

Lake Spivey Civic Association – Rules and Regulations
GOVERNING THE USE OF LAKE SPIVEY
November 1, 2022

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1. PURPOSE:

These *Rules and Regulations* are intended to protect Lake Spivey and the rights of those individuals who are entitled to use Lake Spivey.

- 1.1. These Rules and Regulations can be amended and modified from time to time at the discretion of the LSCA Board of Directors for the betterment and enhanced safety of Lake Spivey and for all Property Owners. Any changes to the Rules and Regulations require a 2/3's majority of present board members at a scheduled meeting (per Robert's Rules of Order) and should be presented via email to the entire board 1 week prior. Any approved changes will be published in a timely manner and distributed to the General Membership.

2. DEFINITIONS:

2.1 LSCA - is the Lake Spivey Civic Association, Inc., which owns Lake Spivey.

2.2 PROPERTY OWNER - is a lot or homeowner

2.2.1 whose property deed expressly and legally grants recreational rights and privileges in and to Lake Spivey, or

2.2.2 whose property has been legally granted said lake rights and privileges by legally recorded restrictive covenants and subdivision plats, and

2.2.3 If a corporation, partnership, trust or other legal entity other than a natural person or persons becomes the owner of an eligible lot as further described in Article III of the Bylaws, then the use of Lake Spivey as further provided in these Rules and Regulations shall be limited to such officer, director, partner, employee, trustee or beneficiary who is in actual residence as distinguished from temporary residence and such individual for such time shall have the responsibilities and privileges of being a Property Owner.

2.3 FAMILY MEMBER - is a member of the Property Owner's family who resides with the Property Owner and has the right to use Lake Spivey with the Property Owner's approval.

2.4 GUEST - is a non-paying invited visitor to the home of a Property Owner.

2.5 BOAT - is a motorized or non-motorized watercraft used or capable of being used as means of transportation on the water, including but not limited to paddle boats, canoes, kayak, wooden or metallic rafts, and any watercraft used for riding, skiing or fishing. Not included are objects that are non-motorized air inflatable, water skis, and individual floats.

2.6 PERSONAL WATERCRAFT - is a Jet Ski, Seadoo, Waverunner, or similar craft.

2.7 INTRUDER - is a trespasser on Lake Spivey's land or waters. No Property Owner at Lake Spivey may give permission for non-owners to use unregistered craft on Lake Spivey. Intruders will be charged with criminal trespass. Their craft and/or trailers may be impounded. If it can be determined that a Property Owner or owner's family member or guest gave intruders access to Lake Spivey, the suspension of recreational rights and privileges in and to Lake Spivey for that Property Owner will be on the agenda at the next Board of Directors' meeting. This policy applies to all types of craft.

3. LAKE SPIVEY DAM:

The dam, spillway, and other areas between the dam and Blackhall Road are restricted for safety reasons. This is a no trespassing area. No one other than LSCA maintenance and authorized administrative personnel should be in this area. No fishing or hunting is ever allowed in this area, and the state game warden and Henry County Law Enforcement Agencies are authorized to arrest unauthorized persons found in this area.

4. LAKE SPIVEY GENERAL RULES

4.1 USE: The use of Lake Spivey shall be limited to Property Owners at Lake Spivey whose maintenance fees, assessments and HOA fees are currently paid, their family members, and their

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guests. If property is part of a HOA, the homeowner association dues must be current.

- 4.2:** Property Owners assume full responsibility for any use of Lake Spivey by themselves, their family members, or their guests. One adult Property Owner is required to register on <http://www.LakeSpivey.us> and take the lake safety test one time prior to registering any watercraft for use on Lake Spivey.

- 4.2.1** Any willful destruction or pollution of Lake Spivey property shall result in a **\$500 Fine or the cost to repair the damage** and an immediate (30) day suspension of lake privileges.

- 4.3 PERMITTED VEHICLES:** Only those wheeled or tracked vehicles needed for maintenance or construction activities approved by the Dam Maintenance Chair, the Vice President of Siltation, the Vice President for Properties, or the Board of Directors may be operated in or upon LSCA property including the lakebed.

- 4.4 PERMITTED CRAFT:** Only craft specifically permitted by the Rules and Regulations, bearing a current registration decal, and covered by liability insurance shall be allowed to operate in or upon LSCA property. It is the responsibility of each Property Owner to ensure that their craft meets the criteria for registration and operation on Lake Spivey, subject to these Rules and Regulations and all applicable local, state, and federal ordinances. Ownership of a craft or vehicle does not confer the privilege of using it in or upon LSCA property. The Board of Directors shall determine if a disputed craft is permitted. False registration can result in suspension of lake privileges for twelve (12) months. Any watercraft not complying within LSCA Rules and Regulations can be removed by LSCA after 30 days and a majority vote of the LSCA Board of Directors. LSCA is not responsible for any costs or damage associated with the removal of a disputed watercraft. These costs are the responsibility of the watercraft owner.

4.4.1 BOATS

- 4.4.1.1** Boats must be operated in accordance with Georgia and federal laws, state registration is not required. Compliance with all generally accepted rules for safe operation of boats is expected. Reckless operation of a watercraft is prohibited. Violations will result in a **\$150 FINE**

- 4.4.1.2** No boat shall be permitted on Lake Spivey which has an overall length of twenty-nine (29) feet or more, or which is equipped with a marine toilet, or which can be used for temporary or permanent lodging. Any boat not in compliance with this requirement shall be removed from Lake Spivey immediately.

- 4.4.1.3** Boats with unusually noxious fumes or noises may be denied a permit decal, and any previously permitted personal watercraft subsequently altered to such condition may be required to surrender its decal.

4.4.2 PERSONAL WATERCRAFT

- 4.4.2.1** Personal watercraft must be operated in accordance with Georgia and federal laws; state registration is not required. Compliance with all generally accepted rules for safe operation of personal watercraft is expected.

- 4.4.2.2** Personal watercraft with unusually noxious fumes or noises may be denied a permit decal, and any previously permitted boat subsequently altered to such condition may be required to surrender its decal.

4.4.3 SPECIAL EXCEPTIONS

- 4.4.3.1** The LSCA Board of Directors can approved the limited use of unregistered, Special Purpose watercraft on Lake Spivey. Each Special Purpose watercraft will have an approved need to be on the Lake and will have a finite time limit it can remain on the Lake. All special watercraft will carry Liability Insurance. Special Purpose watercraft can only be used for their approved need.

- 4.5 LIABILITY INSURANCE:** All craft must be covered by a liability insurance policy.

- 4.6 OWNERSHIP OF CRAFT:** No craft shall be operated in or upon LSCA property except those owned by Property Owners. The LSCA Board of Directors including but not limited to the following criteria

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determines ownership:

- 4.6.1 Bill of sale
- 4.6.2 Government registration
- 4.6.3 County *ad valorem* tax
- 4.6.4 Liability insurance policy

4.7 DISPLAY OF REGISTRATION DECALS:

- 4.7.1 Decals are to be conspicuously displayed, one on each side of the craft.
- 4.7.2 Decals are to be displayed in a size of 3 inches vertically indicating the members number.
- 4.7.3 Decals are to be displayed on the forward third of the craft or in a location to make it most visible from another craft.
- 4.7.4 Decals are to be displayed on the upper half of the craft as measured to the waterline.
- 4.7.5 Old decals are to be removed each year.
- 4.7.6 The current year's decals must be displayed by May 15 of each year.

This applies to ALL Watercraft on Lake Spivey including those located at private docks, marinas, and RMS.

1st Violation - \$150.00 Fine

2nd Violation - \$250.00 Fine

3rd Violation - \$500.00 Fine & (180) Day Lake Privileges Suspension

4.8 NAVIGATIONAL HAZARDS:

- 4.8.1 Craft, water vehicles, floating docks, swim platforms, and other potential hazards to navigation may not be anchored unattended away from the shoreline.
- 4.8.2 No matter how well intended, no object may be placed in the lake to attract fish except under your own dock or under the supervision of the Lake and Fish Conservation Chair.

4.9 RAFTING:

- 4.9.1 Craft should avoid creating undue waves around other craft that are rafting together. Georgia law dictates that you are responsible and can be held liable for any damage that your wake creates. Maintain a safe distance from rafting watercraft. **\$150.00 FINE**

- 4.9.2 Craft that are rafting should be out of the traffic pattern.

4.10 SWIMMING: Property Owners, family members, and guests may swim subject to their own risk. The LSCA does not provide lifeguards or other supervision for swimming.

4.11 NUDITY: Indecent exposure, defined as the act of outraging public decency by being naked in a public place, is not allowed. **FINE: 1st OFFENSE, \$100 and escorted off the lake for the day. 2nd OFFENSE – \$200, 30 day lake suspension.**

5. LAKE SPIVEY SAFETY RULES:

5.1 SPEED LIMITS:

- 5.1.1 No craft shall operate in excess of 5 mph within one hundred (100) feet of craft that are moored or anchored, persons in the water, any shoreline, or docks. **\$150.00 FINE**
- 5.1.2 Daytime speed limit is 40 mph. **\$150.00 FINE**
- 5.1.3 Nighttime speed limit is 5 mph. **\$150.00 FINE**

5.2 NIGHT OPERATION:

- 5.2.1 Boats operating at night must display standard running lights (360-degree white aft, red/green sectors forward). **\$75.00 FINE 1st OFFENSE, \$150 FINE 2nd OFFENSE**
- 5.2.2 Boats anchored, rafting or adrift at night must display 360-degree white aft light. **\$75.00 FINE 1st OFFENSE, \$150 FINE 2nd OFFENSE**
- 5.2.3 Nighttime speed limit is 5 mph. **\$150.00 FINE**
- 5.2.4 Personal watercraft operation is prohibited between the hours of sunset and sunrise. **\$150.00 FINE**

5.3 RIGHT -OF-WAY: No watercraft shall follow craft pulling skiers or other towed individuals **\$100.00 FINE**. Lake users will be given the right-of-way in the priority indicated below **\$100.00 FINE**

- 5.3.1 Swimmers, bathers, and craft at anchor or adrift.

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5.3.2 Canoes, rowboats, and paddleboats.

5.3.3 Sailboats

5.3.4 Craft in tow.

5.3.5 Powerboats and jet skis.

5.4 OPERATIONAL DISTANCES: Craft may not be operated within (25) feet of any person in the water.

\$100.00 FINE

5.5 RACING: Racing between any and all craft is prohibited. **\$100.00 FINE**

5.6 SKIING OR TOWED DEVICES:

5.6.1 Permitted only in designated areas (see accompanying map). **\$100.00 FINE**

5.6.2 Craft shall be operated in general conformance with the traffic patterns shown on the accompanying map titled "Lake Spivey and Environs". **\$100.00 FINE**

5.6.3 Skiers or towed devices shall not operate closer than (50) feet from any dock, shoreline, dam, spillway, or marina. **\$100.00 FINE**

5.6.4 No skiing or towing is permitted between the hours of sunset and sunrise. **\$100.00 FINE**

5.7 EXCESSIVE WAKE: Craft shall be operated in a manner to not create an excessive wake.

\$100.00 FINE

5.8 NO WAKE AREAS:

5.8.1 Coves, inlets, bays, and canals are "no wake areas". Craft shall operate at idle speed in these areas. **\$150.00 FINE**

5.8.2 The cove between Bay View and The Landings, because of its size, is a restricted use area. Craft operators may pull a skier or tuber in OR out, but they MUST drop the skier or tuber before reaching the Bay View Marina, as this is no wake zone. NO TURN AROUND WITH A SKIER OR TUBER IN TOW. **\$150.00 FINE**

5.9 SLALOM COURSE:

5.9.1 The slalom course is for skiers. Personal watercraft, pontoon, deck or other wide boats may not enter the slalom course. **\$100.00 FINE**

5.9.2 Only one boat is allowed on the course at a time! Do not enter the slalom course area when a fellow boater is using it. Please wait your turn!

5.9.3 Watercraft should avoid circling the slalom course area when it is in use by a skier. Their wake can cause the skiers to unexpectedly fall and potentially injure the skiers. There is plenty of lake available for boating without creating undue waves for those skiers wishing to participate in this particular activity.

5.10 BOAT TRAFFIC/TRAFFIC BUOY SYSTEM:

When you operate a watercraft correctly, you transit the lake in a counter-clockwise direction with the shoreline always on your right. When you pass a traffic buoy, it should be on your left and the shoreline should be on your right. *However, this does not preclude the watercraft operator from going outside the traffic buoy towards the middle of the lake when traveling in the proper direction.* Traffic buoys are anchored offshore at points determined by the LSCA Board of Directors to be hazardous for head-on watercraft traffic. They are currently used to mark blind turns on the lake to ensure that watercraft operators maintain separation and safety. Failure to operate properly around the traffic buoys is a serious safety violation. **\$100.00 FINE**

5.11 BOATS:

5.11.1 Minimum age requirements for boat operation are in Table 1. **\$100.00 FINE**

5.12 PERSONAL WATERCRAFT:

5.12.1 Minimum age requirements for personal watercraft operation are in Table 1. **\$100.00 FINE**

5.12.2 Personal watercraft will operate in accordance with the regular boat traffic pattern with particular emphasis on proper direction of travel around the blind corners marked by the traffic buoys. **\$100.00 FINE**

5.12.3 No person shall operate a personal watercraft in excess of 5 miles per hour within 100 feet of any moored, anchored or adrift watercraft, dock, shoreline, or any person in the water.

\$100.00 FINE

5.12.4 Personal watercraft operators will maintain minimum separation of twenty (20) feet.

\$100.00 FINE

5.12.5 Personal watercraft operators must wear a flotation device. **\$100.00 FINE**

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- 5.12.6** Personal watercraft operators must utilize a properly installed kill switch attached to their person, when such a device is an accessory to their equipment. **\$100.00 FINE**
- 5.12.7** Personal watercraft operators will not perform “spin-outs” or “radical turns” without checking the area behind them to assure that other watercraft are not following them too closely. **\$100.00 FINE**
- 5.12.8** Personal watercraft operators wishing to jump wakes will remain at least 100 feet behind the moving watercraft. **\$100.00 FINE**
- 5.12.9** Personal watercraft operation is prohibited between the hours of sunset and sunrise. **\$100.00 FINE**
- 5.12.10** Personal watercraft may be used for towing if they are designed to carry at least three persons and a rear-facing spotter is present. **\$200.00 FINE**
- 5.12.11** Personal watercraft operators ages 12, 13, 14, or 15 must carry a certificate verifying completion of a LSCA and a Georgia Department of Natural Resources (DNR) sponsored safety course. **\$100.00 FINE**. Operators must pass the DNR course before completion of LSCA safety course. Those who have previously completed the LSCA safety course will also be required to complete the DNR boating safety course.

6. ENFORCEMENT OF RULES

- 6.1** The LSCA may delegate the authority to supervise and enforce these rules and regulations, and to prosecute violators in order to protect the best interests and welfare of the LSCA and of the Property Owners of the Lake Spivey area. Said delegation of authority may be in part or in total, as appropriate.
- 6.2** Enforcement agencies so designated shall not use firearms or physical contact in carrying out their delegated duties except as required for personal safety.
- 6.3** The LSCA Board of Directors may revoke temporarily or permanently the right of lake use by a Property Owner who violates one or more of the Rules and Regulations Governing Lake Spivey.
- 6.3.1** Suspension of lake privileges begins upon notification of the Property Owner.
- 6.4** An application for reinstatement by any Property Owner whose lake privileges have been revoked will only be considered after LSCA has been reimbursed by said Property Owner for all LSCA costs (including legal expenses) associated with the revocation.
- 6.5 FINE SYSTEM:**
- 6.5.1** Nothing in section 6.5 shall diminish the power of the LSCA under paragraph 6.3 of Enforcement of Rules.
- 6.5.2** A Lake Safety Patrol Officer, the Vice-President for Lake Safety, or a deputy appointed by the Vice-President for Lake Safety may issue citations. Deliberate non-compliance can result in fines being doubled.
- 6.5.3** A written citation will be given to the watercraft operator. The Property Owner who registered the watercraft will receive a copy of the citation and an invoice for associated fines by mail

6.6 PAYMENT OF FINES

6.6.1 Mail Fine Payments to:

**Lake Spivey Civic Association
P.O. BOX 1041
Jonesboro, GA 30237**

- 6.6.2** Property Owners have (30) days from the citation issue date to pay fines. Lake Rights are suspended for outstanding fines after (30) days. During this (30) day period the Property Owner may appeal the fine to the Board of Directors by filing written notification either by mail or email to the Lake Manager. The Lake Manager will take the appeal to the Board at the next called Board Meeting. The Property Owner will be notified of that meeting time. The fine will be under suspension until the Property Owner is notified of the Board's decision. **If the fine is not paid or an appeal filed within 30 days, Lake Rights will be suspended.** Lake Rights are reinstated after payment is received. Any operation of watercraft registered to a property that is under the Lake Right suspended status is subject to non-registration fines (see 4.7.6 for associated fines).

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7. CONSTRUCTION:

The construction or alteration of all structures including, but not limited to boathouses, pilings, docks (including those created by excavating into private property), retaining walls, walkways, moorings, sea walls, access ramps, and marinas built in or upon Lake Spivey must be in compliance with the following procedures, general specifications, and conditions.

7.1 APPROVAL PROCEDURE:

- 7.1.1** Construction approval will be granted only to a Property Owner whose maintenance fees and assessments are current and up-to-date. In the case of a subdivision marina, approval will be granted to the respective subdivision homeowners' association president acting on behalf of his association.
- 7.1.2** Prior to starting construction, the Property Owner or his representative must submit to the Properties Vice President drawings showing elevation views, general construction plans, and a site plat indicating location of the proposed project with respect to property side lot lines and lake high water line. Property Owners in subdivisions with Architectural Review Committees and/or Marina Committees shall obtain written approval of the proposed projects from the subdivision, and submit it with the project drawing to the Properties Committee.
- 7.1.3** Upon receipt of the drawings, site plat, and subdivision approval (where applicable), one or more Properties Committee representatives will review, in a timely manner, the proposed construction project on site with the Property Owner or his representative, and will either approve the project or state the basis for disapproval.
- 7.1.4** The Properties Vice-President or his designee will communicate in writing the approval of the project to the Property Owner. All approvals for any improvement or change at RMS's, Marinas, or private lots shall be conditional upon substantial completion of the project within six months from the start date stipulated on the approval. If significant work toward completion of the project has not been done during this six-month period, the approval is null and void. If the approval becomes null and void after 6 months of an unfinished project, the Property Owner can reapply for construction approval or the Property Owner must remove any unfinished structures.
- 7.1.5** The Properties Vice-President will have the right to monitor construction while in progress. Upon completion, the Property Owner will notify the committee and arrange for final inspection.
- 7.1.6** The Properties Vice-President for his use in monitoring and for future reference will retain one set of plans.
- 7.1.7** Only the Board of Directors of the LSCA can approve docks, sea walls, or other improvements on RMS's and Marinas.

7.2 GENERAL SPECIFICATIONS:

- 7.2.1** No portion of any structure including boatlifts may be built closer than twenty (20) feet from side property lines. (Not applicable to subdivision marinas or docks built on Reserve Mooring Strips).
- 7.2.2** No portion of any structure including boatlifts may extend more than twenty-eight (28) feet from the highwater line. (Not applicable to subdivision marinas or docks built on Reserve Mooring Strips).
- 7.2.3** No portion of a boathouse may be enclosed below the rafter plate.
- 7.2.4** No dock or boathouse shall be greater than one story tall. Sun decks atop of a boat house are permitted for on-water properties, but cannot have a permanent roof.
- 7.2.5** Sea walls should be designed to follow the natural shoreline; however, to allow pleasing curves and avoid abrupt turns, sea walls may encroach into the lake a maximum of three feet from the original high-water line
- 7.2.6** No structure built in or upon Lake Spivey may contain a commode, urinal, or any other type of toilet.
- 7.2.7** No permanently mounted fuel tanks will be allowed on, above or below any structure built in

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or upon Lake Spivey.

7.2.8 Dock construction in the **RMS' or Marinas** will be as follows:

7.2.8.1 24' Maximum slip length.

7.2.8.2 11' Maximum slip width.

7.2.8.3 3' Maximum width fingers between slips.

7.2.8.4 4' Maximum width catwalk.

7.2.8.5 No roofs, sun decks or enclosed structures will be allowed.

7.2.8.6 Structures shall be laid out to obtain maximum usage and shall be approved by the Board of Directors of the LSCA prior to construction. Existing non-conforming structures will be removed if creating a navigational hazard, determined to be unsafe or unsightly, or if their removal is deemed necessary by the Board of Directors in order to create additional slips.

7.3 CONDITIONS

7.3.1 All Property Owners, whether waterfront Property Owners, marina members, or reserve mooring strip assignees, are responsible for maintaining their properties built in or upon Lake Spivey in a state of good repair to a standard of excellence appropriate to the community. If, in the judgment of the Properties Vice President, a structure is deemed unsightly or could create a navigational hazard, the Property Owner will be notified and required to repair and/or rectify the condition within (60) days. Failure to repair or maintain structures built in or upon Lake Spivey can result in a fine, suspension of Lake Rights and/or LSCA taking action to remove/repair the structure at the owner's expense. Any fines, suspensions or actions shall be determined by the Board of Directors.

7.3.2 The construction and maintenance of all structures built in or upon Lake Spivey is the responsibility of the Property Owner, marina members, or RMS assignees. Approval by the LSCA of the design and construction is not a warranty as to materials, craftsmanship, or safety. Nor is the LSCA liable for any injuries or damages resulting from the use of such structures.

7.3.3 The Board of Directors is charged with interpreting, applying, and in its prudent judgment, granting variances to the general specifications governing construction in or on Lake Spivey to ensure that all Property Owners entitled to use Lake Spivey and permitted to construct private structures thereon may do so as long as they do not infringe upon the rights and privileges of other Property Owners.

8. RESERVE MOORING STRIPS

8.1 USE

8.1.1 Reserve mooring strips are for the primary use of off-water Property Owners in good standing with LSCA, their family, and guests who are accompanied by the Property Owner on Emerald Drive, Emerald Court, and South Bay Drive with current and up-to-date maintenance fees and assessments.

8.1.2 Off-water Property Owners are assigned to an RMS by the LSCA Board of Directors.

8.1.3 A chain or gate must secure all reserve mooring strips to prevent unauthorized use of the RMS or Lake Spivey.

8.2 MAINTENANCE AND IMPROVEMENT

8.2.1 Maintenance and improvement of RMS property is the responsibility of each RMS' Assignee.

8.2.2 The Assignees of each RMS are jointly responsible for all costs related to their RMS' construction, normal maintenance and repair. To clarify section 7.3.1 if an RMS becomes in need of repair the Properties Vice President will notify the RMS Administrator of needed repairs. The RMS Assignees will have 60 days from notification to have a plan in place to address said issues. If 60 days passes with no plan for repair in place the Properties Vice President will create a plan to remedy the structure and the costs will be added to each RMS Assignee's LSCA annual bill. If an RMS Assignee still doesn't pay these costs the LSCA Board of Directors can vote to suspend the Assignee's Lake Rights and remove any watercraft associated with that property from Lake Spivey. These costs will also be added

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to the Assignee's bill and the associated RMS slip can be distributed to an off-water Property Owner in good standing that does not have a slip.

8.2.3 Delinquent payments assessed in Section 8.2.2 will accrue at a rate of 6% per annum.

8.2.4 If 2/3's majority of the RMS Assignees agree to an "improvement" project to their RMS, then ALL Assignees of the RMS will share equally in the cost of the improvement. The financing of RMS improvements is the responsibility of the RMS Assignees. Improvement projects are considered above and beyond the scope of a normal maintenance and repair project.

8.2.5 Exception to Section 8.2.4, if an RMS Assignee wants to sponsor an "improvement" project at his own cost, then a majority of the RMS Assignees must support the project and approval of the project will be required from the LSCA Board of Directors, as per Section 7.1.7.

8.2.6 If two RMS Assignees assigned to different RMS's want to trade positions, they can do so with the support of each RMS Administrator of the two RMS's and by approval of the LSCA Board of Directors.

8.2.7 In order to fund extraordinary expenses that occur from time to time on the collective RMS properties, RMS Assignees shall be assessed an annual fee by LSCA. This assessment shall exclusively fund extraordinary activities at the RMS properties. The RMS Management Committee created in Section 8.3.3 will manage the RMS extraordinary expense fund. The fee shall be \$50 annually but may be adjusted from time to time by the LSCA Board.

8.3 OVERSIGHT OF RMS

8.3.1 Each RMS shall choose from their membership an RMS Administrator who shall oversee the management of the RMS and ensure compliance with the Rules and Regulations.

8.3.2 Each RMS Administrator shall annually provide the Lake Manager with a listing of RMS Assignees and their assigned dock slips. The RMS Administrator shall also provide proposed projects to the RMS Management Committee for potential funding by the RMS extraordinary expense fund created in Section 8.2.7.

8.3.3 An RMS Management Committee shall be formed and report to the LSCA Board. The committee shall be appointed by the LSCA board and will be composed of 5 members with a combination of RMS Administrators, Emerald Drive and South Bay Drive board members. This committee will manage the RMS extraordinary expense fund.

8.4 PROHIBITED ACTIVITY

8.4.1 Swimming at or from an RMS after 10:00 PM.

8.4.2 Placing debris (including tree limb or grass cuttings) on RMS property.

8.4.3 Bonfires.

8.4.4 Overnight parking or storage of any vehicle or trailer.

8.4.5 No Loud noises (including music).

8.5 STREET LIGHT FEE

8.5.1 Each Emerald Drive or Emerald Court RMS Assignee shall be annually assessed a \$6 per year fee to pay for Clayton County required street lights on Emerald Drive and Emerald Court.

9. RESTRICTION OF LAKE USE:

The LSCA may temporarily restrict the use of Lake Spivey for special events or emergencies.

10. INCORPORATION OF BYLAWS:

The following provisions of the Bylaws of the Lake Spivey Civic Association shall be incorporated by this reference into these Rules and Regulations Governing the Use of Lake Spivey: ARTICLE VII ("Dues, assessments and Fees"), ARTICLE VIII ("Collection Procedure"), and ARTICLE IX ("Appeal Procedure") provided, however, if any portion of the Rules and Regulations shall conflict with the Bylaws as incorporated herein, then those portions of the Bylaws which have been incorporated shall control; provided further, any rights, remedies or obligations as stated in the Bylaws shall be considered cumulative and not in conflict with the Rules and Regulations as currently exist or as amended.

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11. PROPERTY SUBDIVISION GUIDELINES AND FEES FOR GRANT OF LAKE RIGHTS AND PRIVILEGES.

11.1 SUBDIVISION OF PROPERTIES WITH LAKE RIGHTS AND PRIVILEGES

11.1.1 Prior to subdivision, land area should contain two and one-half (2.5) acres or more.

11.1.2 Lakefront Property requires a minimum of 250 feet of Lake Frontage to be Subdivided.

11.1.3 No flag or gerrymandered lots should result

11.1.4 Minimum of 1.25 acres in each subdivided lot

11.1.5 Lakefront Property requires 110 feet minimum lake frontage

11.2 CONSTRUCTION STANDARDS CONDITIONED UPON GRANT

11.2.1 Single-family dwellings only with appropriate ancillary structures

11.2.2 Preapproval by LSCA if variance sought from any guidelines, county code, zoning, or existing LSCA covenant or regulation requirement

11.2.3 Residence dwelling must have a minimum of 3,000 square feet of heated living area

11.3 CHARGES FOR GRANT OF LAKE RIGHTS AND PRIVILEGES

11.3.1 Subdivided lakefront property without Lake Rights and Privileges shall be charged the sum of \$110,000.00 for the grant of Lake Rights and Privileges.

11.3.2 Subdivided off water property without Lake Rights and Privileges shall be charged the sum of \$55,000.00 for the grant of Lake Rights and Privileges.

11.3.3 That the above modification to the LSCA Rules and Regulations, Section 11.3, shall become effective as of April 1, 2018. Adopted by members of the LSCA Board of Directors at a meeting held Tuesday, September 7, 2017.

12. ADDITIONAL ENFORCEMENT MECHANISMS:

Without limiting any enforcement mechanisms as further listed in these Rules and Regulations Governing the Use of Lake Spivey, the LSCA, as acting through its authorized representatives, shall be authorized to take legal action to enforce these Rules and Regulations Governing the Use of Lake Spivey, and the LSCA Bylaws, and that such legal action permitted by these Rules and Regulations includes suspension of lake rights and privileges, impoundment of watercraft, charges of criminal trespass, injunctive relief, suit for collection of the indebtedness or for violation of any Rule, or any combination thereof, or any other relief provided pursuant to these Rules and Regulations, the Articles of Incorporation, the Covenants of the respective Property Owners, or any other action the Directors may deem necessary and as permitted by the laws of the State of Georgia.

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TABLE 1: MINIMUM AGE REQUIREMENTS FOR BOAT OPERATION ON LAKE SPIVEY

Age	Personal Watercraft (PWC)	Class A Vessels (Vessels less than 16' in length)	Class I, II, or III Vessels (Vessels 16' in length & over)
Under 12	May not operate a PWC	May operate a Class A vessel with a 30 hp or smaller motor if a sober adult accompanies them age 18 or older. May not operate Class A vessels with a motor larger than 30 hp.	May not operate Class I, II, or III vessels.
12 - 13	May operate a PWC if they meet any of the following conditions: 1. Are accompanied by a sober adult age 18 or older; OR 2. Have completed a LSCA and a DNR-approved PWC safety course; OR 3. Are under the direct supervision of a sober adult age 18 or older.	May operate a Class A vessel with a 30 hp or smaller motor if they meet any of the following conditions: 1. Are accompanied by a sober adult age 18 or older; OR 2. Have completed a LSCA and a DNR-approved boating safety course; OR 3. Are under the direct supervision of a sober adult age 18 or older. May not operate Class A vessels with a motor larger than 30 hp.	May not operate Class I, II, or III vessels.
14 - 15	May operate a PWC if they meet any of the following conditions: 1. Are accompanied by a sober adult age 18 or older; OR 2. Have completed a LSCA and a DNR-approved PWC safety course; OR 3. Are under the direct supervision of a sober adult age 18 or older.	May operate any Class A vessel if they meet any of the following conditions: 1. Are accompanied by a sober adult age 18 or older; OR 2. Have completed a LSCA and a DNR-approved boating safety course; OR 3. Are under the direct supervision of a sober adult age 18 or older.	May operate any Class I, II, or III vessel if they meet any of the following conditions: 1. Are accompanied by a sober adult age 18 or older; OR 2. Have completed a LSCA and a DNR-approved boating safety course; OR 3. Are under the direct supervision of a sober adult age 18 or older.
16 and Over	May operate a PWC.	May operate any Class A vessel.	May operate any Class I, II, or III vessel.

- “Sober” is defined as “not under the influence of alcohol or drugs”.
- “Direct supervision” is defined as “within 400 yards and line of sight”.
- “Accompanied” is defined as “on board”.

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TABLE 2: LSCA FINE SCHEDULE

Violation #	Description	Amount
4.2.1	LSCA Property Damage	\$500.00
4.4.1.1	Reckless Operation of Watercraft	\$150.00
4.7.6	WC Registration 1st Violation	\$150.00
4.7.6	WC Registration 2nd Violation	\$250.00
4.7.6	WC Registration 3rd Violation – 180 Day Suspension of Lake Right	\$500.00
4.11	Nudity/Indecent Exposure – 1 st offense – 1 st violation: \$100 & escorted off the lake for the day.	\$100.00
4.11	Nudity/Indecent Exposure – 2 nd offense – \$200 & 30 day lake suspension.	\$200.00
5.1.1	Excess of 5 mph speed within (100) feet of moored WC, person in water, shoreline or dock	\$150.00
5.1.2	40 mph daytime speed limit	\$150.00
5.1.3	5 mph nighttime speed limit	\$150.00
5.2.1	Display nighttime running lights (green & red forward/white aft) 1 st Offense	\$75.00
5.2.2	Display nighttime running lights (green & red forward/white aft) 2 nd Offense	\$150.00
5.2.3	Display nighttime mooring lights (red forward/white aft) 1 st Offense	\$75.00
	Display nighttime mooring lights (red forward/white aft) 2 nd Offense	\$150.00
5.2.3	5 mph nighttime speed limit	\$150.00
5.2.4	PWC operation between sunset and sunrise	\$150.00
5.3.1	Right-Of-Way: Swimmers	\$100.00
5.3.2	Right-Of-Way: Canoes, rowboats, and paddle boats	\$100.00
5.3.3	Right-Of-Way: Sailboats	\$100.00
5.3.4	Right-Of-Way: Craft in Tow	\$100.00
5.3.5	Right-Of-Way: Power boats and Jet Skis	\$100.00
5.4	Operational Distances	\$100.00
5.5	Racing	\$100.00
5.6.1	Skiing or Towed Devices: Permitted in designated areas only	\$100.00
5.6.2	Skiing or Towed Devices: Traffic Pattern	\$100.00
5.6.3	Skiing or Towed Devices: Distance	\$100.00
5.6.4	Skiing or Towed Devices: Nighttime	\$100.00
5.8.1	No Wake: Coves inlets bays and canals	\$150.00
5.8.2	No Wake: The Landings and Bay View Cove	\$150.00
5.9.1	Slalom Course	\$100.00
5.10	Traffic Buoy System: Operational Direction	\$100.00
5.11	Boat Operations: Age requirements	\$100.00
5.12.1	PWC: Age Requirements	\$100.00
5.12.2	PWC: Traffic Pattern	\$100.00
5.12.3	PWC: Operational Distance	\$100.00
5.12.4	PWC: Operational Distance between PWC	\$100.00
5.12.5	PWC: Floatation Device	\$200.00
5.12.6	PWC: Kill Switch	\$100.00
5.12.8	PWC: Jumping Wake of WC within (100) Feet	\$100.00
5.12.9	PWC: Nighttime operation	\$100.00
5.12.10	PWC: Towing	\$200.00
5.12.11	PWC: Operator Age 12 -15 must carry LSCA issued ID	\$100.00