

## **LAKES OF CANE BAY OWNERS' ASSOCIATION**

### **LAKE USE, FISHING & BOAT RULES AND REGULATIONS**

The Lakes of Cane Bay, located in Summerville, SC are private lakes and grounds and access is limited. The Lakes of Cane Bay are owned by the members of The Lakes of Cane Bay Owners' Association, Inc. Only members whose dues and assessments are fully current and their guests are entitled to use the lakes and other amenities owned by The Lakes of Cane Bay Owners' Association. All others will be trespassing and subject to prosecution to the fullest extent of the law. These rules are written pursuant to Article 4.2 of the Covenants, Conditions & Restrictions (CC&Rs), wherein the Board of Directors has the sole authority to institute written policies, rules, and regulations of the Association to be reviewed annually or when deemed necessary.

#### **I. General:**

1. BOATING AND USE OF THE LAKES AND COMMON AREAS OWNED BY THE LAKES OF CANE BAY OWNERS' ASSOCIATION IS AT YOUR OWN RISK. NO LIFEGUARD PROVIDED.
2. Community members and their guests acknowledge that the lakes, as with all waterways in the State of South Carolina may contain alligators, snakes and other wildlife which may be harmful to humans and pets. Lake users are cautioned to be careful when in the vicinity of the water, high grasses and common areas.
3. Boaters, community members and their guests must be familiar with and comply with the Boating and Lake Rules created by The Lakes of Cane Bay Owners' Association.
4. Community members, boaters and guests of community members must be familiar with and comply with the laws of the State of South Carolina, the South Carolina Department of Natural Resources, The Lakes of Cane Bay Owners' Association governing documents (CC&Rs and By Laws) and other rules and regulations by government entities relative to fishing and boating.
5. Community members must register all water crafts with The Lakes of Cane Bay Owners' Association prior to use of the vessel in the Lakes.
6. Members must present The Lakes of Cane Bay Owners' Association identification key card and ID to gain access to the lake, boat house, boat ramp and boat dock.
7. Guests must be accompanied by a member at all times.
8. No swimming, diving, or wading is permitted in the lake.
9. Members shall be held responsible for any damage to community boat docks, boat ramps, common area property, lake fountains and/or personal injury caused by members or their guests. Boating privileges may be revoked for causing such damage or injury. In addition, the Association may levy fines and other monetary penalties pursuant to the Association's CC&Rs, By Laws and Rules & Regulations.
10. The use of alcohol, drugs and tobacco is prohibited.
11. Animals (including waterfowl) are not permitted in the lake. No community member shall stock the lakes with fish, waterfowl or other wildlife. Except as specifically authorized by the Declarant or the Association. The Declarant and the Association reserve the right to stock the lakes with fish or other wildlife which in their opinion may be beneficial to the lakes.
12. Pets are not permitted within ten (10) feet of the lakes. Pets must be leashed and under control at all times. All pets are to be curbed and soiled areas are to be appropriately cleaned and disposed of in trash or pet waste receptacles.

13. Hunting on the lakes or on the common areas owned by The Lakes of Cane Bay Owners' Association is prohibited.
14. Feeding or baiting the alligators, waterfowl and other wildlife is prohibited.
15. Persons using the lakes must be considerate of lake users and community members. The Association reserves the right to revoke the lake use privilege and/or impose fines for any behavior which creates a nuisance or disturbance.
16. Chemicals, fertilizers or pesticides may not be used within ten feet (10') from the lake to minimize harmful run off. The Declarant, Developer and Association reserve the right to use these chemicals, when necessary to properly manage the lake, manage the vegetation within the lake of surround areas or to complete the development of the community. The Association consults with professional lake management companies and on occasion will need to utilize chemical applications for the management of the lake.
17. No person shall pollute the waters or common areas owned by The Lakes of Cane Bay Owners' Association with sewerage, garbage, rubbish, tree limbs, stumps, debris or waste of any kind. No person shall use gasoline, oil lubricants or any other substance in such a manner as to cause pollution of the water as previously described. The Developer, Declarant and Association reserve the right to use equipment which may require gasoline or oil based lubricants for construction, repair or to further develop the community and lake. The Declarant, Developer or Association may also install tree stumps or other materials to create fish habitats or otherwise properly manage the lake.
18. Lake water may not be drawn for any private use. The Declarant, Developer and Association reserve the right to draw water from the lake for construction or management of the property. Drawing water from the lake requires written approval of the Declarant or Association.
19. Homeowners, guests and other people using the lake are prohibited from installing fire pits or starting fires in the common areas surrounding the lake except with the approval of the association and in an area which may be designated appropriate by the Association. The Association reserves the right to create a designated area for a fire pit should the Association choose to do so.

## **II. Boating Rules and Regulations:**

1. BOATING AND LAKE USAGE IS AT YOUR OWN RISK. NO LIFEGUARD PROVIDED.
2. Boats must be rinsed prior to entering the water, if the boat has been used in another body of water.
3. Coast Guard approved life vests must be worn at all times by all persons in a boat. It is the boat owner's sole responsibility to ensure that there is one Coast Guard approved life vest for each person on the boat or watercraft.
4. Boats are not allowed on the lake during inclement weather, before sunrise or after sunset.
5. Use of the boat launch is restricted to hours of operation which is between the official sun rise and the official sunset.
6. Boats must remain at least ten feet (10') away from the lake fountains.
7. Children under the age of sixteen (16) must be accompanying by a parent or guardian over the age of eighteen (18) while boating on the lakes.
8. No person may use any vessel in a negligent manner so as to endanger life, limb or property.

9. No jumping, horseplay, or bumping of boats is allowed.
10. Overnight mooring of boats or watercrafts of any kind on the lake is prohibited. Boats and watercrafts which are found moored on the lakes or secured to the Association's common areas may be removed and stored at the boat or watercraft owner's expense. Cost and expenses incurred to remove the boat or watercraft and to restore the lakes or common areas will be charged to the boat owner.
11. No docks, mooring devices, floating docks or boathouses shall be installed on the lakes or on the Association's common areas. Violation of this rule may result in a fine, suspension of lake privileges or the removal of the dock, floating dock or mooring device by the Association. Cost and expenses for the removal and restoration of the common area or lake will be charged to the community member who installed the mooring device.
12. Boats and/or watercrafts shall not be moored by securing the vessel to the Association's common areas. No boat trailers shall be stored on the Association's common areas.
13. No boats, boat trailers, watercrafts of similar vessels shall be stored in or on the Association's common areas or sub-association's common areas between the residential unit and the water of the adjacent Cane Bay Lakes. Boat, boat trailer, watercraft or similar vessel storage on the residential unit lot shall be adequately screened from view from the Cane Bay Lakes.
14. Member's boats must be approved by the Association. Minimum requirements are:
  - a. No gas powered motorized watercrafts are permitted except those which may be used by the association for management purposes.
  - b. No boats over 16' in length. The Association reserves the exclusive right to use larger boats or water crafts for maintenance, construction, community events and other management purposes.
  - c. No houseboats.
  - d. No water rafts, hydroplanes or tire tubes.
  - e. No windsurfers or water skiing.
  - f. No jet skis, wave runners or similar watercrafts.

### **III. Fishing Rules and Regulations:**

1. A South Carolina fishing license is required.
2. Fishing is permitted in the designated areas only.
3. Fishing by rod and reel, a line attached to a pole or rod, or by handheld line is permitted.
4. Seines, gigs, basket traps, submerged tires, eel pots, trot lines, turtle hooks, nets, cast nets, jugs and all other similar methods of non-game fishing devices are not allowed.
5. Fishing within twenty (20) feet of lake fountains is prohibited.
6. A maximum of five fish (excluding grass carp) may be harvested by a community member or a guest of a community member each week. Grass Carp are catch and release only. Grass Carp and at times other fish are added to the lake for water quality and vegetation management purposes. Therefore, these fish are catch and release only.

### **IV. The Lakes of Cane Bay Owners' Association's Fines, Penalties and Other Remedies for Violations**

1. Community Members who are determined to be in violation the CC&Rs related to Lake use rules, boating rules, fishing rules or determined to be in violation of any of the Lake Use, Boating or Fishing rules are subject to the following fines:
  - a. A fine of \$100.00 per day.
2. The Lakes of Cane Bay Owners' Association may elect to remove any boat, dock, boathouse or mooring device which is determined to be in violation of the CC&Rs, By Laws or Rules and Regulations. Costs and expenses associated with the removal of such property and storage of such property shall be charged to the property owner.

**V. Fees**

1. Boat Registration Fees – Below is a list of registration fees for watercrafts which are approved for use within the Lakes of Cane Bay:
  - a. Boats (including but not limited to pontoon boats, sail boats and paddle boats) registration fee of \$50.00 per boat per year;
  - b. Other watercrafts (including kayaks, canoes, and paddleboards) a registration fee of \$10.00 per year per watercraft per year.

**PERSONS IN VIOLATION OF THE RULES ARE SUBJECT TO THE SUSPENSION OF PRIVELEDGES, FINES AND OTHER MONETARY PENALTIES ESTABLISHED BY THE LAKES OF CANE BAY OWNERS' ASSOCIATION AND THE STATE OF SOUTH CAROLINA**

**USE OF THE LAKES OF CANE BAY, LAKE AMENITIES AND COMMON AREAS IS AT YOUR OWN RISK**