

THIS INSTRUMENT PREPARED BY:
JOYCE GOODMAN-GUENTHER
10723 S.W. 104 STREET
MIAMI, FLORIDA 33176
(305) 274-5668

**AGREEMENT- REVISED RULES AND REGULATIONS
GOVERNING OPERATION OF MOTOR VESSELS AND PERSONAL
WATER CRAFT ON THE COMMUNITY LAKE FOR THREE LAKES**

This Agreement of Filing of Revised Rules and Regulations Governing Operation of Motor Vessels and Personal Water Craft on the Community Lake (the "Revised Lake Rules") is executed this 11 day of SEPT, 2020 by Three Lakes Property Owners Association, Inc., a Florida corporation not-for-profit (the "Association").

RECITALS

A. WHEREAS, the Association has been established for the operation of the residential community known as Three Lakes in accordance with that certain Amended and Restated Declaration of Restrictions and Covenants for Three Lakes in Official Records Book 17455 at Page 2016 ("Original Declaration"). The Original Declaration was amended by the following documents (collectively, the "Amendments"): First Amendment to Amended and Restated Declaration of Restrictions and Covenants for Three Lakes in Official Records Book 17712 and at Page 1585 ("First Amendment"); Amendments to Amended and Restated Declaration of Restrictions and Covenants for Three Lakes in Official Records Book 17944 at Page 1480 ("Second Amendment"); Third Amendment to Amended and Restated Declaration of Restrictions and Covenants for Three Lakes in Official Records Book 18042 at Page 4263 (the "Third Amendment"); Fourth Amendment to Amended and Restated Declaration of Restrictions and Covenants for Three Lakes and Agreement to Perform Obligations in Official Records Book 18340 at Page 4941 (the "Fourth Amendment") and Amendment to Amended and Restated Declaration of Restrictions and Covenants for Three Lakes to Withdraw Property in Official Records Book 19165 at Page 1340 (the "Fifth Amendment"). All of the foregoing were recorded in the Public Records of Miami-Dade County, Florida. The Original Declaration together with the Amendments shall hereinafter be referred to as the "Declaration".

B. WHEREAS, Section 10.9.1 of Article 10 of the Declaration permits the Association, to adopt Rules and Regulations governing the use of the Common Areas.

C. WHEREAS, the Association previously adopted Rules and Regulations Governing Operation of Motor Vessels and Personal Water Craft on the Community Lake For Three Lakes which were recorded in Official Records Book 29580 at Page 2638 of the Public Records of Miami-Dade County, Florida (the "Lake Rules").

D. WHEREAS, Section 6.1.2 of Article 6 of the Association's By-Laws provides that the power to adopt Rules and Regulations be exercised by the Board of Directors.

E. WHEREAS, at a duly noticed meeting of the Board of Directors held on the 5 day of MARCH, 2020, the Directors voted to adopt the Revised Lake Rules attached hereto.

F. WHEREAS, the Revised Lake Rules are a covenant running with the land comprising Three Lakes, and all present and future owners of an interest therein and their heirs, successors and assigns are hereby subject to the Revised Lake Rules.

G. WHEREAS, the Revised Lake Rules are intended to replace entirely the Lakes Rules referred to above.

NOW, THEREFORE, the Association hereby declares that every portion of Three Lakes is to be owned, held, used, transferred, sold, conveyed, demised and occupied subject to the Revised Lake Rules hereinafter set forth.

1. Recitals. The foregoing Recitals are true and correct and are incorporated into and form a part of this Certificate.
2. Definitions. All initially capitalized terms not defined herein shall have the meaning set forth in the Declaration.
3. Revised Lake Rules. The Revised Lake Rules attached hereto as Exhibit "A" are the current official rules and regulations governing the operation of the motor vessels and personal water craft on the community lake for Three Lakes.

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Filing of Revised Lakes Rules this 11 day of SEPTEMBER, 2020.

Witnesses:

Nathaniel Figueroa
Print Name Nathaniel Figueroa
Lourdes M. Santiago
Print name Lourdes M. Santiago

THREE LAKES PROPERTY OWNERS
ASSOCIATION, INC.,
A Florida corporation not-for-profit

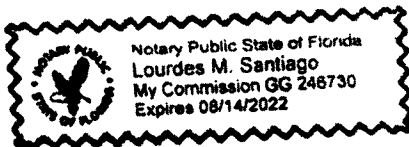
BY: Carlos Lopez
Print name Carlos Lopez
PRESIDENT Officer

BY: Gisela Pichardo
Print Name GISELA PICHARDO
SECRETARY Officer

The foregoing instrument was acknowledged before me this date by Carlos Lopez and Gisela Pichardo who are personally known to me and did take an oath. The undersigned authority, by means of X physical presence or online notarization, personally appeared Carlos Lopez and Gisela Pichardo who acknowledged executing the foregoing instrument. WITNESS my hand and official seal in the state and county last aforesaid this 11 day of SEPT, 2020.

My commission expires:

Lourdes M. Santiago
NOTARY PUBLIC
STATE OF FLORIDA



"EXHIBIT A"
PROPERTY OWNERS ASSOCIATION
RULES AND REGULATIONS GOVERNING THE COMMUNITY LAKE AND BOAT YARD

- 1.0 Effective Date:** Unless stated to the contrary, the following rules and regulations will become effective and enforceable following their adoption by the Board of Directors ("Board") of the Three Lakes Property Owners Association, Inc. ("POA" or "Three Lakes" or "the Association") and their recording in the public records, if such is required. Following their adoption, the Board will also transmit a copy of said Rules and Regulations ("Rules") to all who are currently the owner of a home in Three Lakes, as reflected on the official POA member list. It shall be the responsibility of the homeowner or other member listed on the official records of the POA (including the Developer or its Assignee) to assure that a copy of said Rules are provided to all initial and subsequent purchasers and to all present or future Tenants.
- 2.0 Applicability:**
- 2.1** The following Rules apply to the owners and operators of any vessel or watercraft on the community lake. No vessel or watercraft shall be moored, placed into the Association or operated on the community lake if such does not belong to a Homeowner/Tenant, ~~or to the immediate family of Homeowner/Tenant~~. Regardless of who owns the vessel or watercraft, the Homeowner/Tenant shall ultimately be responsible for, and have the duty to ensure that, the operation of the vessel or watercraft is at all times in full compliance with these rules and regulations. The violation of any of these rules by any Homeowner/Tenant or any member of Homeowner/Tenant's family shall result in possible criminal or civil liability under Florida law, and may further result in the assessment of monetary fines against the offending Homeowner/Tenant, as may be determined and ordered by a designated grievance committee following notice to the Homeowner/Tenant and an opportunity to be heard on the charges or violations.
- 2.2** Except as may otherwise be stated below, the following Rules apply to the operation on the community lake of any "motor vessel" powered by an engine in excess of 10 horsepower and any "personal Watercraft" (which is defined by Florida law as a "small class A-1 or A-2 vessel which uses an outboard motor or an inboard motor powering a water jet pump, as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind a vessel, rather than in the conventional manner of sitting or standing inside the vessel") and to the storage within the community of any motor vessel, personal watercraft or commercial vehicle.
- 3.0 Registration:** All vessels (boat), personal watercraft, recreational vehicle (motorhome, fifth wheels, travel trailers or camping trailer), trailer (boat, personal watercraft, utility or enclosed) or commercial vehicle is required. Homeowners/Tenants are required to execute Three Lakes Property Owners Association, Inc.'s Registration Form, abide by the insurance requirements, abide by these Rules and Regulations, and indemnify/hold harmless the Association. – Each existing and future Three Lakes Homeowner/Tenant will NOT be entitled to operate any motor vessel or personal watercraft on the community lake or store any motor vessel, personal watercraft or commercial vehicle within the Association unless and until the Homeowner/Tenant has filled out and signed the Three Lakes Property Owners Association, Inc.'s Registration Form, which form shall include, interlaid, a statement by such individual.
- 3.1** That he, she or it (and all operating the motor vessel, personal watercraft with consent) agrees to abide, and be bound by all Three Lakes POA Rules then in effect pertaining to the use of the community lake and storage of all vessel (boat), personal watercraft, recreational vehicle (motorhome, fifth wheels, travel trailers or camping trailer), trailer (boat, personal watercraft, utility or enclosed) or commercial vehicle in the Association.

3.2 That the owner of the vessel (boat), personal watercraft, recreational vehicle or commercial vehicle has in force and effect the liability insurance required by Section 4.6 below. Proof of the existence of such insurance shall be submitted along with the Homeowner's/Tenant's signed and completed Registration Form, and prior to such motor vessel or personal watercraft being permitted to be moored, placed into or operated on the community lake or prior to such vessel (boat), personal watercraft, recreational vehicle (motorhome, fifth wheels, travel trailers or camping trailer), trailer (boat, personal watercraft, utility or enclosed) or commercial vehicle being stored within the Association.

3.3 That the owner of the motor vessel, personal watercraft or commercial vehicle (and all who may operate or be a passenger in such motor vessel, personal watercraft or commercial vehicle) agree to release, indemnify and to hold the Three Lakes POA, its directors and officers harmless from any and all liability for personal injury or property damage arising from the operation and/or storage of said vessel, watercraft, or commercial vehicle. This agreement to release, indemnify and hold the POA, its directors and officers harmless from any and all liability for personal injury or property damage is intended to be all-inclusive, and shall apply even though the personal injury or property damage is caused in whole or in part or directly or indirectly by negligence on the part of the POA, its directors and officers to supervise the community lake or other areas of the Association or any activities which might be occurring within the Association.

3.4 That the owner of any motor vessel or personal watercraft will assure that any person permitted to operate the motor vessel or personal watercraft meets the age and/or boater's safety certification qualifications specified in Section 6.0 of these Rules and will provide to the Three Lakes POA Proof of Boater Safety Certification as to any operator born on or after January 1, 1988.

4.0 **Permissible Motor Vessels or Personal Watercraft and Associated Requirements:**
No motor vessel or personal watercraft shall be permitted to operate on the community lake unless it meets each of the following requirements:

4.1 As of the effective date of these Rules, no motor vessel in excess of 21.9 feet in length shall be permitted to operate on the community lake. Pontoon boats and sailboats shall be limited to 24 feet.

4.2 After the effective date of these Rules, no motor vessel or personal watercraft shall be permitted to operate on the community lake if it is not properly registered under Florida law and/or it is not also registered with, and has been issued a decal by, Three Lakes POA, in accordance with section 3.0 above. Current Florida registration decal and Florida registration numbers must be on display on the motor vessel and personal watercraft as per Florida boating regulations. The Florida registration number is used for identification purposes must be painted or permanently attached to both sides of the bow (forward half) in block single color plain letters and numbers at least three inches high. The number must read from left to right, contrast in color with the vessel and be maintained in readable condition. The Florida registration decal must be displayed on the port (left) side of the vessel, immediately before or after the registration number. In addition, The Three Lakes Decal must be placed next to the Florida registration decal on the port (left) side of the vessel. Florida registration decals and Three Lakes POA registration decals from expired registrations must be removed from the vessels.

4.3 No motor vessel, personal watercraft which is leaking fuel or potentially hazardous or environmentally hazardous liquids or other substances shall be permitted to operate on the community lake and no vessel (boat), personal watercraft, recreational vehicle (motorhome, fifth wheels, travel trailers or camping trailer), trailer (boat, personal watercraft, utility or enclosed) or commercial vehicle which is leaking fuel or potentially hazardous or

environmentally hazardous liquids or other substances shall be permitted to be stored within the Association.

- 4.4 No motor vessel or personal watercraft shall be permitted to operate on the community lake without having on board all necessary safety equipment required by Florida law, which may include, but is not limited to, life preserves and/or vests for each person on board, a fire extinguisher, and a whistle, horn or other similar warning device.

- 4.5 **Sound level:** No motor vessel, personal watercraft or commercial vehicle shall be permitted to operate in the Association unless it meets the following requirements:

- 4.5.1 The exhaust of every internal combustion engine used on any motor vessel or personal watercraft operated on the community lake shall be effectively muffled by equipment so constructed and used as to muffle the noise of the exhaust in a reasonable manner.

- 4.5.2 No motor vessel, personal watercraft, recreational, or commercial vehicle shall operate within the Association if the sound level exceeds that permitted by Miami-Dade ordinances and Florida law. The sound level may not exceed that which was emitted by the vessel, watercraft or commercial vehicle when originally equipped by the manufacturer (i.e., no manufacturer's supplied muffling system may be removed, disabled or otherwise altered, nor may a vessel's/watercraft's/recreational/commercial vehicle's muffler/exhaust/water box be altered if such a modification or change increases the noise level emitted by the vessel, watercraft, **recreational**, or commercial vehicle).

4.6 Required Liability Insurance:

- 4.6.1 No motor vessel or personal watercraft shall be operated on the community lake or stored **within** the Association unless the owner or operator of said motor vessel or personal watercraft has in force and effect liability insurance covering \$300,000.00 for personal injuries and \$100,000.00 for property damage. Such policy of insurance shall contain an endorsement naming the Three Lakes POA as an additional insured. The Homeowner/Tenant shall provide the Three Lakes POA with a copy of the declarations page for such insurance policy and proof of Boater's Safety Certification as to any operator born on or after January 1, 1988 prior to being permitted to store a motor vessel or personal watercraft within the community or being permitted to operate any motor vessel or personal watercraft on the community lake.

- 4.6.2 No commercial or recreational vehicle shall be stored within the Association unless the owner or operator of said recreational or commercial vehicle has in force and effect liability insurance covering \$1,000,000.000 for personal injuries and \$1,000,000.00 for property damage. Such policy of insurance shall contain an endorsement naming both Florida Power & Light Company ("FPL") and the Three Lakes POA as additional insureds. The Homeowner/Tenant shall provide the POA with a copy of the declarations page for such insurance policy prior to being permitted to store any recreational or commercial vehicle within the community.

- 4.6.3 Likewise, the Homeowner/Tenant shall not permit any guest to bring a motor vessel (boat) or personal watercraft. The security personnel are instructed not to permit any guest to bring a motor vessel or personal watercraft into the community. Recreational vehicle (motorhome, fifth wheels, travel trailers or camping trailer), trailer without a vessel or personal watercraft (boat, personal watercraft, utility or enclosed) may enter but cannot stay overnight.

5.0 Limitation on Number of Motor Vessels, Personal Watercraft and Commercial Vehicle Per Homeowner:

- 5.1 No Homeowner/Tenant shall be permitted to place into, moor or have in operation on the community lake at the same time more than: one (1) motor vessel (boat) or two (2) personal watercrafts or one (1) motor vessel (boat) and two (2) personal watercrafts. Each Homeowner/Tenant is required to register and have insurance to pursuant 4.6.1 above.
- 5.2 No Homeowner/Tenant shall be permitted to store on the association at the same time more than 4 commercial vehicles. Each Homeowner/Tenant is required to register and have insurance to pursuant 4.6.1 above.
- 5.3 No Homeowner/Tenant shall be permitted to place, moor or store behind their home, in the lake or on lifts at the same time more than: one (1) motor vessel (boat) or two (2) personal watercrafts or one (1) motor vessel (boat) and two (2) personal watercrafts regardless of vessel ownership.

6.0 Qualifications Required to Operate Vessel and Watercraft on the Community Lake:

- 6.1 Pursuant to Florida Law, No person under the age of 14 shall operate (or be permitted by the responsible Homeowner/Tenant to operate) a personal watercraft on the community lake under any circumstances.
- 6.2 No person under the age of 14 shall operate (or be permitted by the responsible Homeowner/Tenant to operate) a motor vessel on the community lake unless and until such person has provided to the POA proof of Boater Safety Education Certification.
- 6.3 Effective February 19th, 2015, No person born on or after January 1, 1988, may operate a motor vessel or personal watercraft on the community lake unless at least one of the following conditions are met:
 - 6.3.1 The person has provided the POA with proof of Boater Safety Certification and has in his or her possession aboard the vessel or watercraft photographic identification and a boater safety identification card issued by the appropriate governmental authority; or
 - 6.3.2 The person is licensed by the United States Coast Guard to serve as master of a vessel or watercraft; or
 - 6.3.3 The person is accompanied in the motor vessel or on the personal watercraft:
 - 6.3.3.1 by a person who is exempt from this section under subsection 6.3.2, who is attendant to the operation of the motor vessel or personal watercraft and responsible for any violation and responsible for any violation that occurs during the operation; or
 - 6.3.3.2 by a person over the age of 21 who is attendant to the operation of the motor vessel or personal watercraft and responsible for any violation that occurs during the operation; or
 - 6.3.3.3 by a person who is 18 years of age or older who holds a Boater Safety Certification identification card and who is attendant to the operation of the motor vessel or personal watercraft and responsible for any violation that occurs during the operation

- 7.0 **Hours of Operation of Motor Vessels and Personal Watercraft:** No person shall operate a motor vessel or personal watercraft on the community lake any earlier than sunrise or any later than sunset. However, a person shall be entitled to operate a motor vessel (but not a personal watercraft) after sunset up to 11:00 PM, provided that the vessel has its bow and stern running lights on and the vessel or watercraft is operated only at an idle/no wake speed (as defined below in Section 9.2).
- 8.0 **Requirements as to Use of Personal Flotation Devices:** No person may operate, or permit a vessel, a motor vessel or personal watercraft to be operated on the community lake, unless the following requirements regarding the use of personal flotation devices are met:
- 8.1 Every person riding on or being towed behind a personal watercraft must be wearing a Type I, II, III or V personal flotation device (PFD) approved by the United States Coast Guard. Inflatable PFDs are prohibited for personal watercraft use.
- 8.2 Every person riding in a motor vessel under 6 years of age must wear a United States Coast Guard approved Type I, II or III personal flotation device while onboard a vessel while the vessel is underway. "Underway" is defined as anytime except when the vessel is anchored, moored, made fast to the shore or aground.
- 8.3 The Three Lakes POA recommends that any person operating any type of vessel, (paddle boat, kayak, canoe, paddle board etc) or a motor vessel ~~or personal watercraft~~ wear a personal flotation device Type I, II or III approved by the United States Coast Guard for their own personal safety.
- 9.0 **Operational Requirements in "No Wake/Idle Speed" Zones:**
- 9.1 Motor vessels and personal watercraft shall not exceed an idle/no-wake speed while operating within the following areas of the community lake:
- 9.1.1 **Community Boat Ramp:** The "No Wake/Idle Speed" zone extends out 100 feet from the end of the floating docks located at the community boat ramp, and shall include the area marked off by a floating "No Wake Zone" buoy, if placed by the Three Lakes POA;
- 9.1.2 **The Canals and the Lagoon:** The "No Wake/Idle Speed" zone for the two canals and lagoon shall be deemed to commence at a point measured 100 feet out from the entrance to these two canals and lagoon (where the "No Wake Zone" buoys are normally positioned) and shall be deemed to extend throughout the entire length of these two canals and lagoon.
- 9.1.3 **The Rest of the Lake:** The "No Wake/Idle Speed" zone for the rest of the lake shall be deemed to extend 100 feet from the water's edge (shoreline and/or seawall), and shall include the entire area inside the zone marked off by floating "No Wake Zone" buoys, if such are placed by the Three Lakes POA.
- 9.2 For purposes of this regulation, an "idle/no wake speed" is defined to mean that the motor vessel or personal watercraft: (a) is not operating on a plane; (b) is not in the process of coming off a plane and settling into the water; (c) is not in the process of accelerating; and (d) produces no wake or no more wake than the minimum amount of wake necessarily created by the motor vessel or personal watercraft in order to properly steer the vessel or watercraft.

- 10.0 **Boatyard Authorization:** The boatyard is authorized by the License Agreement in place between FPL and the Association. The Homeowner/Tenant that stores within the boatyard is subject to these rules and regulations and the requirements set forth in the sublicense agreement between FPL and the Association. The partial purpose of this provision of the Rules and Regulations is to clarify provision 12.38 of the Declaration by providing that vessels, watercraft, and commercial vehicles are permitted within the boatyard as it is licensed by FPL. Another purpose of this provision is to clarify that the FPL lease that is referred to in the Association's Declaration in provision 12.49 is, in actuality, a license.
- 11.0 **Restrictions on Activities in the Area of the Community Boat Ramp:** The community boat ramp area is to be used solely for the launching and trailering of vessels, motor vessels and personal watercraft by authorized Homeowners/Tenants. Vessels/trailers shall not be left unattended on the community boat ramp. Any unattended vessel/trailer shall be subject to immediate towing.
- 11.1 Swimming, sunbathing and all other activities not directly related to the launching and trailering of vessels and watercraft are prohibited in the ramp area, including the floating docks in the ramp area.
- 11.2 All vehicles and trailers must be removed from the ramp area immediately after the vessel or watercraft has been launched or trailered.
- 11.3 The Security Personnel are authorized and directed to ask anyone violating this section to cease such activity and to remove such vehicles or trailers, and if such warning goes unheeded, then the Security Personnel are authorized to notify the Miami-Dade County police to cite and/or arrest such violators for trespass and/or loitering and to have removed from the premises any vehicles and/or trailers which are in violation of this section.
- 12.0 **Motor Vessels and Personal Watercraft Must be Operated in a Careful and Prudent Manner – Operational Requirements:**
- 12.1 **Speed Limit:** No motor vessel or personal watercraft may be operated on the community lake at a speed which is potentially dangerous to the operator, any passenger or other people or property on the lakes or in the canals or lagoon. Operators are required to exercise common sense and the high level of judgment expected of those operating a potentially dangerous instrumentality. It is expected by the Three Lakes POA that as the level of boating activity occurring on the lake at any given moment increases, all vessel and watercraft operations will decrease their speed accordingly.
- 12.1.1 **Maximum Speed Limits:**
 No wake Zones: 5 MPH or less
 Open Zones: 35 MPH or less
- 12.2 **Operating in a reasonable and prudent manner:** Any person operating a motor vessel or personal watercraft on the community lake shall operate the motor vessel or personal watercraft in a reasonable and prudent manner, having regard for other waterborne traffic, their motor vessel or personal watercraft's operating speed and stopping distance, no wake/idle speed zone restrictions, the presence of swimmers and divers, and all other attendant circumstances so as to not endanger the life, limb or property of any person.
- 12.2.1 **Minimizing wakes:** In order to minimize to the extent possible the adverse impact which large wakes from motor vessels or personal watercraft may have upon the lake slope, seawalls, swimmers, other vessels, motor vessels and personal watercrafts moored around the lake and entries to canals and the lagoon, all

operators must seek to operate in such a fashion as to minimize the wake created. For example, motor vessels and personal watercraft that are equipped with ballast tanks to increase wake size must disable such feature when using the Association Lake.

12.2.2 Direction of travel:

- In the main body of the lake (Water-Ski area) the direction of travel is counterclockwise.
- In the channels and lagoon / no wake zones you are to keep to the right of the channel

12.2.3 Buoys: The buoys are for navigational purposes and warnings: Do not use the buoys for slalom style racing. In addition, you may not moor or tie off to a buoy.

12.2.4 Improper seating: No riding on the bow, gunwale or transom of any motor vessel or personal watercraft.

12.3 Separation between motor vessels and personal watercraft: Any person operating a motor vessel or personal watercraft on the community lake shall make a reasonable effort to maintain a safe distance from all other vessels, watercraft, swimmers and divers who could potentially be endangered by the operation of said vessel or watercraft. In most instances, a minimum separation distance of 25 feet should be maintained.

12.3.1 Operation within "No Wake/Idle Speed" zones: When motor vessels and personal watercraft are being operated within "No Wake/Idle Speed" zones, the recommended 25-foot separation distance may not be possible and therefore shall not apply. Instead, the operator shall maintain the safest separation distance possible under the existing circumstances.

12.4 Potentially Dangerous Activities Prohibited:

12.4.1 Motor Vessels and personal watercrafts are to maintain a safe minimum separation distance between of at least 200 feet away from all other vessels, watercraft, swimmers and divers who could potentially be endangered by such activities.

12.4.2 Maneuvers by motor vessels and personal watercrafts which may unreasonably or unnecessarily endanger life, limb or property are prohibited, including, but not limited to, activities such as weaving through congested motor vessel or personal watercraft traffic, jumping the wake of another motor vessel or personal watercraft unreasonably or unnecessarily close to such other motor vessel or personal watercraft or any person being towed, and swerving at the last possible moment to scare, spray or avoid collision with another, vessel, motor vessel, personal watercraft or person. Racing of any type between motor vessels and/or personal watercrafts.

12.4.3 Operators of motor vessels and personal watercrafts shall avoid operation of said motor vessel or personal watercraft while under the influence of alcohol to the extent set forth by Florida Statute section 327.35.

12.4.4 Operators of motor vessels and personal watercrafts shall comply with all safety requirements as set forth by Florida Statute Chapters 326, 327 and 328.

12.5 Safety Requirements Regarding Towing Persons Behind Boat:

12.5.1 A person may not operate a motor vessel or personal watercraft on the community lake towing a person on water skis, or an aquaplane, wakeboard, innertube, sled or similar device unless there is in such motor vessel or personal watercraft a person, in addition to the operator, in a position to observe the progress of the person being towed, unless the motor vessel or personal watercraft is equipped with a wide-angle rear view mirror mounted in such a manner as to permit the operator of the motor vessel or personal watercraft to observe the progress of the person being towed.

12.5.2 A person may not operate or manipulate any motor vessel, personal watercraft, tow rope or other device by which the direction or location of water skis, aquaplanes, wakeboards, inner-tubes, sleds, or other similar devices may be affected or controlled, in such a way as to cause the device being towed or any person thereon to collide or strike against or be likely to collide or strike against any vessel, personal watercraft, dock, buoy, platform, piling, seawall, or other object or person.

13.0 Enforcement of State and County Laws, as Supplemented by These Regulations, on the Community Lake"

13.1 The Board, through the authority granted to it by the governing documents of the Association, hereby authorizes the officers of any state or local law enforcement agency having the authority to enforce boating and marine safety laws on the waters of the State of Florida to likewise enforce such laws on the community lake.

13.2 The Board may employ officers of the Florida Fish and Wildlife Commission and/or the Florida Marine Patrol to assist it in enforcing these specific community rules and regulations which are consistent with or patterned after existing Florida safe boating statutes, if the Board, in its discretion, determines that such action is affordable under then existing budgetary constraints and that such action is necessary to further the interests of all homeowners in maintain the safety of people and property on the lake, the water quality of the lake and its aquatic life and habitats, and the peaceful enjoyment and property values of those homeowners living adjacent to the lake.

13.3 The Board is further authorized to adopt a system whereby violations of these Rules may (in addition to the penalties provided for by State or local law) also result in written warnings from the Board to the offending Homeowner/Tenant, which warnings may then be followed by the assessment of escalating monetary fines levied against the Homeowner/Tenant and/or the removal of the vessel from the water. Failure to abide by the rules and regulations include having current Florida registration and POA decal displayed at all times and providing proof of insurance. The offending Homeowner/Tenant shall be entitled to written notification of the charges at each step of the procedure, and if requested in writing to the Board, such Homeowner shall be entitled to a hearing to contest the violation and the proposed penalty.

13.4 **Civil Penalties Imposed by the POA for Violations of these Rules and Regulations and Consequences for Failure to Pay Assessments:** As of the effective date of these Rules, the Association is authorized to impose the following escalating monetary fines and sanctions against homeowners who have been charged, and after notice thereof an opportunity to be heard, have been found to have violated these Rules:

13.4.1 **FIRST VIOLATION** – If a Homeowner/Tenant is cited with a violation of these Rules, no monetary fine will be assessed, but a written warning notice will be issued and a copy of it will be maintained in the offending Homeowner/Tenant's file for a period of one year. Citations issued by law enforcement officials for equipment related violations will not be counted as a "first violation" for purposes of this paragraph.

However, citations issued by law enforcement officials for violations relating to operator age restrictions or to reckless or dangerous operation will be counted as a "first violation" for purposes of this paragraph, unless the Homeowner/Tenant provides the POA with documentation showing that the violation was successfully contested.

13.4.2 FURTHER VIOLATIONS – If the Homeowner/Tenant is cited with further violations, after the issuance of a First Violation as described in Paragraph 13.4.1, the violations will be referred to the POA's grievance committee for consideration and determination as to whether fine(s) should be imposed or if vessel should be removed from waterway. All fines which are imposed shall be paid within thirty (30) days from the date of notification.

13.4.3 Consequences of Failure to Pay Fines when Due – Any Homeowner/Tenant who fails to pay a fine assessed him or her under these Rules within thirty (30) days of receiving notification thereof, shall temporarily forfeit the privilege of using the community lake for the operation of any vessel or watercraft until such time as such fine(s) have been paid or satisfactory arrangements for payment have been presented to and approved by the Board. The Board shall notify the Homeowner/Tenant of such action and shall temporarily revoke the Homeowner/Tenant's Boaters Registration and void his or her decal permitting the operation of vessels or watercraft on the lake.