surfacing.
- ◆ A 5,200 square foot Olympic-type pool plus a children's wading pool.
- ◆ HVL Community Center with community meeting room which may be reserved by members of the HVL POA in good standing for approved activities.
- ◆ Fitness Center located in the Community Center with state-of-the-art fitness equipment and group classes.
- ◆ A privately operated restaurant.
- ◆ The Hidden Valley Lake Golf Course, which is a privately owned, par 72, championship 18-hole golf course with a pro shop and the 19th Hole Snack Bar for refreshments.
- ◆ Paved and hard-surfaced and privately maintained roads.
- ◆ A law-enforcement, security and emergency service consisting of Dearborn County-trained Sheriff's deputies, which are on duty 24 hours.

C. Office Information

The HVL POA operates its own office currently located in the lower level of the Lodge building.

Mailing Address: Hidden Valley Lake Property Owners Association
19303 Schmarr Drive
Lawrenceburg, IN 47025-8848

Hours of Operation: 7:00 a.m. to 6:00 p.m. Monday-Thursday & 8:00 a.m. to 4:00 p.m. Friday
 Closed Weekends & Holidays

Phone Numbers: Indiana - (812) 537-3091
 FAX - (812) 537-1521

Internet Access: Web site – <http://www.hiddenvalley-lake.com>
 E-mail address – moemanion@comcast.net

D. Contact Information

1) Emergency

	<u>537/539 Exchange</u>	<u>637 Exchange</u>	<u>800 number</u>
Emergency Police	911	911	
Dearborn County Sheriff Dispatch	(812) 537-3431	(812) 537-3431	(800) 543-1149
Hidden Valley Deputies	(812) 537-9400		
Fire Department & Life Squad	(812) 537-3431	(812) 537-3431	(800) 543-1149
Dearborn County Hospital	(812) 537-1010	(513) 621-4098	
Poison Control Center	(812) 537-8240	(812) 537-8240	(800) 872-5111
Animal Control Center	(812) 926-0910	(812) 926-0910	
Natural Gas (24 hour)	(888) 784-6160		

2) Other

	<u>537/539 Exchange</u>	<u>637 Exchange</u>
HVL POA Maintenance	(812) 537-3300	(812) 537-3300
HVL POA Pool	(812) 537-1707	(812) 537-1707
HVL POA Beach	(812) 537-4151	(812) 537-4151
HVL Golf Course	(812) 537-5033	(513) 241-6710
Valley Rural Utility Company	(812) 539-3330	(513) 564-1500

E. Organizational Information

1) HVL POA Board of Directors

- A. Under provisions consistent with the laws of the State of Indiana and the Articles of Incorporation of the HVL POA, the HVL POA Board of Directors serves the following purposes:
- B. To conduct the business of the HVL POA.
- C. 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 of the HVL POA.
- D. To make, alter, amend or repeal the By-Laws and rules and regulations for the conduct of the affairs of the HVL POA.
- E. To establish officers of the HVL POA and to elect such officers for such duties as it may determine.
- F. The HVL POA Board of Directors is voted on by the HVL POA membership by ballot at the annual meeting. (See Section XI.) The term served is two (2) years with three (3) board members being elected one year and two (2) board members the following year. Any member of the HVL POA in good standing can run for the HVL POA Board of Directors.

- G. The HVL POA Board of Directors' meetings are held on the 4th Thursday of the month unless otherwise posted on the information signs at the entrances to Hidden Valley Lake. The HVL POA Board of Directors' meetings are open to the public.
- H. The members of the HVL POA Board of Directors serve as liaisons to the various HVL POA committees and attend committee meetings. The committee liaison assignments change on a yearly basis.
- I. The current HVL POA Board of Directors' members are:

<u>Office</u>	<u>Name</u>	<u>Address</u>
President	Robert Starks	20902 Ridgecliff Court
Vice President	Karen Shell	444 Hidden Valley Drive
Member at Large	Bill Blantz	20104 Longview Drive
Secretary	Jeff Fuell	2012 Morningside Drive
Treasurer	Donna Lask	20079 Longview Drive

2) HVL POA Committees and Panels

- A. Under provisions consistent with the By-Laws of the HVL POA, there shall be standing committees and panels. The duty and responsibility of each committee and panel is to review, study and recommend to the Board of Directors any decisions, rules, or regulations pertaining to its area of responsibility within the HVL POA as defined by the By-Laws of the HVL POA. The committees and panels shall also perform such other duties as may be from time to time directed by the President of the HVL POA Board of Directors. Any decision of a committee or panel may be appealed to the HVL POA Board of Directors by any person aggrieved by such decision.
- B. In particular, HVL POA committees and panels have the responsibility of maintaining the following HVL POA rules and regulations:

<u>HVL POA Rules</u>	<u>Committee/Panel Name</u>
Judicial	Judicial Panel
Architectural	Architectural Committee
Burning	Safety, Security and Elections Committee
Curfew	Safety, Security and Elections Committee
Dog Control	Safety, Security and Elections Committee
Elections	Safety, Security and Elections Committee
Lakes and Water Craft	Lakes Committee
Noise	Safety, Security and Elections Committee
Parks and Recreational Facilities	Parks and Recreation Committee
Persons	Safety, Security and Elections Committee
Pool and Beach	Parks and Recreation Committee
Property	Safety, Security and Elections Committee
Signs and Solicitations	Safety, Security and Elections Committee
Traffic and Vehicle Operations	Safety, Security and Elections Committee

- C. Any member of the HVL POA in good standing can serve on an HVL POA committee or panel.
- D. All regularly scheduled HVL POA committee meetings are open to HVL property owners.
- E. The current HVL POA committees and panels and their regularly-scheduled meeting times are:

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

- F. The Future Planning and Political Action Committee is charged with the responsibility for making recommendations toward a Master Plan that provides the HVL POA with continuity, organization and management goals. This committee provides the following services:
1. Present strategic actions to the HVL property owners, the HVL POA committees and the HVL POA Board of Directors that will create income and/or make further enhancements to Hidden Valley Lake.
 2. Develop an organized plan to continue the improvement of the existing HVL POA amenities.
 3. Discuss current events in the community, county and state that will have an impact on Hidden Valley Lake and thus delegate certain member(s) to attend local government and related meeting and report back to the HVL POA Board of Directors.

3) HVL POA Employees

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

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

F. HVL Clubs and Organizations

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

The current list of clubs and organizations include:

- HVL Athletic Club
- Bridge Clubs (Days, Evenings and Marathon)
- Civic and Social Activity Club (Includes Children & Teen Activities)
- HVL Riders (Motorcycle Club)
- Fish and Game Club
- Garden Club
- Homemakers Club
- Ski and Sports Club

In addition to sponsoring a wide variety of social events in HVL, the Civic and Social Activity Club has several other important functions within the HVL POA. All meetings of this club are open to all residents and property owners of HVL. Unlike other clubs, the Civic and Social Activity Club has the power and authority to make motions in HVL POA Board of Directors' meetings and from time to time shall perform other functions that may be given to it by the HVL POA Board of Directors.

G. Dues and Assessments

1) General Information

- A. Dues, fees and assessments are billed semi-annually. The first billing is on January 1st, with the dues, fees and assessments to be paid by January 31st. The second billing is on July 1st, with the dues, fees and assessments to be paid by July 31st.
- B. The HVL Board of Directors may from time to time make assessments of the HVL POA membership if deemed to be in the best interests of the community. (By-Laws: Article I: Membership, Section 3, #F) The HVL POA office may be contacted for current assessments.
- C. The HVL POA reserves the right to charge the following additional fees. These fees are subject to change:
 1. Any balance left on a property owner's account after the above due date shall be assessed a ten (10) per cent finance charge. A late fee of \$10.00 per month per account will then be charged until the balance is paid.
 2. If a lien is filed on a property owner's account, a \$50.00 lien-filing fee shall be added to the account.
 3. Should an account be sent to a collection service, the property owner shall also be responsible for a thirty (30) per cent collection fee.
 4. If a property owner's account is sent to an attorney for collection, the property owner shall also be responsible for any attorney fees, filing fees and court costs.

- 5. The fee for a non-sufficient funds check is \$30.00.
- D. Any deeds transferring property in the Hidden Valley Lake subdivision shall be subject to an Administrative Deed Transfer Fee. This fee shall be assessed per deed regardless of the number of lots transferred by the deed. The fees will be assessed as follows:
 - 1. Property with a house - \$100.00
 - 2. Vacant Lot - \$50.00
 - 3. Inter-family transfer or Inter-family trusts - \$ 25.00

Upon the death of the first person named on the recorded deed (and therefore eligible voter in POA elections), the \$25.00 Administrative Deed Transfer Fee would be waived to change the succeeding name on the POA office records to become the first name. This action must be taken within one year of the death.

- E. No refunds are given on dues and fees on sold property.
- F. Title companies should handle any balance owed on any dues, fees and assessments at the time of closing. Please contact the HVL POA and VRUC for any outstanding account(s) balance due.
- G. Fees not paid by the buyer at closing will be assessed against the lot(s) upon filing of the deed.
- H. 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.

2) Schedule of Dues and Assessments

<u>Amount</u>	<u>Description</u>
\$165.00	HVL POA membership dues per year per member. The HVL POA member is considered to be the first name on the deed. The member and all members of his/her immediate family that reside with him/her are entitled to receive Identification Cards and use the HVL POA amenities.
\$ 65.00	Road repair and replacement fee per year per lot owned.
\$ 50.00	Snow removal and security fee per year per house.
\$111.00	Assessment per year per lot.
\$ 20.00	Assessment per year per house.
\$155.00	Assessment per year per membership.
\$198.00	Rumpke trash service per year, if signed up (optional).
\$ 42.00	Rumpke wheel can rental per year, if requested (optional).

3) Collection Procedures

- A. **Homes** – 30 days after first notice will include service charges. 60 days after first notice, a letter is sent stating Rumpke service will be discontinued if payment is not made within 10 days. If there is not compliance, trash service will be stopped and if rented, the Rumpke wheel can will be removed. Once the delinquent account is paid, the wheel can will be redelivered at an additional fee of \$10.00. If receivables exceed \$800.00, a copy of the lien to be filed is sent with a letter allowing 10 days for payment. After 15 days with no response, a lien on the property is filed and a \$50.00 filing fee is added to the account. The account is then sent to our collection agency. If receivables exceed \$1,200.00, the POA reserves the right to initiate foreclosure proceedings.
- B. **Lots** – After an account is delinquent for two (2) billings, a letter is sent advising the property owner of our collection procedures. A current statement of the account is included with service charges added. When the account is over \$800.00, 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 10 days. The customer will be informed of a \$50.00 lien filing fee and a fee of 30% of the balance for collection service if sent to collection. After 15 days, if no money is received, a lien will be filed and the account sent to our collection agency.

NOTE: All reasonable effort is made to communicate with the debtor and to arrange payment plans before legal action is taken

H. Rules, Regulations, Forms and Procedures

The HVL POA creates and maintains rules, regulations, forms and procedures for the purposes mentioned in the General Information subsection of this section of the HVL POA Handbook. Examples of some of the rules and regulations are

governing the construction of all lot improvements (Architectural Rules) and regulating the use of all water craft used on HVL POA lakes (Lakes Rules).

Application forms are available in the HVL POA office for the purpose of requesting permission to build, register boats or complete other business with the HVL POA.

The HVL POA requires that all residents and HVL POA members register themselves and their boats on a yearly basis. All HVL POA dues, assessments, fees, penalties and fines must be current to complete the registration procedures. The HVL POA office issues the following cards or stickers to residents and property owners when these registration procedures are completed:

- 1) **Boat registration stickers** – Issued for all water craft used within Hidden Valley Lake and must be placed on the designated location on the water craft. (See Section 12 in this Handbook for details.)
- 2) **Personal identification cards** – Personal photo identification cards are required for all residents, HVL property owners and members of their immediate family (6 years and older) living in their household. Identification cards will have a bar code attached to be scanned for admittance to various amenities. Identification card photos may be updated every five (5) years. Current identification cards are required to use HVL POA facilities.

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

- 1) The member in good standing will present the rule(s) change(s) to the appropriate HVL POA committee during one of its regularly scheduled meetings.
- 2) The HVL POA committee will review, study and recommend to the Board of Directors any rule(s) change(s) that it feels is appropriate and necessary.
- 3) The HVL POA Board of Directors will review, study and vote upon the recommendation from the committee during a regularly scheduled HVL POA Board of Directors' meeting. Except for emergencies, the Board of Directors will hear motions to discuss changes to the bylaws or rule changes at two (2) board meetings. The first meeting the motion will be read and discussed. These Board minutes will be posted on the web site and in the Echoes for the community to review. The motion will be read again at the next Board meeting after the Echoes is published with these Board minutes and then the motion will be voted on.

I. Complaint Procedures

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

1) Personal Complaints

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

2) Organizational Complaints

- A. Organizational complaints are those complaints that apply to the HVL POA but do not relate to a specific individual's conduct.
- B. These complaints are normally concerns that can be simply telephoned to the HVL POA office. If your intent is to file a formal complaint, then you will need to complete a complaint form. Generally, only formal complaints will be acted upon. The HVL POA office maintains a complaint logbook where specific concerns are noted.

- C. All complaints and concerns are heard and reviewed and the effort is made to have resolution in a timely manner. However, not all complaints or concerns may have an immediate solution.

J. Policies and Procedures

- 1) All HVL POA expenditures and distributions shall require prior HVL POA Board of Directors approval including, but not limited to, the full or partial forgiveness of any debt including any reduction in fines and shall be transacted in an open HVL POA Board of Directors meeting.
- 2) All new HVL POA expenditures that exceed 15% of the HVL POA Annual Budget in dollar amount shall require a majority vote by the HVL POA members for approval.

IV. Enforcement of Rules and Judicial Procedures

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

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

A. Violation Notices (Citations)

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

B. HVL POA Judicial Panel

- 1) Based on the Articles of Amendment (dated 4/27/95) to the Articles of Incorporation, the purpose of the HVL POA Judicial Panel is to enforce the rules and regulations of the HVL POA, specifically:
 - a. Requesting the appearance before the HVL POA Judicial Panel of members of the HVL POA and their families for the purpose of offering testimony in a given case.
 - b. Determining in all cases brought before the HVL POA Judicial Panel whether or not a violation of the rules and regulations of HVL POA has taken place.
 - c. Issuing warnings to, levying fines 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 Subsection G below and in Section XX of this Handbook, and recommending to the HVL POA Board of Directors pursuit of such other actions as may be available, including legal action, against persons who violate the HVL POA rules and regulations and/or provisions of this article.
 - d. Representing the HVL POA Judicial Panel before the HVL POA Board of Directors in the event of an appeal of the HVL POA Judicial Panel's actions in a given case.
 - e. Interpreting this article and making recommendations to the HVL POA Board of Directors for its amendment.

C. Rules Enforcement Procedure

- 1) Each and every violation notice shall be acted upon by the HVL POA Judicial Panel, and no violation notice shall be considered a violation of the HVL POA rules and regulations until it has been acted upon and determined to be a violation of the HVL POA rules and regulations.
- 2) In those cases in which the HVL POA Judicial Panel determines that a violation of the HVL POA rules and regulations has taken place, the HVL POA Judicial Panel shall then impose a penalty or penalties upon the violator in accordance with Section XX in this Handbook.
- 3) In cases involving alleged violations committed by minor children, other dependents or guests of an HVL POA member, the HVL POA member shall be responsible for the payment of all monetary penalties (fines). HVL POA members shall receive notice by the HVL POA office of an alleged violation involving their minor children, other dependents or guests. The HVL POA member shall receive this notification by the first Monday of the month.
- 4) The procedure for HVL POA rules enforcement is as follows:

- a. A violation notice (citation) is issued by an HVL POA Deputy or authorized HVL POA employee.
- b. A copy of each citation shall be returned to the HVL POA office on a weekly basis and entered on the Judicial Panel Docket.
- c. The citations along with the Judicial Panel Docket shall be presented to the HVL POA Judicial Panel for their decisions during their regularly scheduled meetings.
- d. The HVL POA Judicial Panel shall determine whether or not violations of the rules and regulations of HVL POA have taken place and, if so, the amount of the penalties or fines are entered on the Judicial Panel Docket and returned to the HVL POA office with the citations.
- e. If an alleged violator is not present at the regularly scheduled HVL POA Judicial Panel meeting, and is an HVL property owner and the decision of the HVL POA Judicial Panel is to issue a fine, the HVL POA office shall invoice that party's account for the fine amount.
- f. If an alleged violator is not present at the regularly scheduled HVL POA Judicial Panel meeting, and is not an HVL property owner and the decision of the HVL POA Judicial Panel is to issue a fine, the HVL POA office shall mail an invoice for the fine amount to that party and send a copy to the HVL property owner as appropriate.
- g. If an alleged violator is present at the regularly scheduled HVL POA Judicial Panel meeting, and is an HVL property owner, and the decision of the HVL POA Judicial Panel is to issue a fine and the alleged violator does not contest the fine, the HVL POA office shall invoice that party's account for the fine amount.
- h. If an alleged violator is present at the regularly scheduled HVL POA Judicial Panel meeting, and is not an HVL property owner, and the decision of the HVL POA Judicial Panel is to issue a fine and the alleged violator does not contest the fine, the HVL POA office shall mail an invoice for the fine amount to that party and send a copy to the HVL property owner as appropriate.
- i. If the alleged violator wishes to contest the citation, the procedure listed in Subsection D of this section of the Handbook must be followed.
- j. In the event the violator of an HVL POA rule or regulation shall fail to comply with the terms of the penalties imposed by the HVL POA Judicial Panel, then the HVL POA Judicial Panel shall report the failure to comply to the HVL POA Board of Directors, together with the recommendations for appropriate legal sanctions, including but not limited to the filing of a lien and assessment against said violator.

D. Contesting a Citation to the HVL POA Judicial Panel

- 1) Any person who receives a citation has the right to a hearing before the HVL POA Judicial Panel to contest a citation, but said hearing shall be held only at the request of the accused person, and upon his or her written notification to the HVL POA office of his or her desire to exercise this right, which request shall be duly entered upon the Judicial Panel Docket.
- 2) The hearing must be scheduled no more than two consecutive regularly scheduled HVL POA Judicial Panel meetings after the meeting in which the citation was originally presented and requests for a hearing must be made to the HVL POA office no later than the Friday prior to the regularly scheduled HVL POA Judicial Panel meeting. If the alleged violator originally received the citation by letter, the HVL POA office must be notified of the request for a hearing within five (5) days of the date of the letter.
- 3) During the hearing the alleged violator has the right to:
 - a. Question the HVL POA Deputy or authorized employee.
 - b. Call witnesses in his or her behalf.
 - c. Be represented by an attorney.
 - d. Present any evidence to support his or her defense
- 4) During the HVL POA Judicial Panel meetings, any alleged violator scheduled for a hearing must sign in upon his or her arrival at the meeting. Citations being contested are heard on a first-come-first-served basis and will be heard one at a time.
- 5) Only those persons involved with the current citation hearing will be present during the hearing.
- 6) After the HVL POA Judicial Panel has heard the case, a majority vote will determine their decision.

- 7) If an alleged violator requested a hearing to contest a citation through the HVL POA office but was unable to attend the original hearing date, he or she can request a new hearing date up to two (2) consecutive HVL POA Judicial Panel meetings from the original hearing date. For example, if an alleged violator was issued a citation in January, he or she could schedule a hearing in February. The new date can be requested for March or April.
- 8) The HVL POA Judicial Panel will not hear a contest of a citation unless it has been scheduled through the HVL POA office. A written notice requesting a new hearing date to contest a citation must be submitted to the HVL POA office no later than the close of the last business day of the month prior to the HVL POA Judicial Panel meeting in which they are eligible to attend. For example, if a hearing was originally scheduled for an HVL POA Judicial Panel meeting in February but the alleged violator was unable to attend, the request to attend the April meeting must be submitted to the HVL POA office by close of last business day in March.
- 9) If an alleged violator notified the HVL POA office that he or she would attend a scheduled HVL POA Judicial Panel meeting to contest a citation and was unable to attend that meeting, their right to reschedule a new meeting is automatically terminated unless he or she notifies the HVL POA office by 12:00 p.m. (noon) the day of the scheduled meeting. If notification is not received by the HVL POA office prior to this time, the alleged violator shall be subject to an additional fine.

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

- 1) An alleged violator has the right to appeal an HVL POA Judicial Panel's initial decision to the HVL POA Judicial Panel whether or not the alleged violator attended the meeting in which the initial decision on the citation was made.
- 2) The HVL POA Judicial Panel will not hear an appeal to an initial decision unless it has been scheduled through the HVL POA office. The alleged violator will be allowed only one (1) opportunity to reschedule the appeal hearing. To schedule a hearing to appeal the initial decision the HVL POA Judicial Panel, the alleged violator must either provide written notice to or phone the HVL POA office no later than the Friday before the regularly scheduled HVL POA Judicial Panel meeting.
- 3) If an alleged violator notified the HVL POA office that he or she would attend a scheduled HVL POA Judicial Panel meeting to contest a citation and was unable to attend that meeting, their right to reschedule a new meeting is automatically terminated unless he or she notifies the HVL POA office by 12:00 p.m. (noon) the day of the scheduled meeting.

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

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

G. Schedule of Violations Subject to Fines

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

- 1) **Traffic and Vehicle Operation – General Rules**
 - a. Disregarding a traffic control device
 - b. Speeding
 - c. Reckless operation
 - d. Spinning tires - excessive acceleration of a vehicle
 - e. Fish tailing - excessive acceleration of a vehicle
 - f. Loud noise which causes annoyance

- g. Improper or illegal parking (fire zone, handicap parking, snow emergency, etc.)
 - h. Failure to comply with lawful order of an HVL POA Deputy
 - i. Fleeing and eluding a HVL POA Deputy
 - j. Abandoned vehicle
 - k. Operating a vehicle over 7,000 pounds gross vehicle weight on Hidden Valley Drive or posted areas
 - l. Invalid, expired, lack of or no license plate and/or driver's license
 - m. Road moratorium violation
 - n. Operating unsafe vehicle
 - o. Operating a motor vehicle in greenbelt areas without permission
- 2) Traffic and Vehicle Operation - Motorized Bicycles (MOPEDS), All-Terrain Vehicles (ATV)/Off-Road Vehicles, Motor Scooters/Motorized Skateboards and Motorcycles Rules**
- a. Operating in greenbelt areas without permission
 - b. Not equipped with muffler
 - c. Improper or no head, tail, stop or turn signal lights
 - d. Operating motorcycle or moped on dam, beach or parking lot (except to park)
 - e. Reckless operation/operating motorcycle without both front and rear wheels in contact with surface of road simultaneously
 - f. Failure to wear protective equipment while operating (under 18 and passenger)
 - g. Excessive speed
 - h. All mechanical equipment violations
 - i. Operators permit, age restriction, seating capacity or license violation
 - j. Operating a modified motorcycle or moped
- 3) Traffic and Vehicle Operations - Stopping, Standing and Parking Rules**
- a. Restriction of road usage
 - b. Exceeding limited parking (8 hours)
- 4) Persons, Property, Curfew, Signs and Solicitation Rules**
- a. Littering
 - b. Abuse and/or harassment of HVL POA employee, agent and/or volunteer
 - c. Fluid leaks (oil or gas) on HVL POA property
 - d. Sign violations
 - e. Sign affixed to community property within HVL, trees, signs, etc.
 - f. Curfew violations
 - g. Disorderly conduct
 - h. Mischief
 - i. Vandalism
 - j. Trespassing
 - k. Property damage
 - l. Invalid or lack of HVL POA identification card
 - m. Failure to comply with HVL POA regulations or lawful order of an HVL POA Deputy
 - n. Firearm violation
- 5) Burning Rules**
- a. Unattended burn
 - b. After dark burn
 - c. Burning of material other than wood or paper
 - d. Burning in improper container, or no container
 - e. Burns out of control (requires Deputy and/or Fire Department)
- 6) Dog Control Rules**
- a. Dog control violations
 - b. Dog running free and unsupervised
 - c. Dog trespassing on improved lots where landscaping has begun
 - d. Dog being public nuisance
- 7) Lakes and Water Craft Rules**
- a. Operating boat in excess of 35 mph or high speed boating
 - b. Reckless operation/failure to yield right of way
 - c. Not maintaining minimum of 300 ft. to rear of a water skier
 - d. Going the wrong way in wake zone
 - e. Powerboat failing to yield right of way to non-power boat
 - f. No wake zone violation
 - g. Discarding or discharging waste into lake or littering

- h. Non-property owner using property owner's boat without written permission from owner
- i. Non-property owner boating on lake
- j. Boat sticker not secured and properly displayed by May 1st
- k. Boat sticker not secured and properly displayed by June 1st
- l. Skiing, tubing or flotation violation
- m. Lake status violation
- n. No wake/idle speed only during regulated hours violation
- o. Boat/trailer parking violation
- p. Required equipment violation
- q. Possession of boat and/or trailer without permission of owner
- r. Unlawful swimming
- s. Hunting and fishing violations

8) Architectural – Roadside Ditches and Entrances to Property Rules

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

9) Architectural – Dearborn County Building Permits Rules

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

10) Architectural – General Rules

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

V. Definitions of Terms

The following definitions of common terms apply to the entire set of rules contained within the HVL POA Handbook. In addition to these common terms, other specific terms are defined within the Handbook sections to which they apply.

- ◆ **Community property within HVL** – Property owned and maintained by the HVL Property Owners Association (POA) for the use of HVL property owners and their guests. This includes, but is not limited to, streets, roadways, right-of-ways, parking areas, greenbelt areas, hiking trails, swimming pool, sports complexes, lakes, parks and beaches.
- ◆ **County** – Dearborn County, Indiana.
- ◆ **County Commissioners or CC** – The Board of County Commissioners of Dearborn County, Indiana.
- ◆ **Majority Vote** – A majority of those who voted in an HVL POA election or referendum.
- ◆ **Easement** – A grant by a property owner of the specific use of said land to the public generally to a person or persons.
- ◆ **Greenbelt area** – Any common space owned by the HVL POA designated by plat with “R numbers”.
- ◆ **HVL POA Board of Directors** – A five-person committee elected by the HVL Property Owner’s Association (POA) membership for the purpose of conducting POA business.
- ◆ **HVL POA Deputy** - The Dearborn County Sheriff has certified the Rangers as Special Deputies and will be referred to throughout the Handbook as HVL Deputies.
- ◆ **HVL POA identification** – A picture identification card issued by the HVL POA office to an HVL POA member, a family member or other individual approved by the HVL POA.
- ◆ **HVL POA member** – The first party listed on an HVL property deed.
- ◆ **HVL POA member in good standing** – Any HVL POA member whose dues or assessments are current.
- ◆ **Lawful Order** - Such orders pertaining to rules and regulations as passed by the HVL POA Board of Directors to insure the safety and rights of all HVL property owners and their guests.
- ◆ **Person** - Any property owner, renter or guest of a property owner or renter, or anyone else while on Hidden Valley Lake property.
- ◆ **Private property** – Property owned by individuals, which is not to be used by the public in general without specific permission by the owner.
- ◆ **Property owner** – Any person, firm, or corporation, or any other legal entity listed on an HVL property deed.
- ◆ **Protective covenants** – Contracts entered into between private parties or subdivision restrictions which constitute a restriction on the use of all private property within a subdivision for the benefit of property owners, and provide mutual protection against undesirable aspects of development which would tend to impair stability of values.
- ◆ **Right-of-way** - An HVL POA street or roadway to which HVL property owners, their immediate families, their guests and renters have the right to use.
- ◆ **Valley Rural Utility Company (VRUC)** – The utility company, located in Hidden Valley Lake and owned and operated by the HVL property owners, which provides water, sewage and natural gas services.

VI. Architectural Rules

The HVL POA Architectural Committee and the HVL POA Board of Directors have approved the following rules for all construction in HVL. These rules reflect the true copy of the HVL POA Building Code and Restrictions as amended by the HVL POA Board of Directors. We sincerely request the cooperation of all HVL POA members, contractors and subcontractors in adhering to these rules. These rules shall remain in force until changed or amended upon recommendation by the HVL POA Architectural Committee and approved by the HVL POA Board of Directors.

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

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

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

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

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

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

Violations of HVL POA Architectural Rules will result in stop-work orders and fines. There will be an Administrative Fee of \$100 posed on each Stop Work Order issued. Please refer to Section 20 of this handbook for the current schedule of fines.

The 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 Architectural Committee, it may also be necessary to submit them to the VRUC for approval. It is the responsibility of the property owner to assure that the construction plans were received at the VRUC. VRUC approval of construction plans may be necessary to obtain a Dearborn County building permit. Please refer to Section 21 - Utility Company Information in this Handbook on how to contact the VRUC.

This Architectural Rules section of the handbook consists of the following subsections:

- A. Definitions of Terms
- B. General Architectural Rules
- C. House Plans (New Structures) Rules
- D. House Plans (Additions or Changes to Existing Structures) Rules

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

AA. Private Property Appearance and Maintenance Rules

A. Definitions of Terms

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

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

the dwelling, garage or principal building. Any such device which burns other types of solid fuels shall also be considered an outdoor wood fired boiler or outdoor wood fired furnace.

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

B. General Architectural Rules

- 1) An approved building permit from the HVL POA Architectural Committee with a stamp of approval by the VRUC and an approved building permit from the Dearborn County Building Department are required before any construction is permitted. Permits from the Dearborn County Health Department may also be required. The HVL POA Board of Directors shall establish HVL permit fees.
- 2) Construction plans shall be prepared to conform to the HVL Building Code, the Administrative Building Council (ABC) code of the State of Indiana and the Dearborn County Zoning Ordinance #12-1980. Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that the structure shall conform to the provisions of this Building Code and all the relevant laws, ordinances, rules and regulations.
- 3) Only the owner of the property or the general contractor is authorized to present plans to the HVL POA Architectural Committee.
- 4) One of the intents of this Building Code is to promote continuity and completion of all individual single family dwellings and all other on-site improvements. To that end, once construction has been approved by the Architectural Committee all structures 900 square feet and larger, the building exterior, lot improvement and landscaping, as authorized by the permit, shall be completed within twelve (12) months of the HVL POA Architectural Committee's approval of the "Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements" effective 1/1/08. All construction of structures under 900 square feet, including house additions, garages, decks, docks, fences, sheds, gazebos, shelters, dog runs, play structures, retaining walls, sea walls, and pools, shall be completed within six (6) months of the HVL POA Architectural Committee's approval of the "Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements" effective 1/1/08. All persons applying to the HVL POA Architectural Committee for a construction permit shall execute and deliver all required HVL construction forms along with the required performance bond, the amount of which is determined by the HVL POA Board of Directors and is described in Subsections H and I in this section of the handbook. If construction is not completed within the allowable time limit, it is mandatory that an extension be requested to the HVL POA Architectural Committee. All structures 900 square feet and larger are subject to a non-refundable fee of \$200.00 paid to the HVL POA for the first three (3) months, \$300.00 per month for the following six (6) months, and thereafter at the HVL POA Board of Director's discretion. A further application of a performance bond shall be that if construction is not begun within six (6) months of the date of issuance of the permit, the bond may be requested for return, less a 10 per cent administrative charge not to exceed \$250.00.
- 5) HVL POA Building Permits shall only be issued to HVL POA members in good standing and shall not be issued to any property owner and/or builder who has outstanding HVL assessments, citations or fines.
- 6) No new building permits shall be approved to a property owner or builder if there is any other present construction by the same individual that exceeds the completion periods as described in paragraph 4.
- 7) The property owner shall be ultimately responsible for following all rules and requirements of the HVL POA, and shall be responsible to keep informed in his/her own right and to inform any and all subcontractors and suppliers of

the rules and requirements, and shall be held ultimately responsible for the actions of all contractor employees, subcontractors and suppliers working on the site.

- 8) Upon presentation of proper credentials, the HVL POA Building Coordinator, members of the HVL POA Architectural Committee or its duly authorized representative can, at reasonable times, enter any site in the jurisdiction to carry out their duties regarding enforcement of the HVL POA Architectural Rules.
- 9) The Builder/Owner shall conform to the provisions of erosion control as prescribed by the Indiana Storm Water Quality Manual. All lake lots shall have two (2) rows of silt fence in place, on the lake side, from lot line to lot line, for the duration of construction. All other lots shall have one (1) row of silt fence in place, in ditch line/ culvert area or rear area, from lot line to lot line (around corner on corner lots) for the duration of construction.
- 10) No more than one single-dwelling house shall be erected or constructed on any one HVL lot.
- 11) No more than one free-standing structure for garage or storage purposes shall be erected or constructed on any one HVL lot.
- 12) No structure of any other kind shall be erected prior to the construction of a dwelling on any one HVL lot.
- 13) No accessory or temporary building or trailer shall be used or occupied as living quarters.
- 14) No structure shall have tarpaper, roll brick siding or similar material on outside walls.
- 15) No house trailers, campers, tents, shacks, boats or storage of "any" type or similar structures shall be erected, moved to or placed upon any undeveloped lot or lots.
- 16) Erecting a tent or canopy in a side yard of a lot, front yard of a lot or on a dock is prohibited. There is a three (3) day limit on having a recreational tent or canopy erected behind a dwelling.
- 17) Permanently attached awnings on dwellings may be permitted with the written approval from the HVL POA Architectural Committee.
- 18) Outside toilets may be permitted on a construction site during construction until inside plumbing is operational. Outside toilets shall be self-contained units (i.e. "Port-O-Let") and may be subject to approval of the HVL POA Building Coordinator. No outside toilets shall be allowed on individual premises after the completion of the operational plumbing.
- 19) Discharging untreated waste on any property within HVL or into any lake located in HVL is prohibited. No individual septic tanks shall be allowed on any HVL property.
- 20) No individual domestic water wells shall be permitted on an HVL lot. Each residence shall use the HVL central water supply. Cisterns and wells not for domestic water purpose are permitted but may not be connected to either the central water or sewer systems.
- 21) No building, fencing or structure of any kind shall be located on any lot nearer to the front lines than the minimum building setback lines shown on the plan of record in the HVL POA office.
- 22) The HVL POA Architectural Committee shall approve all construction on right-of-ways.
- 23) Metal chimneys and heating vents on the exterior of structures shall be framed in and sided with materials compatible with those of the remainder of the structure. The vents may be exposed above this construction only to the minimum dimension recommended by the manufacturer.
- 24) All construction and construction delivery noise is prohibited before 7:00 a.m. and after 7:00 p.m. or sunset (whichever comes first) on weekdays and not before 8:00 a.m. on weekends and holidays. Roofers with written permission from the HVL POA Community Manager, or in his absence a designated representative, may start at 6:00 a.m., weekdays only, during the months of July and August.
- 25) It is neither permitted, nor allowed, for any builder, contractor or subcontractor to use any utilities from any of the neighboring properties for their construction project(s), or any other related use, without the express written permission of the neighboring property owner in advance of such use. A copy of the written permission shall be given to the HVL POA office before these utilities can be used. Any violation of this rule shall be cited by the HVL POA on first occurrence and referred to the Dearborn County Sheriff's Department for citation and prosecution for any subsequent infringement.

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

C. House Plans (New Structures) Rules

- 1) All new houses require HVL POA Architectural Committee approval prior to being constructed. When applying for approval, the following items shall be submitted at the HVL POA office by 4:00 p.m. on the Friday prior to the HVL POA Architectural Committee meeting:
 - a. Four (4) copies of the floor plan(s) consisting of the basement level and all other levels including decks and porches. This must include the square footage of the living space.
 - b. Four (4) copies of the exterior elevations (all sides).
 - c. Four (4) copies of the cross sections of footing, foundations, walls and roof (showing details).
 - d. Four (4) copies of the cross sections indicating materials to be used in building such as frame, masonry, insulation, etc., including exterior finishes.
 - e. Color photos of the residences adjacent to and across the street from the proposed new construction.
 - f. Color samples of the siding, shingles, front door color, trim color and shutter color.
 - g. One (1) copy of the Contiguous Lot Agreement if applicable.
 - h. Color photos of the roadways and ditch lines at the new construction site, adjacent to and across the street from the new construction site.
- 2) The copies of the items provided shall be distributed after they are approved and shall be stamped by the HVL POA Architectural Committee as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the builder.
 - c. Two (2) copies to the property owner.
- 3) Dearborn County requires a building permit for the construction of a new house. The property owner is responsible for contacting the county to apply for the permit.
- 4) The HVL POA Architectural Committee requires a \$3500.00 (effective 1/1/08) Performance Bond for the duration of the new house construction. (See Subsection H of this section of the handbook).

- 5) Houses on lot numbers: 1487 – 2053, 2343 – 2421, 2422 – 2658, 2708 – 2724, 3154 – 3188, 3212 – 3292, 3293 – 3299, 3300 – 3303, and 3304 – 3322 have been designated by deed restriction as requiring a higher minimum square footage and appraised value.
- 6) Any house on a lot that is not designated in Architectural Rule C.5 shall have a minimum of nine hundred (900) square feet of living area (exclusive of porches, garages and decks) on a single level, or projected to a single horizontal plane if more than one level (i.e. the “footprint” of the house).
- 7) The appraised value of a house and associated lot improvements that is not designated in Architectural Rule C.5 shall be at least \$160,000.00* (eff. 4/26/07). At least one (1) per cent of the appraised value shall be for landscaping. The appraised value of the lot shall not be included in this amount.
- 8) Any house on a lot that is designated in Architectural Rule C.5 shall have a minimum of twelve hundred (1200) square feet of living area (exclusive of porches, garages and decks) on a single level, or projected to a single horizontal plane if more than one level (i.e. the “footprint” of the house).
- 9) The appraised value of a house and associated lot improvements that is designated in Architectural Rule C.5 shall be at least \$180,000.00* (eff. 4/26/07). At least one (1) per cent of the appraised value shall be for landscaping. The appraised value of the lot shall not be included in this amount.
- 10) The HVL POA Architectural Committee may request an appraisal by an HVL POA-approved; Indiana certified appraiser on any house plan submitted at the owner’s expense.
- 11) The square footage for an A-frame building shall be determined from inside the knee-wall or from inside truss to inside truss at a point on the truss thirty (30) inches from the finished floor grade.
- 12) The area on each floor, with the exception of the basement level, shall have minimum of eight (8) feet of headroom between the finished floor and the ceiling per the State of Indiana Building Code.

* The minimum appraised value of a house and associated lot improvements is subject to change. The HVL POA Architectural 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 Board such that it takes effect on the following January 1st.

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

- 1) All additions or changes to a house require HVL POA Architectural Committee approval prior to being constructed. When applying for approval, the following items shall be submitted:
 - a. Four (4) copies of the floor plan(s) consisting of the basement level and all other levels including decks and porches. This must include the square footage of the living space.
 - b. Four (4) copies of the exterior elevations (all sides).
 - c. Four (4) copies of the cross sections of footing, foundations, walls and roof (showing details).
 - d. Four (4) copies of the cross sections indicating materials to be used in building such as frame, masonry, insulation, etc., including exterior finishes.
 - e. Four (4) copies of the square footage of addition/change.
 - f. Color photos of the residences adjacent to and across the street from the proposed new construction.
 - g. Color samples of the siding, shingles, front door color, trim color and shutter color.
 - h. Color photos of the structure(s) being added to or changed.
 - i. One (1) copy of the Contiguous Lot Agreement if applicable.
 - j. Color photos of the roadways and ditch lines at the existing construction site, adjacent to and across the street from the existing construction site.
- 2) The copies of the items provided shall be distributed after they are approved and shall be stamped by the HVL POA Architectural Committee as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the builder.
 - c. Two (2) copies to the property owner.
- 3) Dearborn County requires a building permit for the construction of the house addition or change. The property owner is responsible for contacting the county to apply for the permit.
- 4) The HVL POA Architectural Committee requires a \$3500.00 (effective 1/1/08) Performance Bond for the duration of the house addition or change if the total square footage of the addition or change is nine hundred (900) or over. (See Subsection H of this section of the handbook).

- 5) The HVL POA Architectural Committee may require a \$500.00 Performance Bond for the duration of the house addition or change if the total square footage of the addition or change is equal to or less than nine hundred (900). The HVL POA Architectural Committee shall make this determination based on the type of addition or change being proposed. (See Subsection I of this section of the handbook).
- 6) The area on each floor of a house addition or change, with the exception of the basement level, shall have minimum of eight (8) feet of headroom between the finished floor and the ceiling per the State of Indiana Building Code.

E. Plot Plans (New Structures) Rules

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

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

- 1) All additions or changes to existing houses require HVL POA Architectural Committee approval prior to being constructed. A new plot plan consisting of the following information shall be submitted for all detached garages and any addition or changes equal to or greater than nine hundred (900) total square feet. If the addition or change is less than nine hundred (900) square feet, the owner or builder may indicate the additions or changes on a copy of the original plot plan if one exists. If the original plot plan does not exist, then a new plot plan containing the following information shall be submitted:
 - a. Location of house on the lot showing the distances to all property lines. (See Subsection K of this section of the handbook.)

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

G. Dearborn County Building Permits Rules

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

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

- 1) For new houses, a payment of a \$3500.00 (effective 1/1/08) performance bond is required when the plans are submitted for approval to the HVL POA Architectural Committee. This bond is comprised of a \$1500.00 building permit fee and a \$2000.00 (effective 1/1/08) cash bond. The \$2000.00 (effective 1/1/08) cash bond may be returnable upon completion of construction.
- 2) For additions or changes comprising 900 square feet and larger to an existing structure, a payment of a \$3500.00 (effective 1/1/08) performance bond is required when the plans are submitted for approval to the HVL POA

Architectural Committee. This bond is comprised of a \$1500.00 building permit fee and a \$2000.00 (effective 1/1/08) cash bond. The \$2000.00 (effective 1/1/08) cash bond may be returnable upon completion.

- 3) Application for this road bond shall be made by completing an “Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements” form and an “Application for Performance Bond for Construction” form available from the HVL POA office.
- 4) After HVL POA Architectural Committee approval, information pertaining to the road bond is recorded in the Architectural Logbook. The check is then deposited in the bank.
- 5) Upon completion of the construction, the owner or builder may request the return of the \$2000.00 (effective 1/1/08) cash bond. Application for the return of the cash bond shall be made through the HVL POA office by completing an “Application for Performance Bond Return” form”. Completion of construction is defined as follows:
 - a. Obtaining an Occupancy Permit from the Dearborn County Building Inspector's office.
 - b. Completing the exterior of the structure (including paint, stain etc.).
 - c. Completing landscaping with a minimum value of one (1) per cent of the value of the house.
 - d. Cleaning up the building site and restoration of adjacent lots.
 - e. Completing of an inspection of roadway, culvert and ditch line conditions.
 - f. Completing of the final grading, seeding and strawing (or sodding) of all disturbed ground areas.
- 6) When the request is made for the return of a cash bond, the “Application for Performance Bond Return” form shall be submitted with a copy of the occupancy permit to the HVL POA office. The property shall be inspected by an HVL POA designated person and/or the HVL POA Community Manager. If both have approved the request, it may then be approved at the next scheduled HVL POA Board of Directors Meeting before a check for the return amount is written. The check is returned to the person or company who submitted the check originally. The complete process of returning a cash bond usually takes about six (6) to eight (8) weeks. Information of the return amount is then recorded in the Architectural Logbook.
- 7) A charge of ten (10) per cent of the total road bond deposit shall be forfeited as an administrative fee should the property owner or builder elect not to build within six (6) months of the date of Architectural Committee approval.

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

- 1) For structures comprising less than (900) square feet, a payment of a \$500.00 performance bond may be required when the plans are submitted for approval to the HVL POA Architectural Committee. The \$500.00 performance bond may be returnable upon completion.
- 2) Application for this performance bond shall be made by completing an “Application for Performance Bond for Construction” form available from the HVL POA office.
- 3) After HVL POA Architectural Committee approval, information pertaining to the performance bond is recorded in the Architectural Logbook. The check is then deposited in the bank.
- 4) Upon completion of the construction, the owner or builder may request the return of the \$500.00 performance bond. Application for the performance bond return shall be made through the HVL POA office by completing an “Application for Performance Bond Return” form. Completion of construction is defined as follows:
 - a. Obtaining an Occupancy Permit (if applicable) from the Dearborn County Building Inspector's office.
 - b. Completing the exterior of the structure (including paint, stain etc.).
 - c. Completing landscaping to a minimum value of one (1) per cent of the cost of structure.
 - d. Cleaning up of building site and restoration of adjacent lots.
- 5) When the request is made for the return of a cash bond, the “Application for Performance Bond Return” form shall be submitted with a copy of the occupancy permit to the HVL POA office. The property shall be inspected by an HVL POA designated person and/or the HVL POA Community Manager. If both have approved the request, it may then be approved at the next scheduled HVL POA Board of Directors Meeting before a check for the return amount is written. The check is returned to the person or company who submitted the check originally. The complete process of returning a cash bond usually takes about six (6) to eight (8) weeks. Information of the return amount is then recorded in the Architectural Logbook.
- 6) A charge of ten (10) per cent of the total performance bond deposit shall be forfeited as an administrative fee should the property owner or builder elect not to build within six (6) months of the date of permit.

J. Road Moratorium Rules

- 1) A road moratorium on all construction within Hidden Valley Lake is in force from January 31st through March

31st. Due to weather conditions, the HVL POA Board of Directors may change the dates.

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

K. Set Back and Side Lot Dimensions Rules for Structures

- 1) All above-ground building projections shall be at least the following distances from the lot lines:
 - a. Front – forty (40) feet.
 - b. Sides (non-corner lot) - ten (10) feet.
 - c. Street side (corner lot) – twenty-five (25) feet.
 - d. Rear (non-corner lot) – twenty-five (25) feet.
 - e. Rear (corner lot) – ten (10) feet.
 - f. Rear (main lakefront lots) – fifty (50) feet from the summer pool waterline.
 - g. Rear (small lake lots) - fifty (50) feet from the shoreline or lot line, whichever is closer.
- 2) No portion of any main lake lakefront structure shall be constructed at a point below 645 feet elevation.
- 3) No visual obstruction shall be located closer than fifteen (15) feet from the road pavement at any intersection.
- 4) No detached garage shall be located closer to the street property lines than the house it serves.
- 5) Although the Board may allow variance for rear and front set backs, no side setback variances will be allowed.

L. Structures and Foundations Rules

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

M. Deck Construction Rules

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

N. Roadside Ditches and Entrances to Property Rules

- 1) All ditches and entrances to property require HVL POA administrative or Architectural Committee approval prior to being constructed. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the ditches and entrances on the lot.
 - b. One (1) copy of the "Application for Ditch/Driveway Culvert Permit" form if applicable.
- 2) An HVL POA representative shall inspect the ditch(s) along the roadway of the property (lot line to lot line) for proper water flow. If any corrections are necessary, the owner shall be notified and the corrections shall be completed prior to installing a culvert pipe
- 3) Culvert pipe installed for an entry driveway shall be a minimum of a fifteen (15) inch corrugated metal pipe to maintain flow of water in the ditch. The HVL POA Building Coordinator and the Architectural Committee may approve a twelve (12) inch corrugated metal pipe or double-walled plastic pipe when one or all of the following factors are present.
 - a. The property is located close to crest of hill.
 - b. The top of the fifteen (15) inch corrugated metal pipe culvert pipe, when placed in the ditch, would be above the road elevation.
 - c. The surveyor or engineer provides a written and stamped letter stating that a twelve (12) inch corrugated metal pipe culvert pipe or double-walled plastic pipe can handle the water flow of the worst storm in the past fifty (50) years.
- 4) Culvert pipe shall be installed at proper height and shall be surrounded and covered with two (2) inches of crushed limestone or dense road base (IN-DOT CA#2). Dirt shall not be used as fill on directly on top of or around the culvert pipe.
- 5) The length required for a culvert pipe under a driveway is twenty (20) feet. However, a longer pipe may be approved. To request an extension of a culvert pipe beyond the minimum length, an "Application for Ditch/Driveway Culvert Permit" form must be submitted and approved by the HVL POA Architectural Committee. An "Application for Ditch/Driveway Culvert Permit" form may be obtained from the HVL POA office.
- 6) The following rules apply to the construction of a temporary or construction entrance:
 - a. The dirt shall be cut away eight (8) inches deep and two (2) feet away from the edge of the road surface prior to the installation of the road base or crushed limestone material.
 - b. Dense road base or crushed limestone shall be used at a depth of not less than six (6) inches and a minimum of two (2) inches above the culvert pipe extending a minimum of forty (40) feet back from the road surface onto the property.
 - c. The entrance shall be the only one used by vehicles entering or exiting the property.
 - d. The entrance shall be properly maintained throughout the construction period.
- 7) The following rules apply to the construction of a permanent property entrance:
 - a. When using concrete, the concrete surface when poured shall be no closer than twelve (12) inches from the

- edge of the paved road surface. The gap between road and concrete must be filled with asphalt pavement.
 - b. When using asphalt, the asphalt surface can be laid to the edge of road surface.
 - c. The primary driveway between street and garage and/or house on all new construction, must be surfaced with a suitable hard surface material (i.e. blacktop, concrete, pavers, etc.).
 - d. Below the hard surface material, a dense road base or crushed limestone shall be used at a depth of not less than six (6) inches and a minimum of two (2) inches above the culvert pipe.
- 8) Dearborn County may require a building permit for constructing ditches and entrances to property. The lot owner is responsible for contacting the county to determine if a permit is required.

O. Private Docks and Boat Lifts Rules

- 1) The following list of HVL lots are defined as “main lake front lots” and are approved for the purpose of building a dock on the main lake. The lots are: 101 – 131, 456 – 459, 469 – 471, 555 – 557, 654 – 666, 1062 – 1100, 1134 – 1149, 1523 – 1533, 1569 – 1571, 1590 – 1593, 1624 – 1632, 1674 – 1680, 1705 – 1720, 1782 – 1796, 1874 – 1897, 1928 – 1930, 2153 – 2157, 2271 – 2276, 2456 – 2469, 2471, 2539 – 2544, 2569 – 2570, 2643 - 2651
- 2) Any “non-lake front lots” that have prior approval for a dock may continue to have that approval.
- 3) If an HVL POA greenbelt area exists between a private lot and the main lake, the property owner may build and have private use of a dock and may maintain the greenbelt area including shoreline preservation with rip-rap, but the greenbelt area shall remain the property of the HVL POA.
- 4) If public docks exist in front of a private lot, the property owner shall build to avoid them, but has preference in renting a public dock.
- 5) All docks and boat lifts require HVL POA Architectural Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the dock and/or boat lift on the lot.
 - b. Five (5) copies of a picture or a drawing showing the dock and/or boat lift size, elevation and the construction materials to be used.
- 6) All docks and/or boat lifts shall meet the set back requirements of ten (10) feet from the side of the lot.
- 7) Docks may be constructed as free-floating or stationary.
- 8) Docks shall be constructed only of non-ferrous materials. Boat lifts shall be constructed of either non-ferrous materials, stainless steel, or galvanized steel.
- 9) A dock and a boat lift shall not have covers.
- 10) Docks may have a maximum of two (2) levels with a maximum separation between levels of eighteen (18) inches.
- 11) A dock shall have no closed structure more than two (2) feet in height.
- 12) The maximum railing height permitted on a dock is four (4) feet.
- 13) A dock shall not extend more than eight (8) feet into the water from the shoreline.
- 14) The frame of a boat lift shall not extend more than twelve (12) feet into the water from the shoreline.
- 15) The outside of the boat lift that protrudes into the lake shall be marked with a reflector of some kind that can be seen both day and night.
- 16) A dock and/or boat lift may be constructed on a lot prior to the erection of a dwelling.
- 17) The HVL POA Architectural Committee may require a \$500.00 returnable Performance Bond for the duration of the dock and/or boat lift construction. (See Subsection I of this section of the handbook.) An Occupancy Letter is not required.
- 18) Dearborn County may require a building permit for the dock and/or boat lift construction. The lot owner is responsible for contacting the county to determine if a permit is required.
- 19) Boat docks and boat lifts are not permitted on the small lakes.

- 20) Before any construction begins, any proposed variance to private docks and boat lifts must be reviewed by the HVL POA Lakes Committee and a recommendation regarding the proposed variance will be made to the HVL POA Board of Directors.

P. Fences Rules

- 1) All fences require HVL POA administrative or Architectural Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the fence on the lot.
 - b. Five (5) copies of a picture or a drawing showing the fence size, elevation and the construction materials to be used.
- 2) A fence will not be approved by the HVL POA or Architectural Committee if it obstructs the view of a neighbor or is determined to be an eyesore, at the discretion of the committee.
- 3) Previously approved fences shall retain approval unless changes to the fencing are made. If so, they shall be resubmitted to the HVL POA for administrative or Architectural Committee approval following any new rules and regulations.
- 4) In general, fences may follow the property line in the rear yard only (from back corner of house), which includes corner lots and must not exceed four (4) feet in height.
- 5) In general, fencing material shall be split rail, chain link, vinyl or PVC. Woven wire farm fencing may only be used in conjunction with split rail fence.
- 6) On a corner lot, the fencing material used at the portion of the back yard that faces on a street shall be limited to split rail with woven wire or decorative fencing.
- 7) Security fences for swimming pools shall meet the Dearborn County building code.
- 8) Privacy fences shall be built on the buildable part of the lot, are not to exceed six (6) feet in height and shall be constructed of wood, vinyl or masonry materials compatible with the style of the house.
- 9) Fencing in front and side yards shall be used for decorative purposes only and cannot be used to enclose the yard.
- 10) Any fence on the golf course side or lakeside of a lot shall be constructed in the buildable part of the lot and galvanized chain link fencing material is prohibited.
- 11) Invisible fences are permitted and do not require HVL POA Architectural Committee approval. However, they may not be placed in the roadway easement area, which is typically the area eleven (11) feet from edge of the roadway. Any electrical equipment used shall meet applicable codes.
- 12) A UL-listed, poly wire, electric fence may be installed to protect landscaping, but it must be shall be approved by the HVL POA Architectural Committee. All electric fences must be no taller than 30", and contain no more than 2 separate wires.

All electric fences shall be no more than 20 feet from the house façade facing a street, and at least 5 feet inside the side and rear lot lines. On main lakefront lots, no electric fence may be closer than 25 feet to the summer pool waterline or lot line, whichever is closer to the house. On small lake lots, no electric fence may be closer than 25 feet to the shoreline or lot line, whichever is closer to the house. On the golf course side of any lot abutting the golf course, no electric fence may be closer than 25 feet to that lot line.

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

Q. Fuel Tanks Rules

- 1) All fuel tanks require HVL POA Architectural Committee approval prior to being installed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the fuel tank on the lot.
 - b. Five (5) copies of a picture or a drawing showing the fuel tank size.
- 2) The maximum allowed capacity of a fuel tank is five hundred (500) gallons.

- 3) All fuel tanks over two hundred (200) pounds shall be buried in the ground at a minimum of the following distances from the lot lines:
 - a. Front – twenty-five (25) feet
 - b. Side – ten (10) feet
 - c. Rear – twenty-five (25) feet
 - d. Rear (lakefront lot) – fifty (50) feet from the summer pool waterline
- 4) Buried fuel tanks shall meet all applicable manufacturer's recommendations and codes and shall be coated with a protective material.
- 5) All fuel tanks shall be located a minimum of ten (10) feet from structures and external sources of ignition (such as air-conditioning compressor, heat pump, etc.).
- 6) Fuel tanks over twenty (20) pounds and up to two hundred (200) pounds shall be hidden from sight by a decorative cover with a minimum of lattice sides or picket fencing.
- 7) Gasoline storage tanks larger than ten (10) gallons capacity are not permitted on, nor may be buried in private lots.
- 8) Dearborn County may require a permit for the fuel tank. The lot owner is responsible for contacting the county to determine if a permit is required.
- 9) All unused fuel tanks, above-ground or buried, shall be removed from the property within one year of the last day of use and notification of the removal shall be given to the HVL POA office.

R. Grading and Drainage Rules

- 1) When a lot is graded at a higher or lower level than the natural grade, the owner shall provide suitable slopes or retaining walls or other protection on his property.
- 2) Property grading shall be done so that the existing natural ground drainage of the area is not impeded.
- 3) Property grading shall be done so that the amount of the existing storm water runoff to adjoining property is not increased.
- 4) Diverting water onto or under the road is prohibited.
- 5) 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.
- 6) No new concentrated water flow may leave the property lines by any other means.
- 7) Directing storm water flow into VRUC lines is prohibited.

S. Lake Water Usage Rules

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

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

T. Landscaping Rules

- 1) The minimum amount of landscaping required is one (1) per cent of the value of the improvements made to the structure and should consist of perennial trees and bushes. The number of trees and bushes will be counted and assigned a value.
- 2) Railroad ties, large stones and decorative stone walls may be included in the total value of the landscaping but will not count for more than ten (10) per cent of the total required value.
- 3) Credit may be given for an aggregate maximum of fifteen (15) per cent of total required value for out-of-pocket extraordinary measures to preserve mature trees or shrubs pre-existing on the site.
- 4) The landscaping value specifically does not include any excavation, grading, fill dirt, topsoil, structurally-required retaining walls, sod, seeding, mulch or annual plantings.
- 5) Any part of the lot that is cleared or disturbed from its natural state during house construction shall be fine-graded and seeded with grass or other suitable ground cover approved by the HVL POA Architectural Committee.

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

- 1) All sheds, gazebos, and shelters require HVL POA Architectural Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the building plan (may hand-drawn on a copy of original plot plan) showing the location of the structure on the lot.
 - b. Five (5) copies of a picture or a drawing showing the structure size, elevation and the construction materials to be used.
 - c. If the colors of the improvement do not match the existing house, then color photos or samples of the siding, shingles, trim color and shutter color.
- 2) All structures or lot improvements shall meet the set back requirements for the lot and shall be placed in the side or back yard. (See Subsection K of this section of the handbook.)
- 3) More than one shed on a lot is prohibited.
- 4) Only one (1) gazebo or shelter on a lot is permitted.
- 5) Gazebos, shelters, sheds and dog runs shall not be placed closer than fifty (50) feet from the main lake at summer pool.
- 6) The HVL POA Architectural Committee may require a \$500.00 Performance Bond for the duration of the construction of the structure or lot improvement. (See Subsection I of this section of the handbook.). An Occupancy Letter is not required.
- 7) Dearborn County may require a building permit for the structure or lot improvement. The lot owner is responsible for contacting the county to determine if a permit is required.
- 8) If your planned structure or lot improvement is not covered by one of the rules above, please contact the HVL POA Community Manager to discuss the correct course of action to obtain HVL POA Architectural Committee approval.
- 9) Outdoor wood fired boilers and outdoor wood fired furnaces are prohibited.

V. Play Structures Rules

- 1) All permanently-attached or anchored swing sets, wooden play sets, playhouses and other play structures require HVL POA Architectural Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the play structure on the lot.

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

W. Retaining Walls Rules

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

X. Seawalls, Shoreline Protection and Shoreline Reclamation Rules

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

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

Y. TV Antennas, Towers and Satellite Dishes Rules

- 1) TV antennas and towers shall be attached to the main residential structure and shall not exceed a height of fifteen (15) feet above the highest point of that structure.
- 2) Effective December 19, 1996, installing a satellite dish one meter (39 inches) or larger in diameter at its widest point is prohibited within Hidden Valley Lake.
- 3) A satellite dish less than one meter (39 inches) in diameter at its widest point may be installed without prior HVL POA Architectural Committee approval provided it is placed in an inconspicuous location and does not interfere with the welfare or property rights of other owner in Hidden Valley Lake.

Z. In-Ground and Above-Ground Pools Rules

- 1) All in-ground and above-ground pools require HVL POA Architectural Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the building plan (may hand-drawn on a copy of original plot plan) showing the location of the pool on the lot.
 - b. Five (5) copies of a picture or a drawing showing the pool size, elevation and the construction materials to be used.

- c. For above-ground pools, color photos or samples of the siding and color of the pool.
- 2) All pools shall meet the set back requirements for the lot and shall be located only in the back yard. (See Subsection K of this section of the handbook.)
- 3) Any pool surrounds and pool fencing shall be located within the buildable part of the lot. (See Subsection K of this section of the handbook.)
- 4) Only one pool is permitted on a lot.
- 5) Pools shall not be placed closer than fifty (50) feet from the main lake at summer pool.
- 6) In-ground pool corners and offsets from the property lines and other such points shall be staked by an Indiana registered surveyor to indicate the location of the pool on the lot.
- 7) The HVL POA Architectural Committee requires a \$500.00 Performance Bond for the duration of the construction of the pool. (See Subsection I of this section of the handbook.). A Dearborn County Certificate of Occupancy Letter for pools is required.
- 8) All in-ground and above-ground pools shall conform to the provisions of the Dearborn County Building Code and all the relevant laws, ordinances, rules and regulations.
- 9) Dearborn County may require a building permit for the pool. The lot owner is responsible for contacting the county to determine if a permit is required.

AA. Private Property Appearance and Maintenance Rules

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

- 1) All exterior premises shall be kept in a clean, safe, and sanitary condition and free of clutter.
- 2) All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- 3) All cultivated areas including, but not limited to, gardens and landscaping shall be kept free of high weeds and maintained.
- 4) All exterior surfaces of structures shall be maintained in good condition.
- 5) All structures shall be maintained structurally sound, in good repair and free of deterioration.
- 6) All swimming pools, spas, hot tubs, and other water features shall be maintained in good repair and shall be maintained in a clean and sanitary condition.
- 7) No inoperative or unlicensed motorized vehicle shall be parked, kept, or stored outside on any private property.
- 8) During any thirty-day (30-day) period, large vehicles shall not be parked on private property for more than seventy-two (72) hours.
- 9) All vehicles shall be parked on a hard surface; however parking on a private lawn area is permitted for special short-term events.
- 10) All boats, campers, recreational vehicles and trailers parked or stored outside on private property shall be titled and licensed or registered to the property owner/occupant.
- 11) 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.

VII. Architectural Checklists, Forms and Applications

The following documents and forms can be picked up at the Hidden Valley Lake Property Owners Association Office:

- Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements
- Application for Ditch/Driveway Culvert Permit
- Application for Performance Bond for Construction
- Application for Performance Bond Return
- Building Permit Checklist for Additions or Changes to Existing Structures
- Building Permit Checklist for New Structures
- Declaration of Contiguous Lots
- Declaration of Discontiguous Lots
- Disclaimer of Contiguous Lots
- General Rules for Construction of New Structures or Additions or Changes to Existing Structures

VIII. Burning Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following Burning Rules for Hidden Valley Lake. For the safety of all, their private property and community property within HVL, 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 HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

A. Definitions of Terms

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

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

B. Burning on Community Property within HVL Rules

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

C. Burning Refuse on Private Property Rules

- 1) Burning on private property is prohibited unless a non-combustible container is used.
- 2) Burning on private property is permitted during daylight hours only.
- 3) Only paper and wood products may be burned.
- 4) A fire must be continually attended by an adult until the fire is extinguished.

D. Other Burning on Private Property Rules

- 1) A fire for cooking/recreation, which is no larger than three (3) feet in diameter, is permitted on private property provided the burning is not a nuisance or hazard and the fire is continually attended by an adult until the fire is extinguished.
- 2) A fire in a stove for heating and a fireplace is permitted on private property provided the burning is not a nuisance or hazard and is continually attended by an adult until the fire is extinguished.

IX. Curfew Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following Curfew Rules within Hidden Valley Lake. For the safety 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 HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

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

A. Definitions of Terms

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

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

B. General Curfew Rules

- 1) It is a curfew violation for any unaccompanied child fifteen (15), sixteen (16) or seventeen (17) years of age to be on community property within HVL between the hours of 12:01 am and 5:00 am seven days a week.
- 2) It is a curfew violation for any unaccompanied child under fifteen (15) years of age to be on community property within HVL after 11 p.m. or before 5 a.m. on any day.
- 3) General Curfew Rules B.1 and B.2 above do not apply to any unaccompanied child on community property within HVL participating in, going to or returning from lawful employment, a school-sanctioned activity or a religious event.

C. Advancing Curfew Times Rules

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

X. Dog Control Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following Dog Control Rules within Hidden Valley Lake. For the safety and convenience of all, their private property and community property within HVL, 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 HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

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

A. Definitions of Terms

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

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

A vicious dog does not include either of the following:

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

B. Licensing of Dogs Rules

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

C. Restraint of Dogs Rules

- 1) All dogs shall be kept under restraint.
- 2) No dog owner shall fail to exercise proper care and control of his dogs to prevent it from becoming a public nuisance.
- 3) No dog owner shall fail to clean up feces left by their dog on community property within HVL or another person's private property.
- 4) No dog owner, keeper, or harbinger of a dangerous or vicious dog shall fail to do either of the following:
 - a. While the dog is on the premises of the owner, keeper, or harbinger, securely confine it at all times in a locked pen which has a top, and either has a bottom secured to the sides or the sides are imbedded in the ground no less than one foot, or such other locked enclosure meeting the same criteria; except that a dangerous dog, but not a vicious dog, may in the alternative be kept in a locked fenced yard or be tied with a leash or tether so that the dog is adequately restrained.
 - b. While the dog is off the premises of the dog owner, keeper, or harbinger, keep it on a leash or tether that is adequate to control the dog and do at least one of the following:
 1. Keep the dog in a locked pen, which has a top, locked fenced yard, or other locked enclosure, which has a top.
 2. Have the leash or tether controlled by a person who is responsible and at least eighteen (18) years of age, or securely attach, tie, or affix the leash/tether to the ground or a stationary object or fixture so that the dog is adequately restrained and station such a person in a close proximity to that dog so as to prevent it from causing injury to any person.
 3. Muzzle the dog.
 - c. When the dog is a vicious dog, the dog owner, keeper, or harbinger, shall keep the dog confined as set forth in 4.b.1 above, except when said dog is on a leash or tether as described in 4.b.2, then said dog owner, keeper, or harbinger shall additionally keep the said dog muzzled at all times, whether on or off the premises of the owner, keeper, or harbinger.
- 5) No dog owner, keeper, or harbinger of a vicious dog shall fail to obtain liability insurance with an insurer authorized to write liability insurance in this state providing coverage in each occurrence, subject to a limit, exclusive of interest and costs, of not less than one hundred thousand (\$100,000) dollars because of damage or bodily injury to or death of a person caused by a vicious dog.

XI. Elections Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following Elections Rules within Hidden Valley Lake. These rules shall remain in force until changed or amended upon recommendation by the HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

A. Definitions of Terms

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

- ◆ **Ballot deadline date** – A date specified by the HVL POA Board of Directors as the deadline for receiving all ballots in a special or referendum election.
- ◆ **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.
- ◆ **Incumbent HVL POA Board members** – Those Board members who are currently seated and are not running for the office in the current election.
- ◆ **Member voting rights** – The first party listed on an HVL property deed is given the right to vote in all HVL POA elections.
- ◆ **Open HVL POA Board Positions** – Those positions on the Board that are being filled by the current election.
- ◆ **Special or referendum election** – An election conducted by the HVL POA Board of Directors from time to time to help conduct the business of the POA.
- ◆ **Vote tally procedure** – A written, published procedure, developed and maintained by the HVL POA Community Safety and Elections Committee, which is approved by the HVL POA Board of Directors.
- ◆ **Voting List** – A complete list of all HVL POA members entitled to vote in any election, arranged in alphabetical order, with the address of each member, which shall be subject to inspection by any HVL POA member at any time during normal business hours.

B. HVL POA Membership and Voting Rights Rules

- 1) Each member in good standing of the HVL POA shall have voting rights in HVL POA Board of Directors’ elections, recounts, recalls, and special or referendum elections.

C. HVL POA Community Safety and Elections Committee Rules

- 1) The HVL POA Community Safety and Elections Committee shall have responsibility for the conduct of all elections, including but not limited to, HVL POA Board of Directors’ elections, recounts, recalls, and special or referendum elections.
- 2) The Committee shall maintain and keep current the HVL Voting List.

D. HVL POA Board of Directors’ Elections Rules

- 1) The HVL POA shall conduct elections in each calendar year for the purpose of electing members of the HVL POA Board of Directors.
- 2) To qualify as a candidate to run for the HVL POA Board of Directors, a person must be an HVL POA member in good standing.
- 3) The annual elections will be conducted such that two and three members of HVL POA Board of Directors shall be elected on alternate years. The term for an HVL POA Board of Directors’ member is two years.
- 4) Recall elections may be conducted in the event special conditions exist.
- 5) Election recounts may be conducted in the event of the filing of an election protest with the HVL POA Board of Directors.
- 6) If at any time and for whatever reason the HVL POA Board shall not have enough members between elections to fill all available positions, the incumbent HVL POA Board members may fill the open position(s) by appointment. The rule for eligibility by appointment (XI.E.14) shall apply. To qualify for appointment to the HVL POA Board,

a person must submit an application to the Board in writing that indicates his or her desire to be a Board member and a list of his or her eligibility, qualifications and credentials.

E. HVL POA Board of Directors' Election Procedures

- 1) **A copy of the nomination form for HVL POA Board of Directors' elections and the notice of registration deadline shall be published in two consecutive issues of the HVL Echoes prior to the registration deadline.**
- 2) **Nominations shall be closed and forms received in the HVL POA office by mid-February (the POA Office will set that day and time near February 15). In order to be valid, a current photo and resume of the nominee must accompany the nomination form. The above three items shall be submitted to the HVL POA Office by the candidate in person and not by an agent or representative of the candidate.**
- 3) 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.
- 4) A ballot, ballot return envelope, and candidate resumes and shall be mailed to all HVL POA members. All ballots in their signed and sealed ballot return envelope shall be returned by mail or in person to the HVL POA office by the date of election.
- 5) All ballots returned after the date of election or not returned in a signed and sealed ballot return envelope shall be considered invalid.
- 6) All signed and sealed ballot return envelopes shall be kept in a locked ballot box in the HVL POA office until the date of election.
- 7) On the date of election, the HVL POA Community Safety and Elections Committee shall validate all signed and sealed ballot return envelopes against the Voting List to assure that the HVL POA member is a member in good standing. Any ballot received from a member whose name does not appear on the Voting List shall be considered invalid.
- 8) On the date of election, upon completion of the above validation process, the HVL POA Community Safety and Elections Committee shall, in a closed meeting, open all signed and sealed ballot return envelopes and tally the votes according to the most current vote tally procedure.
- 9) Ballots in signed and sealed ballot return envelopes shall be received until twenty (20) minutes after the last candidate's speech during the HVL POA Annual Meeting (date of election). Any ballots received during the HVL POA Annual Meeting shall be delivered to the HVL POA Community Safety and Elections Committee to be tallied and added to the previous voting totals.
- 10) **Upon completion of the voting tally, the vote summary shall be given to the President of the HVL POA Board of Directors in a sealed envelope. The results will be read at the HVL POA Annual Meeting. No results shall be announced by the HVL POA Safety, Security and Elections Committee to anyone prior to this time.**
- 11) 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.
- 12) At the HVL POA Annual Meeting, the open HVL POA Board positions shall be awarded to the persons receiving the highest number of votes in descending sequence until all the open positions are filled. Should there be a tie in the voting for the last open position; the tie shall be broken by a coin toss conducted by the Chairperson of the HVL POA Safety and Elections Committee with no less than three witnesses present. If the Chairperson of the HVL POA Safety and Elections Committee is not available for the coin toss, another member of the Safety and Elections Committee may be designated by the incumbent HVL POA Board members to conduct the coin toss. Any person who participated in the election vote count is ineligible to conduct the coin toss. If all members of the Safety and Elections Committee are ineligible or unavailable to conduct the coin toss, another HVL POA committee chairperson may be designated by the incumbent HVL POA Board members to do so.
- 13) If at the end of the nomination period, there are 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.
- 14) If at the end of the nomination period, there are less than enough candidates running in the current election to fill all the open HVL POA Board positions, then an election shall not be required, the candidates running shall fill open HVL POA Board positions and the sitting HVL POA Board members may fill the open position(s) by appointment.

To qualify for appointment to the HVL POA Board, a person must submit an application to the Board in writing that indicates his or her desire to be a Board member and a list of his or her eligibility, qualifications and credentials.

F. Special or Referendum Election Procedures

- 1) 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 (date of election).
- 2) Any ballot returned after the date of election or not returned in a signed and sealed ballot return envelope shall be considered invalid.
- 3) All signed and sealed ballot return envelopes shall be kept in a locked ballot box in the HVL POA office until the date of election specified by the HVL POA Board of Directors.
- 4) On the date of election, the HVL POA Community Safety and Elections Committee shall validate all signed and sealed ballot return envelopes against the Voting List to assure that the HVL POA member is a member in good standing. Any ballot received from a member whose name does not appear on the Voting List shall be considered invalid.
- 5) On the date of election, upon completion of the above validation process, the HVL POA Community Safety and Elections Committee shall, in a closed meeting, open all signed and sealed ballot return envelopes and tally the votes according to the most current vote tally procedure.
- 6) Upon completion of the voting tally, the final totals shall be presented directly to the President of the HVL POA Board of Directors. No voting results shall be announced by the HVL POA Community Safety and Elections Committee to anyone prior to this time.
- 7) 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.

G. Election Results Protest Procedures

- 1) Any HVL POA member in good standing wishing to protest the results of an HVL election may do so by submitting their protest in writing to the HVL POA Board of Directors within 30 days after the announcement of the election results.
- 2) 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.
- 3) 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.

XII. Lakes and Water Craft Rules

The HVL Lakes Committee and the HVL POA Board of Directors have approved the following rules for all HVL POA lakes. For the safety, convenience and enjoyment 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 HVL Lakes Committee and approved by the HVL Board of Directors.

Indiana State law enables private property organizations to establish and enforce boating rules for their private lakes. All boating and other uses of HVL POA lakes are conducted at your own risk.

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

A. Definitions of Terms

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

- ◆ **Airboat** - A buoyant self-propelled, multi-terrain vehicle that depends primarily on air thrust for propulsion.
- ◆ **All-terrain vehicle (ATV)** – Any self-propelled vehicle with two or more wheels that is primarily used for off-highway or in off-road competition and that is no wider than 70 inches and weighs no more than 1,000 pounds.
- ◆ **Daily fishing guest pass** – A pass issued by the HVL POA office authorizing an HVL POA member guest to fish on HVL lakes.
- ◆ **Emergency spillway area** - The parking area and spillway located immediately adjacent to the HVL POA boat-launching ramp.
- ◆ **High-speed zone** - The area of the main lake inside the marked buoys and not closer than one hundred fifty (150) feet from any shoreline or two hundred (200) feet from the dam.
- ◆ **Main lake** - The large lake (known as Hidden Valley Lake) that is contained by the dam located along Alpine Drive.
- ◆ **Mooring buoy** – a float secured to ground tackle and used to identify the location of the mooring and to float the line used to moor the boat.
- ◆ **Motorized water craft** – Any motor-driven water craft equipped with any type of motor including powerboats, pontoon boats and other water craft.
- ◆ **Non-motorized water craft** – Any water craft not equipped or propelled by a motor.
- ◆ **No-wake idle speed** – Operating a powerboat with the throttle “just in gear” or at the lowest speed possible for boat operation.
- ◆ **No-wake idle-speed zone** - The area of the main lake between the shoreline and the buoys marking the high-speed zone.
- ◆ **Other water craft** – Water craft such as sailboats, canoes, kayaks, paddle boats, rafts, etc. and those boats with 10.0 horsepower or less.
- ◆ **Personal Flotation Devices (PFDs)** – A vest or jacket approved by the U.S. Coast Guard for life preserving functions.
- ◆ **Personal water craft (PWC)** – An inboard water craft, which uses an internal combustion engine powering a water jet pump as its primary source of propulsion, and is designed to be operated by a person or persons positioned on, rather than within the confines of the hull. The water craft are designed to carry from one to three persons and be operated by a person sitting, standing or kneeling on the water craft.
- ◆ **Pontoon boat** – A boat made up of a discrete, flat deck mounted on two or three tubes manufactured separately from each other and from the deck.
- ◆ **Powerboat** – All boats other than pontoon boats with engines greater than 10.0 horsepower including: ski boats, bass boats, runabouts, inboards, outboards, deck boats (powerboat with a single-level deck and a boat hull rather than pontoons and often rails or gunnels all around), duck boats (powered vehicle designed to transport multiple occupants over both land and water), etc.
- ◆ **Rules card** – A laminated card of Lakes and Water Craft Rules issued by the HVL POA office at the time of boat registration.
- ◆ **Ski zone** – See definition of High-speed zone.
- ◆ **Small lakes** - All other lakes within HVL including Kathy, Alpine, Holiday, Paradise, Crystal, Melody, and the lake on the 77 acres.
- ◆ **Throwable, PFD** – A U.S. Coast Guard-approved flotation device such as a seat cushion or ring used for life preserving functions.

B. General Lakes Rules

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

C. Main Lake, HVL POA Docks and Spillway Rules

- 1) The sluice gate on the main lake is opened on the first Monday in November and remains opened until the first Saturday prior to the first Monday in March. Water craft may be damaged if left in the water during this period. The HVL POA Board of Directors from time to time may authorize changing of these dates for purposes of required maintenance with notification published in the Echoes newspaper. There will be a "no-wake" status on the lake from one week after the opening of the sluice gate until the bottom of the seawall is covered after closing the sluice gate. During this time, the "Yellow" light will remain "ON" at all times while the lake is at winter pool unless the lake is closed and the "Red" light is on.
- 2) An HVL POA Deputy may, at his/her discretion, limit activities that could endanger anyone on the lakes. Self restraint is urged to help limit the number of water craft using the high-speed zone at any given time.
- 3) No one is permitted on the HVL POA rental docks from dusk to dawn other than dock renters, their immediate family, and their guests.
- 4) Boat trailers may not be stored in the emergency spillway area overnight.
- 5) When a water craft is in use on lake, boat trailers attached to the towing vehicle may be parked in the emergency spillway area.
- 6) For proposed variances to structures or landscaping contacting the lake water, refer Architectural Rules number 6.O.20 and 6.X.14.
- 7) The HVL POA does not guarantee a specific water level for the HVL lakes.
- 8) **Effective with the 2009 boating season, only boats registered to the HVL POA dock lease holder will be allowed in the leased dock space unless prior arrangements have been agreed to by the Community Manager. If it is found that a subleasing arrangement does exist, then the dock lessee will forfeit their right to lease the dock immediately and forfeit lease payments already made.**

D. Small Lakes Rules

- 1) Only the designated access areas may be used around the small lakes and only foot traffic is permitted.
- 2) Construction of new docks on the small lakes is prohibited.
- 3) Use of gas motors of any kind on the small lakes is prohibited. Electric motors will be allowed on Lake Alpine and Kathy Lake with the following stipulations:
 - All batteries used must be sealed
 - There will not be any trailer launching allowed or launching from the back of a truck. All boats being used on the lakes must be carried to the lake or wheeled, if the boat is equipped with wheels.
 - Only those living on a lake can leave a boat on the lake or shore overnight.
 - No special weight or size limits other than those set for the main lake will apply.
 - All small lakes are no wake lakes.
- 4) Grass carp have been placed in the small lakes to help control vegetation. Removing these carp is prohibited.

E. Water Craft Rules

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

1) Water Craft Registration Rules

- a. All water craft must meet US Coast Guard requirements for safety equipment and safe operation and be registered annually with HVL POA office. US Coast Guard requirements are published in the most recent addition of the "Federal Requirements and Safety Tips for Recreational Boats", available from the US Coast Guard.
- b. Only an HVL POA member may register his/her water craft. Before a registration certificate is issued, the registrant must exhibit to the HVL POA office, or its representatives, a certificate evidencing a minimum water craft liability insurance of \$100,000 coverage.
- c. When registering a water craft, all owners must pass an HVL POA Boat Driver Examination, which is distributed with the water craft registration form. To receive new water craft annual stickers, the owner must provide correct answers to all the questions included on the exam.
- d. Current annual registration stickers issued by the HVL POA office must be permanently displayed in the HVL POA-designated areas on the port and starboard sides of the water craft by May 1st. All water craft must display current annual registration stickers prior to putting the water craft on HVL lakes. Approved water craft stickers include: 1) powerboats (square) and 2) other water craft (triangle).
- e. Water craft annual stickers are valid through April 30th of the following year.
- f. The annual water craft registration fee shall be a fixed cost set by the HVL POA Board of Directors. All HVL POA dues, assessments, fees, penalties and fines must be current to complete the registration procedures.
- g. When registering new water craft, the owner must provide proper documentation of ownership and length of the water craft (See Water Craft Length Rules).
- h. Only one (1) powered water craft in excess of ten (10.0) horsepower may be registered per HVL POA member.
- i. Air boats, jet skis, powered water skis, ATVs and powered personal water craft (PWCs) are prohibited from use on HVL POA lakes and will not be issued registration stickers.

2) Water Craft Length Rules

- a. The maximum allowable length for a powerboat is twenty (20) feet zero (0) inches in length and pontoon boats and non-powered water craft may not exceed twenty-six (26) feet zero (0) inches in length. Deck boats over twenty (20) feet zero (0) inches are prohibited.

- b. The length of a water craft is defined as the distance between the furthest most point of the bow to the furthest most point of the stern parallel to the waterline. Basically, it is the length of the water craft that comes out of the manufacturing mold.
- c. The length of the water craft shall include any permanently affixed features such as swimming platforms, sunning decks, live-wells, transom extenders, etc.
- d. The length of the water craft shall not include a stern-drive lower unit, an outboard motor or removable items such as platforms, pulpits, lights, ladders, poles, etc.
- e. There are two methods of determining the length of a water craft: 1) proper documentation about the water craft showing it meets the HVL POA water craft length rules or 2) an actual measurement of the water craft by at least two (2) HVL POA employees.
- f. Proper documentation of a water craft is defined as both 1) an owner's manual and/or technical manual from the water craft manufacturer for that specific model being registered, which indicates the overall length of the water craft per the HVL POA definition of length and 2) the owners water craft title showing the hull number.
- g. If proper documentation is used as the method to determine the length of the water craft, the HVL POA will verify that the HVL POA member owns the water craft being registered and that the title documentation is for the same water craft being registered. In addition, the HVL POA will verify that the title document and the boat described in the owner's manual and/or technical manual match and that they indicate that the water craft meets the length requirements. If these criteria are met, a new water craft registration sticker will be issued to the owner.
- h. At any time, an HVL POA member may request that an actual length measurement be made and if the water craft length meets the HVL POA requirements, a new water craft registration sticker will be issued to the owner. Barring unforeseen circumstances, all requests for an actual water craft length measurement will be completed within one week of the date of the request.
- i. If a water craft is to be actually measured, the owner or their designated representative must deliver the water craft to a water craft measuring area designated by the HVL POA. Two certified HVL POA employees will perform the water craft measurement. Certification requires that the individual has been trained and can demonstrate to the HVL POA Community Manager that they have a thorough understanding of the water craft measurement process. The list of certified HVL POA employees will be maintained by the HVL POA office and will include at least two people at all times. Barring unforeseen circumstances, all requirements for an actual water craft length measurement will be completed within one (1) week of the request.
- j. To determine its length, the water craft will be measured while the water craft is approximately parallel to the ground in the following fashion:
 - The water craft measuring area will be a flat, paved surface large enough to accommodate the complete length of the water craft.
 - A plumb bob will be dropped from the furthest point of the bow of the water craft to the pavement and the pavement will be marked at that point.
 - Without moving the water craft, a plumb bob will be dropped from the furthest point of the stern of the water craft to the pavement and the pavement will be marked at that point.
 - The distance between these two marks on the pavement will be recorded as the overall length of the water craft for HVL POA water craft length purposes.
- k. If the HVL POA feels that it has been misled by an individual in the process of obtaining a water craft sticker, it reserves the right to revisit the sticker-issuance process and possibly re-measure a water craft to confirm its length. This process may only be used one more time per HVL POA member/water craft. If a water craft is re-measured, it shall be done by two different HVL POA employees than the ones who performed the first measurement. The length of a water craft can be challenged by the HVL POA even if the owner has already been given a new registration sticker via the proper documentation method. Any water craft registered with a current annual sticker that is actually measured and does not meet the current water craft length standard, shall be allowed to remain on the lake for the duration of that annual sticker and the water craft shall not be issued a new annual sticker.

3) Water Craft Operation Rules

- a. No water craft shall be permitted on HVL POA lakes unless it is owned by an HVL POA member, is registered with the HVL POA office, and all HVL POA registration stickers have been properly affixed to the water craft and trailer. The HVL POA may, from time to time, exempt certain water craft from some of these rules for the purpose of special events.

- b. The HVL POA traffic lights located around the lake are the primary notification of the main lake status. A green light indicates that the main lake is open to all normal activities. A yellow light indicates that the entire main lake is in no-wake, idle-speed status. A solid or flashing red light indicates that the entire main lake is closed to all activities including but not limited to boating, fishing and swimming. The normal period of time for the main lake to be in open status is between 9:00 a.m. and sunset unless posted or otherwise noted. In the event the HVL POA traffic lights are not functioning, the Cincinnati Enquirer newspaper will be the determination of daily sunset time.
- c. No high-speed operation of any water craft is permitted on the main lake when the lake is at no-wake idle speed (yellow light) or closed (red light) status. High speed boating is permitted only when the main lake is in open (green light) status.
- d. Operating any water craft at a speed in excess of no-wake idle speed in any portion of the no-wake zone is strictly prohibited.
- e. High-speed boating is permitted only on the main body of the main lake inside the marked buoys and not closer than one-hundred fifty (150) feet from any shoreline or two-hundred (200) feet from the dam. HVL POA buoys mark this area. If a buoy has broken loose or is missing, water craft operating at high speed must stay 150 feet from the shore.
- f. The maximum speed for operating water craft on the main lake shall be thirty-five (35) miles per hour.
- g. Any water craft following another water craft pulling or towing a water skier, tuber, wake boarder or other approved flotation device must maintain a minimum distance of three-hundred (300) feet to the rear.
- h. Non-motorized water craft shall have the right-of-way over all motorized water craft. When motorized water craft are using the high-speed zone at high speed, non-motorized water craft should avoid the high-speed zone whenever possible.
- i. No water craft or device shall anchor or drift in the high-speed zone when the lake is in open status (green light). When drifting in the high-speed zone, US Coast Guard-approved navigation lights must be used between sundown and sunup.
- j. Tying water craft, floats, or other devices to any buoy is prohibited at all times.
- k. The HVL POA member to whom the water craft is registered is responsible for the safe and proper operation of the water craft.
- l. All powered water craft must travel in a counter-clockwise direction within the high-speed zone on the main lake except when picking up a downed skier, tuber, wake boarder or a person from a flotation device.
- m. Water craft shall not perform "S" turns or "Figure-8" turns while operating at high-speed.
- n. All powered water craft must be equipped with and use at all times an effective muffler system. Muffler bypass systems must not be engaged.
- o. The HVL POA member owning the water craft must provide permission for any guest or relative to use it and must instruct the guest or relative on the water craft on the HVL POA water craft rules according to the current year's laminated rule card.
- p. The current year's laminated rule card must be present on all motorized water craft at all times.
- q. All powerboats and pontoon boats must be equipped with and use mounted US Coast Guard-approved navigation lights between sunset (i.e. when the HVL POA traffic lights turn yellow) and sunrise. All other water craft operating on the lake between sunset and sunrise must, at a minimum, be equipped with and use a light sufficient enough to identify its presence to other water craft.
- r. When on the lake, all water craft must be equipped with US Coast Guard-approved Type I, II, III, V PFDs (life jackets) equal to or greater than the number of people on board. All water craft (except canoes and kayaks) which are sixteen (16) feet or longer, must carry at least one Type IV, throwable, PFD.

F. Water Skiing, Tubing and Wake Boarding Rules

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

- 1) Water skiing, tubing and wake boarding in excess of no-wake idle speed is permitted only within the high-speed zone on the main lake and when it is in open status (green light).
- 2) Water craft pulling or towing a person in excess of no-wake idle speed must travel in a counter-clockwise direction within the high-speed zone.
- 3) Any person being pulled or towed by a water craft operating at high speed must remain within the high-speed zone.
- 4) Any water craft pulling or towing a person must have at least two (2) occupants on board, one to guide and control the boat and one or more to observe the person being towed.
- 5) A water craft may pull or tow only one (1) person at a time in the high-speed zone regardless of the type of device being pulled or towed.
- 6) Water craft picking up a downed skier, tuber, wake boarder or a person from any other device must immediately slow down to a no-wake idle speed and then turn back to the right for pick up.
- 7) All persons being pulled or towed on skis, tube, wake board or any other device must wear a US Coast Guard-approved Type I, II, III, or V PFD, which is worn in accordance with the PFD's label instructions.
- 8) Water ski or wake board jumping over any object is strictly prohibited.
- 9) Starting or dropping a person on water skis, tube, wake board or any other device from or on a shoreline, beach, marina, boat dock or another water craft is strictly prohibited. This includes barefoot waterskiers.
- 10) Starting or dropping a person on water skis, tube, wake board or any other device from or in the no-wake idle speed zone is permitted as long as the water craft itself is operating at no-wake idle speed while in that zone. This includes barefoot water-skiers.
- 11) No internal or external devices or specific boat operations that intentionally enhance wakes to a dangerous size shall be allowed on Hidden Valley Lake.

G. Water Trampolines and Large Floatation Devices

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

H. Fishing Rules

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

- 6) Taking bullfrogs from a HVL POA lake without a valid Indiana Hunting License is prohibited.
- 7) No fishing license is required to fish in HVL POA lakes.
- 8) Commercial frog gigging in HVL POA lakes is prohibited.
- 9) Commercial fishing in HVL POA lakes is prohibited.
- 10) New and additional fish may not be placed in HVL POA lakes without permission of the HVL POA Board of Directors.
- 11) Minnows may be used for fishing bait on HVL POA lakes if purchased at a reputable bait store. Emptying the contents of bait buckets into an HVL POA lake is prohibited.
- 12) Fishing in the main lake beach area between the homes on either side of the beach and out to the buoys marking the beach is prohibited.
- 13) Fishing Catch Limits
 - a. Fishing limits and rules apply to all HVL POA lakes, main and small in aggregate. Daily limits are the possession limit on community property within HVL.
 - b. From time to time, the HVL POA Board of Directors may exempt the Fish and Game Club from some of the limits for largemouth bass for the purpose of conducting sanctioned fishing tournaments. All largemouth bass caught in the tournaments must be released alive in the main lake.
 - c. An individual may take a maximum of six (6) largemouth bass per day from HVL POA lakes as long as the largemouth bass are ten (10) inches to thirteen (13) inches in length. Only one of the six (6) may be twenty (20) inches or longer. All largemouth bass caught that are less than ten (10) inches and between thirteen (13) inches and twenty (20) inches in length must be immediately released.
 - d. An individual may take a maximum of ten (10) red ear sunfish per day from HVL POA lakes.
 - e. An individual may take a maximum of twenty-five (25) crappie per day from HVL POA lakes.
 - f. There is no limit on number of other species of fish taken per day from HVL POA lakes.
 - g. An individual may take a maximum of ten (10) bullfrogs per day from HVL POA lakes. No bullfrogs may be taken from the lakes from May 1st through June 14th.
 - h. Removing turtles from any HVL POA lake is prohibited. Properly identified snapping turtles may be removed from an HVL POA lake using appropriate caution.

XIII. Noise Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following Noise 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 HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

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

A. Definitions of Terms

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

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

B. Noise Rules

- 1) No person shall operate, cause to be operated or permit to be operated any radio, television, siren, car alarm, whistle, bell, or other sound amplification device in such a manner and of such intensity and duration as to create unreasonable noise or loud sound and which causes inconvenience and annoyance to persons of ordinary sensibilities. This rule applies to private property as well as community property within HVL including all lakes.
- 2) No person being the owner or person in possession of a motor vehicle with a device described above shall cause or permit any noise emanating from the motor vehicle which is plainly audible at a distance of fifty feet from the motor vehicle. The lawful use of a motor vehicle horn shall not be a violation of this section.
- 3) No person shall use, cause to be used or permit to be used any fireworks in such a manner and of such intensity and duration as to create unreasonable noise or loud sound and which causes inconvenience and annoyance to persons of ordinary sensibilities. This rule applies to private property as well as community property within HVL.
- 4) It is a violation of the HVL POA Noise Rules if notice to cease and desist producing a noise has been given to any person and that person continues to make, cause or permit a noise of similar intensity and duration, provided, however, that no warning shall be required if a person of ordinary sensibilities knew or should have known that the noise created would cause unwarranted annoyance to persons of ordinary sensibilities.
- 5) The following shall be exempt from noise level regulations:
 - a. Noises of safety signals, warning devices and emergency pressure relief valves.
 - b. Noise of emergency vehicles when responding to or acting in time of emergency.
 - c. Any other noise resulting from activities from vehicles of a temporary duration, such as, parades or festivals.
 - d. Sounds produced in connection with normal conduction of legally established non-transient business or farming operation when such sounds are customarily indicated and within normal range appropriate for such use.
- 6) The HVL POA Board of Directors from time to time may allow, by permit, parties or events on community property within HVL, which may create noise or loud sounds and may place restrictions on these permits as they see fit.

XIV. Parks and Recreational Facilities Rules

The HVL Streets and Parks Committee and the HVL POA Board of Directors have approved the following rules for all Parks and Recreational Facilities. The purpose of the HVL POA parks and recreational facilities is to provide the opportunity for a variety of indoor and outdoor activities and 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 HVL POA Streets and Parks Committee and approved by the HVL Board of Directors.

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

- ◆ Greenbelt areas
- ◆ Docks and landings
- ◆ Ball diamonds and soccer fields
- ◆ Walking and nature trails
- ◆ Picnic shelters and tables
- ◆ Playground equipment
- ◆ Tennis courts
- ◆ Basketball courts
- ◆ HVL Community Center Meeting Room

A. Definitions of Terms

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

- ◆ **Littering** - Depositing injurious or other material along the roadway or any other community property within HVL.
- ◆ **Vandalism** - Knowingly causing injury or damage to property.

B. Usage Rules

- 1) Vehicle parking at parks and recreational facilities is permitted only in the designated areas. Parking on grassy areas is prohibited.
- 2) No person shall litter in parks and recreational facilities.
- 3) HVL POA-provided litter containers may only be used in a lawful manner.
- 4) No person shall vandalize parks and recreational facilities.
- 5) Hunting, trapping, or discharging a firearm of any kind in parks and recreational facilities is prohibited.
- 6) Parks and recreational facilities are to be left undisturbed and in their natural state and are to be maintained only by HVL POA employees and/or HVL POA volunteers with the appropriate approval.
- 7) 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.
- 8) Burning in parks and recreational facilities is prohibited without the use of a non-combustible container and approval from the HVL POA Community Manager.
- 9) 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.
- 10) 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.
- 11) 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) Playground equipment is to be used only by persons twelve (12) years old or younger.
- 13) 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.

- 14) The HVL Community Center Meeting Room may be reserved by members of the HVL POA in good standing for approved activities. A copy of the Community Room Rules and Regulations may be obtained at the HVL POA Office or on the website.

C. Scheduling Rules

- 1) The HVL POA owns all docks on community property within HVL with the exception of some docks that were built for personal use with prior approval from the HVL POA. HVL POA-owned docks are located at the base of Sandamont Drive, the base of Raylynn and Aqua Vista Drives, the HVL POA public beach, the HVL POA marina, Chalet Park, and Moeller Park. If an HVL property owner can produce a signed document attesting the right to use a specific HVL POA dock, then that property owner will be given preference to the use of that dock with payment of annual rent.
- 2) All HVL POA docks are available for use by HVL POA members in good standing but must be reserved and rented on an annual basis through the HVL POA office. POA docks are reserved for non-lake front property owners only, one dock per property owner. Dock space is not transferable. No liability of any kind is to be assumed by Hidden Valley Lake Property Owners Association.
- 3) The HVL POA ball diamonds and soccer fields are managed by the HVL POA Athletic Club and are used primarily for organized sports. The Athletic Club will provide game and practice schedules to the POA office. HVL POA members in good standing, their immediate family members and their guests may use the ball diamonds and soccer fields on a first-come-first-served basis when HVL Athletic Club sports are not scheduled.
- 4) HVL POA members in good standing, their immediate family members and their guests may use the greenbelt areas, walking and nature trails, tennis courts, basketball courts and playground equipment on a first-come-first-served basis.
- 5) HVL POA picnic shelters and/or tables are located at the swimming pool, ball diamonds, beach (2), Lake Melody and several other small lakes. HVL POA members in good standing, their immediate family members and their guests may use these facilities by reserving them through the HVL POA office. If these facilities have not been reserved in advance, they are available for use on a first-come-first-served basis.
- 6) HVL POA members in good standing may reserve the community room up to 6 months in advance. Reservations must be made at least 2 weeks in advance of event by contacting the POA Office. Cancellations must be made no later than 2 weeks prior to the event. A rental agreement must be completed and signed at the time the reservation is made, as well as the \$75.00 facility fee paid in full. Please see the Community Room Rental Agreement and Rules for a complete list of rules and procedures. The HVL Community Manager will have administrative authority over the building. A copy of the Community Room Rules and Regulations may be obtained from the HVL POA Office or off of the HVL website.

XV. Persons Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following Persons Rules for Hidden Valley Lake. For the safety and convenience of all HVL residents, their guests and HVL POA employees and agents, 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 HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

All Federal, State of Indiana and Dearborn County criminal laws apply within Hidden Valley Lake.

A. Definitions of Terms

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

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

B. Persons Rules

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

XVI. Pool and Beach Rules

The HVL Pool Committee and the HVL POA Board of Directors have approved the following rules for the HVL POA swimming pool and all HVL POA lakes. For the safety, health and enjoyment 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 HVL Pool Committee and approved by the HVL Board of Directors.

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

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

A. Definitions of Terms

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

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

B. General Swimming Rules

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

C. Opening/Closing and Hours of Operation Rules

- 1) Complete information regarding the opening date, hours, and closing date of the swimming season will be published in the HVL POA "Echoes" newspaper in advance of the season, as well as being posted at the swimming areas.

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

D. Guest Rules

- 1) To use a swimming area, all guests shall be accompanied by an HVL POA member or be registered by an HVL POA member and shall display a written temporary pass issued from the HVL POA office.
- 2) The swimming areas shall charge guest fees on a daily basis. No refunds or rain checks shall be issued.
- 3) The number of guests at the swimming pool and beach is limited to eight (8) guests per day per HVL POA membership with the standard guest fee applying. Any group of guests numbering above eight (8) requires approval from the HVL POA Board and/or the HVL POA Community Manager.

E. Swimming Safety Rules

- 1) Children under eleven (11) years of age are not permitted within the swimming areas unless under the direct supervision of a responsible person fourteen (14) years of age or older and such person will be held responsible for the conduct of the children. However, children under eleven (11) years of age may be permitted to use the swimming areas with a written permission and an Emergency Contact Form that can be obtained from the Pool Manager or a certified lifeguard. In addition, the swimmer under eleven (11) years of age shall pass a swimming test administered by either the Pool Manager or a certified HVL POA lifeguard.
- 2) The HVL POA lifeguards may limit activities in the swimming areas that could be dangerous.
- 3) All injuries occurring in the swimming areas should be immediately reported to the HVL POA lifeguards.
- 4) All swimmers shall stay within the roped area at the beach.
- 5) Use of the wading pool shall be limited to children forty-eight (48) inches tall and under, and shall be supervised at all times. Children using the wading pool shall wear protective pants.
- 6) Air mattresses and automobile flotation devices are not permitted in the pools.
- 7) Jackets, masks, toys, goggles, flippers, webbed feet, flotation devices, rafts or other paraphernalia shall be allowed in the pools at the discretion of the Manager or Assistant Manager.
- 8) To maintain a high level of safety, pushing, running, and unnecessary roughness are prohibited. Please walk at all times within the pool area.
- 9) Only one person at a time shall be on the diving board and one person at a time on the ladder leading up to the board.
- 10) Swimming through diving areas is prohibited except to clear the area after a dive. Do not dive from the diving board until the person who went before you has reached the ladder and is exiting the diving area.
- 11) Diving from the side of diving boards is prohibited to insure the safety of others.

F. Swimming Health Rules

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

XVII. Property Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following Property Rules within Hidden Valley Lake. For the safety of all, their private property and community property within HVL, 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 HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

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

A. Definitions of Terms

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

- ◆ **Littering** - Depositing injurious or other material along the roadway or any other community property within HVL.
- ◆ **Trespassing** – Being on the land or premises of another person or causing objects to enter the land or premises of another person. Under Indiana law, a parent is liable for the intentional acts committed by a minor child.
- ◆ **Vandalism** - Knowingly causing injury or damage to property.

B. Property Rules

- 1) No person shall trespass on the land or premises of another or fail or refuse to leave upon being notified to do so by the owner or occupant.
- 2) No person shall litter on community property within HVL.
- 3) HVL-provided litter containers may only be used in a lawful manner.
- 4) HVL dumpsters are for HVL POA use only.
- 5) Grass that is 12 inches or more in height on an improved lot is regarded as an untidy lot.
- 6) No person shall vandalize community property within HVL or the property of owners, renters or guests.
- 7) Hunting or discharging a firearm of any kind within HVL is prohibited.
- 8) Using any device capable of discharging a projectile within HVL is prohibited.
- 9) HVL greenbelt areas are to be left undisturbed and in their natural state and are to be maintained only by the HVL POA.

XVIII. Signs and Solicitation Rules

The HVL Streets and Parks Committee and the HVL POA Board of Directors have approved the following rules for all HVL POA signs and solicitations. For the privacy 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 HVL POA Streets and Parks Committee and approved by the HVL Board of Directors.

All Federal, State of Indiana, and Dearborn County solicitation laws apply in Hidden Valley Lake.

A. Definitions of Terms

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

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

B. Signs Rules

1) General Signs Rules

- a. Any sign posted within HVL shall not exceed three (3) feet in height or three (3) feet in width.
- b. Any sign posted within HVL shall not be installed higher than six feet distance from the ground to the top of the sign.
- c. No signs shall be attached to trees, corner posts or street, amenity, event or traffic signs 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 Handbook shall not be permitted without the written approval of the HVL POA Community Manager (see subsection B.6) Sign Approval Process).
- f. Any sign larger than three (3) feet in height or three (3) feet in width shall only be approved by the HVL POA Community Manager.

2) Election and/or Political Signs Rules

- a. “Election” or “Political” signs may not be posted on either private property or on community property within HVL sooner than thirty (30) days prior to an election and must be removed the day after the election is held. Only one (1) “Election” or “Political” sign shall be permitted per personal property lot.
- b. All “Election” or “Political” signs shall be removed within one (1) day after the election is held. It is the responsibility of the property owner to remove the sign in a timely manner.

3) Signs Rules for Garage Sales, Parties and Sales of Personal Property on Community Property within HVL

- a. “Directional” signs for garage sales, parties and sale of personal property posted on community property within HVL may provide information on how to reach the subject’s private property. Prices shall not be displayed on any sign posted on community property within HVL at any time. “Directional” signs may be placed one (1) day prior to the event and shall be removed within twelve (12) hours of the conclusion of the event.
- 4) Signs Rules for New Homes, Home Additions Under Construction, Vacant Lots and Lots with Existing Homes
- a. Only one (1) “Real Estate” and “Open House” sign shall be placed on an owner’s private property. Two (2) “Real Estate” and “Open House” signs shall be permitted only on private lakefront property, private golf course property or private double frontage property. Only one “Real Estate” sign shall be permitted on private lots located on street corners. Prices shall not be displayed on any sign posted on private property or on community property within HVL at any time. However, MLS sheets may be included in an enclosed container or box affixed to the “Real Estate” sign on private property. “Open House” signs may be posted up two (2) days prior to the open house and must be taken down by midnight after the conclusion of the open house event.
 - b. All “Real Estate” signs shall be removed thirty (30) days after the date of closing. It is the responsibility of the Realtor or the property owner to remove the sign in a timely manner.
 - c. All “Builder” signs shall be removed thirty (30) days after the performance bond is approved for return. It is the responsibility of the builder or the property owner to remove the sign in a timely manner.
- 5) Sign Approval Process
- a. All signs that are to be approved shall be brought to the HVL POA office and a Sign-Approval Request Form shall be completed.
 - b. The HVL POA Community Manager shall provide a letter of approval or denial.
 - c. If the approval is granted, a small sticker shall be placed on the sign or signs to show the Community Manager’s approval.
 - d. All Sign Approval Request Forms shall be approved or denied by the HVL POA Community Manager within two (2) weeks of the submission of the form.
 - e. Each sign shall be approved for a time frame determined by the HVL POA Community Manager but shall not exceed thirty (30) days. “Beware of Dog” signs shall be approved for one (1) year increments.
- 6) Signs in Violation
- a. Signs in violation of the above rules are subject to receive a citation and shall be removed by HVL POA personnel. HVL POA personnel shall attempt to notify the property owner and/or individual of the violation.
 - b. Signs removed shall be kept for fifteen (15) days for the property owner and/or individual at the HVL POA Office. HVL POA personnel shall dispose of signs not picked up within this time period.

C. Solicitation Rules

- 1) Door-to-door sales or solicitation within HVL is prohibited.
- 2) Placing of literature or brochures on doors, mailboxes, etc. within HVL is prohibited.

- 3) Distribution of literature or information on streets, street corners, etc. within HVL is prohibited.
- 4) The HVL POA Board of Directors from time to time may allow, by permit, solicitation within HVL and may place restrictions on these permits as they see fit. Parties wishing to obtain a solicitation permit must apply in writing to the HVL POA Board of Directors at least thirty (30) days prior to the date solicitation activities are to start.
- 5) Duly nominated candidates must register in writing at the POA office to campaign in Hidden Valley Lake from 9:00 a.m. to 6:00 p.m. no sooner than 30 days prior to the election. Only the candidates can campaign in the Valley not a group of supporters.

XIX. Traffic and Vehicle Operation Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following rules for traffic and vehicle operations within Hidden Valley Lake. For the safety 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 HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

A. Definitions of Terms

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

- ◆ **Abandoned vehicle** - Any motorized vehicle located on community property within HVL:
 1. Which does not have lawfully affixed thereto or displayed thereon a valid unexpired license plate permitting its operation upon HVL streets, roadways, and/or parking areas.
 2. Which has been left for a period of three (3) days continuously without being moved.
 3. Which is located illegally or in such a manner as to constitute a hazard or unreasonable obstruction to the movement of pedestrian or other vehicle traffic on HVL streets, roadways, and/or parking areas.
 4. From which the engine, transmission or differential has been removed or which is otherwise partially dismantled or inoperable.The definition of an abandoned vehicle also includes any vehicle that has remained on private property without the consent of the owner or persons in control of such property.
- ◆ **All-terrain vehicle (ATV)/off-road vehicle** - A motorized vehicle capable of cross country travel without the benefit of a road or trail and on, or immediately over, land, water, snow, ice, marsh, swampland, or other natural terrain and includes the following:
 1. A multi-wheel vehicle drive or low pressure tire vehicle.
 2. An amphibious machine.
 3. A ground-effect air cushion vehicle.
 4. Other means of transportation deriving motive power from a source other than muscle or wind.
 5. A snowmobile.An all terrain vehicle (ATV)/off-road vehicle does not include the following:
 1. A farm vehicle being used for farming.
 2. A vehicle being used for military or law enforcement purposes.
 3. A construction, mining, or other industrial-related vehicle used in performance of the vehicle's common function.
 4. A registered aircraft.
 5. Any other vehicle properly registered by the Bureau of Motor Vehicles.
 6. Any watercraft that is registered under Indiana statutes.
 7. A golf cart vehicle.
- ◆ **Concrete Truck** – Any vehicle used to carry un-poured mixed concrete.
- ◆ **Concrete pumper truck** – Any vehicle used to pump concrete from a concrete truck onto the construction site.
- ◆ **HVL streets, roadways, and/or parking areas** – Right-of-ways on community property within HVL for the use of vehicles and pedestrians.
- ◆ **Motor scooter/motorized skateboard** - A motorized vehicle that has the following:
 1. A floor pad for the driver's feet.
 2. An engine rating not exceeding fifty cubic centimeters (50cc).
- ◆ **Motorcycle** - A motorized vehicle, including, but not limited to a motor scooter, except a farm tractor or motorized bicycle that has the following:
 1. A seat or saddle for the use of the rider
 2. Designed to travel on not more than three (3) wheels in contact with the ground.
 3. An engine rating exceeding fifty cubic centimeters (50cc).
- ◆ **Motorized bicycle (MOPED)** - A two- (2) or three- (3) wheeled vehicle that is propelled by an internal combustion engine or battery-powered motor and if powered by an internal combustion engine, has the following:
 1. An engine rating of not more than two (2) horsepower and a cylinder capacity not exceeding fifty cubic centimeters (50cc).
 2. An automatic transmission.
 3. A maximum design speed of not more than twenty-five (25) miles per hour on a flat surface.
- ◆ **Motorized vehicle** - Any car, truck, semi-trailer or motor bus, including any other motor-driven vehicle, which vehicle is operated upon HVL streets, roadways, and/or parking areas.
- ◆ **Vehicle** – Any powered or non-powered mode of transporting people upon HVL streets, roadways, and/or parking areas.

- ◆ **Vehicle under restoration** – A motorized vehicle that is currently being restored, from which the engine, transmission or differential has been removed or which is otherwise partially dismantled or inoperable.

B. Stopping, Standing and Parking Rules

- 1) At any time, it shall be a violation of HVL rules to permit any motor vehicle to be parked or to stand in any of the following places, except when necessary to avoid conflict with any other traffic or in compliance with the directions of a policeman, HVL Deputy or traffic control devices:
 - a. Within twenty (20) feet of any intersection or crosswalk.
 - b. Other than parallel with the edge of the pavement and in the direction of traffic.
 - c. To reduce the usable width of the street or roadway for moving traffic to less than eighteen (18) feet with the exception of vehicles being loaded or unloaded.
 - d. To cause in any way a hazardous condition for moving traffic or pedestrians.
 - e. Within fifteen (15) feet of a fire hydrant.
 - f. Anyplace where the vehicle would block the use of a driveway or mailbox.
 - g. On any sidewalk.
 - h. At any place where official signs prohibit parking.
 - i. On streets during a snow removal period. Vehicles should be parked in a driveway and not on the street.
- 2) Any motorized vehicle, boat, trailer, camper, or any other type of private recreational or commercial vehicle without proper safety reflectors must be removed from HVL streets, roadways, and/or parking areas by sunset each day. All violators will be subject to towing.
- 3) Any unlicensed motorized vehicle, boat, trailer, camper, or any other type of private recreational or commercial vehicle must be removed from HVL streets, roadways, and/or parking areas by sunset each day. All violators will be subject to towing.
- 4) During any thirty-day period, it shall be a violation of HVL rules to park or store for more than seventy-two (72) hours any boats, trailers, campers, or any other type of private recreational or commercial vehicle within a distance of twenty (20) feet of the paved area of any HVL street, roadway, and/or parking area. All violators will be subject to towing.
- 5) The parking of concrete trucks at or near the construction site shall be limited to two vehicles – one actively unloading and one staged. The concrete truck being staged shall be parked within thirty-five (35) feet of the construction site. If additional concrete trucks for the construction site are on HVL premises, they shall be staged at the main entrance pull-off area, space permitting. Any concrete pumper truck needed for construction shall be positioned completely off the roadway while in use. Requests for exceptions to this rule shall be submitted in writing to the HVL POA Community Manager. If the exceptions are approved, they shall be sent by the HVL POA office in writing to the person requesting them. This policy shall be strictly enforced and violators are subject to fine.

C. Abandoned Vehicles Rules

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

D. Repair or Restoration of Vehicles Rules

- 1) It is a violation of HVL rules to grease, drain the crankcase, perform maintenance, or repair any motor vehicle upon any HVL street, roadway, and/or parking area except in case of emergency.
- 2) It is a violation of HVL rules to park any vehicle leaking gas, oil or transmission fluid(s) upon any HVL street, roadway, and/or parking area.
- 3) It is a violation of HVL rules to perform work on any vehicle under restoration on community property within HVL.
- 4) All vehicles under restoration on private property must be fully covered when work is not being performed on them.

E. Muffler Equipment for Motorized Vehicles Rules

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

F. Truck Weight Limitations Rules

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

G. Signs and Barricades Rules

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

H. Refusal to Remove Parked or Stopped Vehicles Rules

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

I. Unlawful Deposits Rules

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

J. Traffic and Vehicle Operations Rules

- 1) All motor vehicles operating on HVL streets, roadways, and/or parking areas must have a current and valid license plate and registration.
- 2) All motor vehicle operators must have a current and valid driver's license.
- 3) Every vehicle operator shall stop for all posted stop signs and then proceed with due caution into the intersection yielding the right of way where applicable.
- 4) Vehicle operators shall obey all traffic control signs or devices posted on HVL streets, roadways, and/or parking areas.
- 5) Passing of moving vehicles when driving on HVL streets and roadways is prohibited.
- 6) The posted speed limit in HVL is 25 mph. The speed limit at the Sports Complex is 15 mph. The speed limit at the pool from Memorial Day to Labor Day is 15 mph between the hours of 8:00 a.m. and midnight.
- 7) Vehicle operators shall obey all posted signs controlling speed limits within HVL.
- 8) No person shall operate a motor vehicle in such a manner as to cause the following:
 - a. Spinning of tires.
 - b. "Fish tailing".
 - c. Loud noises which would cause annoyance of property owners and/or guests.

- 9) No person shall fail to comply with a lawful order of an HVL Deputy while such Deputy is acting for the benefit and safety of property owners and guests of HVL property owners.
- 10) Any vehicle using an HVL street, roadway, and/or parking area must be in a safe operating condition and completely road worthy.

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

- 1) To operate a motorcycle on community property within HVL, a person must have a valid driver's license.
- 2) The operation of any all-terrain vehicle (ATV)/off-road vehicle on community property within HVL is prohibited unless approved by the HVL Community Manager or the HVL Board of Directors.
- 3) All operators shall be subject to all local, state, and federal safety regulations governing the operation of motorized bicycles (MOPEDs), motor scooters/motorized skateboards, or motorcycles in Indiana. These should include, but not be limited to the following:
 - a. Equipped with handlebars that are more than fifteen (15) inches above the seat when occupied.
 - b. Equipped with brakes in good working order on both front and rear.
 - c. Equipped with footrests or foot pegs for both operator and passenger.
 - d. Equipped with lamps and reflectors meeting standards of US Department of Transportation.
 - e. Illumination of headlights at all times when a motorcycle or motorized bicycle is in operation.
- 4) In addition to the local, state and federal safety regulations, motorized bicycles (MOPEDs), motor scooters/motorized skateboards, or motorcycles shall be:
 - a. Equipped with a baffled muffler (muffler to eliminate excessive noise),
 - b. Equipped with not more than a two- (2) seat capacity with the passenger seated immediately behind the operator. (The only exception will be a motorcycle equipped with sidecar, with no more than two (2) passengers in a sidecar.)
- 5) No person shall operate a motorized bicycle (MOPED) or motor scooter/motorized skateboard within HVL unless:
 - a. They are at least fifteen (15) years of age.
 - b. They have a valid Drivers License or BMV-Issued Identification Card.
 - c. They must pass the HVL POA written Moped test annually.
 - d. They must present their Drivers License or BMV-Issued Identification Card at the POA Office and pass the POA written Moped test to receive a valid HVL Moped sticker which shall be placed on the front fender or windshield of the Moped.
 - e. They must carry their Drivers License or BMV-Issued Identification Card with them while operating the motorized bicycle (MOPED) in HVL.
 - e. The property owner and the operator must sign the registration forms for the sticker.
 - f. The property owner is responsible for any damage or liability incurred by the operator.
- 6) A person less than eighteen (18) years of age who operates a motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle shall wear protective headgear meeting the minimum standard established by the United States Department of Transportation under 49 CFR 571.218 in effect January 1, 1979.
- 7) Motorized bicycles (MOPEDs), motor scooters/motorized skateboards, and motorcycles with the engine capacity of greater than fifty cubic centimeters (50cc) are required by the Indiana Bureau of Motor Vehicles to be licensed in the state of Indiana.
- 8) Unless operating on the owner's private property, all motorized vehicles are to be operated only on HVL streets, roadways, and/or parking areas. All other community property within HVL or private property is to be considered closed to the use of all motorized vehicles.
- 9) No person shall operate any type of motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle on or across the dam, beach, sports complex, or hiking trails. Motorized bicycles (MOPEDs), motor scooters/motorized skateboards, and motorcycles may enter an HVL parking area to park and then exit later.
- 10) No person will operate a motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle on community property within HVL unless both front and rear wheels are in contact with the surface at all times.
- 11) No person is to operate a motorized bicycle (MOPED), motor scooter/motorized skateboard, or motorcycle on community property within HVL in a manner normally deemed to be "reckless".

XX. Schedule of Fines

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

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

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

A. Judicial Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$50.00 - \$500.00	Failure to notify the HVL POA office in time of the cancellation of a hearing to contest a violation
\$25.00 - \$2000.00 + Damages + + HVL POA costs	Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

B. Architectural Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$500.00 + Damages	Proper driveway not prepared before digging starts, proper ingress is not established (road damage, culvert improperly installed, undersized culvert (less than 15 inches), incorrect culvert material, etc.
\$100.00 - \$500.00	Not using prepared driveway to enter lot, multiple access to building site
\$100.00 - \$500.00	Culvert bent or plugged, or ditch line blocked in any manner to disrupt natural water flow
\$100.00	Insufficient gravel: First citation plus 24 hours to remedy
\$200.00	Insufficient gravel: Second citation plus 24 hours to remedy (Citations thereafter will increase in \$100 increments
\$20.00 - \$50.00	Building permit affixed to trees or any HVL property or no permit
\$100.00	Mud or debris on street to be cleaned up as soon as possible or by end of workday (At officers discretion)
\$200.00	Mud or debris on street if after normal working hours
\$100.00 - \$500.00 + Damages	Theft of utilities (Third violation may result in banning from HVL by HVL POA Board of Directors' action
\$100-\$500	Unightly construction site
\$500.00 - \$2000.00 + Stop Work Order	Other violations including but not limited to architectural approved plans, dimensions, location, failure to comply, etc.
\$25.00 - \$2000.00 + Damages + + HVL POA costs	Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)
\$100.00	Stop Work Order Administrative Fee

C. Burning Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$100.00	Daylight (attended or unattended)
\$100.00	After dark (attended)
\$200.00	After dark (unattended)
\$100.00	Spills over barrel and burns on ground (attended)
\$200.00	Spills over barrel and burns on ground (unattended)
\$500.00	Burning material other than wood or paper
\$500.00	Using improper container or no container
\$100.00	If officer has to extinguish fire
\$500.00	If fire department is called
\$25.00 - \$2000.00 + Damages +	Failure to comply with HVL POA regulations (Actual amount(s) to be

+ HVL POA costs

determined by the HVL POA Judicial Panel)

D. Curfew Fines

Fine Amount

\$25.00 - \$200.00
\$25.00 - \$2000.00 + Damages +
+ HVL POA costs

Violation Description

Violation of curfew hours
Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

E. Dog Control Fines

Fine Amount

Warning
\$100.00

\$25.00
\$50.00
\$100.00

\$250.00
+ Removal of dog from HVL
Warning

\$250.00
\$250.00
+ Removal of dog from HVL
\$25.00 - \$2000.00 + Damages +
+ HVL POA costs

Violation Description

Dog running loose (first offense)
Dog running loose (every citation thereafter) Note: If the violation involves a dangerous or vicious dog, then dangerous or vicious dog fines apply
Dog noise nuisance (first citation)
Dog noise nuisance (every citation thereafter)
Vicious dog (first offense) Note: The owner will receive a letter declaring their dog as "vicious" and will be advised dog must be contained.
Vicious dog (next violation of any kind)

Dangerous dog (first offense) Note: The owner will be advised dog must be contained.
Dangerous dog (second offense)
Dangerous dog (third offense)

Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

F. Elections Fines

Fine Amount

\$25.00 - \$2000.00 + Damages +
+ HVL POA costs

Violation Description

Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

G. Lakes and Water Craft Fines

Fine Amount

\$50.00 - \$100.00
\$50.00 - \$100.00
\$50.00 - \$100.00
\$50.00 - \$100.00
\$50.00 - \$100.00
\$25.00 - \$200.00
\$50.00 - \$100.00
\$50.00 - \$100.00
\$25.00 - \$100.00
\$100.00 - \$500.00
\$100.00 - \$300.00
\$25.00 - \$100.00
\$25.00 - \$100.00
\$100.00 - \$500.00 + Damages
\$20.00 - \$100.00
\$25.00 - \$1000.00
\$25.00 - \$2000.00 + Damages +
+ HVL POA costs

Violation Description

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

H. Noise Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$80.00	Improper noise
\$25.00	Dog noise nuisance (first citation)
\$50.00	Dog noise nuisance (every citation thereafter)
\$25.00 - \$2000.00 + Damages + + HVL POA costs	Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

I. Parks and Recreational Facilities Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$100.00 - \$1000.00	Firearm violation
\$25.00 - \$1000.00	Hunting or fishing violation
\$25.00 - \$500.00 + Damages	Property damage, vandalism
\$100.00 - \$500.00	Littering or unlawful deposit
\$50.00 - \$1000.00 + Damages	Disturbance of or damage to community property within HVL
\$25.00 - \$2000.00 + Damages + + HVL POA costs	Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

J. Persons Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$75.00 - \$500.00	Abuse and/or harassment of an HVL POA employee, HVL POA committee member or resident
\$25-\$500 + Damages	Disorderly conduct or mischief
\$10.00 - \$50.00	Invalid HVL POA identification card
\$25.00 - \$2000.00 + Damages + + HVL POA costs	Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

K. Pool and Beach Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$25.00 - \$2000.00 + Damages + + HVL POA costs	Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

L. Property Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$25.00 - \$500.00 + Damages	Property damage, vandalism
\$25.00 - \$200.00 + Damages	Trespassing
\$100.00 - \$500.00	Littering or unlawful deposit
\$100.00 - \$1000.00	Firearm violation
\$50.00 - \$1000.00 + Damages	Disturbance of or damage to community property within HVL
\$100.00 - \$500.00 + Damages	Theft of utilities
\$25.00 - \$2000.00 + Damages + + HVL POA costs	Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

M. Signs and Solicitation Fines

<u>Fine Amount</u>	<u>Violation Description</u>
\$10.00 - \$50.00	Sign violation (real estate, political, etc.)
\$20.00 - \$50.00	Sign affixed to HVL property, trees, etc.
\$20.00 - \$50.00	Building permit affixed to trees or any HVL property
\$25.00 - \$2000.00 + Damages + + HVL POA costs	Failure to comply with HVL POA regulations (Actual amount(s) to be determined by the HVL POA Judicial Panel)

N. Traffic and Vehicle Operation Fines

Fine Amount

\$120.50
Double original fine amount
\$100.00 - \$500.00
\$100.00
\$200.00
\$25.00 - \$2000.00 + Damages +
+ HVL POA costs

Violation Description

Fine for all traffic violations (Effective 6/1/08)
Second moving violation citation within a 30 day period.
Fluid leaks on HVL property (oil, gas, etc.)
Commercial vehicle parking violation (8 hours) and/or restriction or
blocking of road usage (daylight)
Commercial vehicle parking violation (8 hours) and/or restriction or
blocking of road usage (dark)
Failure to comply with HVL POA regulations (Actual amount(s) to be
determined by the HVL POA Judicial Panel)

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 is allowed.

XXI. Utility Company Information

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

A. Cable TV - Comcast

Phone Numbers: (800) 266-2278

B. Electrical Power - Southern Indiana REMC

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

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

Phone Numbers: Local - (812) 689-4111
Toll Free - (800) 737-4111
FAX - (812) 689-6987
Call Before Digging - (800) 382-5544

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

To Report an Outage:

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

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

Mailing Address: 5900 Mayfair Rd, NW
North Canton, OH 44720

Phone Numbers: Non-emergency gas inquiries - (888) 863-0032
24-hour gas emergencies - (888) 784-6160
Underground facility locating - (800) 382-5544

Natural Gas Connection Fees:

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

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

Natural Gas Bills:

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

D. Telecommunications - Indicom

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

Mailing Address: 777 East Eads Parkway
Lawrenceburg, IN 47025

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

E. Telephone - Embarq

Phone Numbers: Sales - (800) 257-3212
Service - (800) 788-3600

F. Telephone – Cincinnati Bell

Mailing Address: NW District Services
1 Crown Point, Ste.9400
Cincinnati, OH 45241

Phone Numbers: Business Office - (513) 566-5050
Residence Sales and Service - (513) 565-2210

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

G. Trash Pickup - Rumpke, Inc.

Trash and recycling pick-up from Rumpke is scheduled for Friday mornings. Please call the HVL POA office to sign up for service, schedule pick-up of large items or if you have any questions.

HVL property owners are billed by the HVL POA semi-annually for Rumpke trash pick-up. The yearly fee is \$198.00. An additional yearly fee of \$42.00 applies if a property owner opts to rent a Rumpke wheeled trash container.

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

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

Mailing Address: 19435 Alpine Drive
Lawrenceburg, IN 47025

Office Hours: 8:30 a.m. - 4:30 p.m. EST. Monday - Friday

Phone Numbers: Indiana - (812) 539-3330
Ohio - (513) 564-1500
FAX - (812) 539-3332
After Hours - Call either of the above numbers and your call will be forwarded appropriately.
Underground facility locating - (800) 382-5544

Availability Fee:

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

owner. Therefore, any amount due will be attached to the land and will be payable by the new owner if not settled at the closing by the previous owner.

Payment of Utility Bills:

VRUC reads the water meters each month beginning on approximately the 17th. The sewer portion is based on the metered gallons of water. All bills are mailed on the final business day of the month and are due on the 17th of the following month. All payments received after the 17th will incur a late charge. If the bill is not paid by the end of the month, service will be disconnected. A disconnect/reconnect charge of \$25.00 will be added to the amount owed and payable before reconnect.

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.

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 May 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).

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. 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.

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