

Aurora Lake Association (ALA) Rules and Regulations

I. Conditions of Aurora Lake use:

The following conditions are required to be met for a Watercraft, as defined herein, to be on Aurora Lake. If any of the following conditions are not met, the Watercraft shall be considered as trespassing and reported to the local authorities, and/or become subject to Enforcement and Penalties in accordance with Section IV.

- a. A person must be a Homeowner, as defined herein, of Aurora Shores Homeowner Association (ASHA) or Hawthorn of Aurora Homeowners Association (HHOA) to be eligible to register a Watercraft for use on Aurora Lake.
- b. All Watercraft must be registered with the State of Ohio, and possess a current ALA permit to enter or operate on Aurora Lake.
- c. ALA permits are issued in the form of an adhesive sticker by the ALA to Aurora Shores Homeowner Association (ASHA), and Hawthorn of Aurora Homeowners Association (HHOA), to be issued to members in good standing. In order to receive an ALA permit, an applicant must have a current OHIO Boat Registration, Title, Proof of in-effect liability insurance with a 10-day notification clause in the event of cancellation or lapse (see bullet I.c. for specific requirements), and a completed waiver of liability for the current year at the time of application. An ALA permit is valid from Jan 1st – Dec 31st, in the year it was issued, hereinafter the “Permit Life”. The ALA permit must be renewed annually.
- d. As a condition to obtain boating privileges, boat owners must present a current comprehensive liability insurance policy with minimum liability coverage of \$300,000 for all non-motorized watercrafts, and motorized Watercraft with 10 HP, or less. All other Watercraft require \$1,000,000 liability coverage. A new certificate of insurance is required if the policy expires during the permit life, or renews during the current permit life.
- e. A \$100 permit fee will be assessed for all motorized Watercraft (including <10HP or the electric equivalent). Kayaks and other non-motorized Watercraft (including Stand Up Paddle Boards will be assessed a \$25 permit fee.
- f. Issued ALA permits must be visible on all watercraft, and at all times. It is required that the ALA permit be placed on the starboard stern of a motorized Watercraft. It is required that all other Watercraft make visible the ALA permit. In any event, all Watercraft require a current ALA permit.
- g. In no case shall a homeowner be permitted to register more than two motorized Watercrafts per property. If two motorized Watercrafts are permitted, then one of those two motorized Watercrafts must be powered by less than 10HP (or the electric equivalent).
- h. Motorized Watercrafts shall not exceed 20’ in length. See Appendix A for further details.
- i. Sailboats shall not exceed 23’ in length. See Appendix A for further details.
- j. Rowing shells are exempt from length limits.
- k. Jet skis, motorized surfboards or foils, or other similar motorized personal watercrafts (PWC’s), are not permitted. Trustees of the ALA shall make the final determination on which Watercraft will qualify as a PWC.
- l. First time boat registrants must complete a USCG approved (United States Coast Guard) boating safety course and provide a certificate of completion at the time of boat registration. Please refer to America’s Boating Course: www.americaboatingcourse.com. Onsite courses are sometimes offered in the spring and sponsored by a USCG official.

II. Aurora Lake Association (ALA) Authority

Any use of Aurora Lake by a homeowner, resident, or guest is at their own risk. The homeowner assumes all risk and liability for personal, resident, or guest activity while on Aurora Lake.

- a. The Trustees of the ALA reserve the right to change, add, or delete rules and regulations at their discretion without notice. However, they will make efforts to consult with and notify the respective Homeowner Associations, and larger community.
- b. The Trustees of the ALA reserve the right to enforce Section III Rules for lake use in accordance with Section IV Enforcement and Penalties.

III. Rules for lake use

All Federal and State of Ohio Laws governing boating are applicable on Aurora Lake, including but not limited to, Ohio Revised Code (ORC) Section 1547 and Ohio Administrative Code (OAC) 1501:47-1. The laws and regulations are displayed on the ODNR (Ohio Department of Natural Resources) website:

<http://watercraft.ohiodnr.gov/laws/boating-laws-in-general>.

These laws are supplemented by the following Aurora Lake specific Rules and Regulations:

Definitions:

- Skier – A towed person of any discipline including, but not limited to, a skier, tuber, wakeboarder, kneeboarder, surfer, foiler, or bare footer. The Skier is considered towed when physically connected to the watercraft by a rope or other tether, or when the Skier is a surfer / foiler under the direct influence of the watercraft wake formed by forward movement of the watercraft.
- Watercraft – Any of the following when used or capable of being used on Aurora Lake for transportation on the water: (1) A vessel operated by machinery either permanently or temporarily affixed; (2) A sailboat; (3) An inflatable, manually propelled vessel that is required by federal law to have a hull identification number meeting the requirements of the United States coast guard; (4) A canoe, kayak, paddleboard, pedalboat, rowboat, or rowing shell.
- Motorized – Any machinery, either permanently or temporarily affixed to a watercraft, to propel the watercraft through the water. The machinery may be powered by combustion or electricity. Any horsepower (HP) specifications herein are intended to include the electric equivalent (for example, kilowatt / KW).
- Homeowner - A homeowner includes a homeowner in residence in HHOA or ASHA. A homeowner also includes a lessee of a condominium unit, cluster unit, or freestanding house in HHOA or ASHA.
 - A lessee of a condominium unit, cluster unit, or freestanding house may assume the owners' privilege to register and operate a Watercraft on Aurora Lake only with prior written approval from the owner of the condominium unit, cluster unit, or freestanding house, and otherwise must comply with all registration, title, and insurance requirements. The title to the Watercraft must be in the name of the lessee.

- a. A USCG-approved wearable personal floatation device (PFD) must be present on all Watercraft at all times. One (1) wearable PFD must be present per each individual on the Watercraft. A Skier must wear a USCG-approved wearable PFD at all times.
- b. Children less than 10 years old must wear a USCG-approved personal flotation device (PFD). Any person wearing a cast while on board any Watercraft must wear a USCG-approved life jacket.
- c. Operating under the influence of alcohol, or any other chemical, is strictly prohibited.
- d. Speed Limits on Aurora Lake.
 - a. 35 MPH is the maximum speed limit on Aurora Lake. The only exception to the speed limit is when the Watercraft is operated by an active member of USA Waterski & Water Sports and/or an active member of the Aurora Lake Waterski Club, and only when a Skier of a required discipline is in tow.
 - b. 10 MPH is the maximum speed limit on Aurora lake from sunset to sunrise.
 - c. 5 MPH is the maximum speed limit on Aurora lake within twenty-five (25) yards of the shoreline and/or in any designated "No Wake" zone.
- e. Watercrafts in the "Open, or Ski Zone" areas shall move in a counter-clockwise direction except for the temporary purpose of retrieving a skier.
- f. Operation of a Watercraft less than 200 ft. behind a Skier is not permitted.
- g. A Skier is not permitted within 100 ft. of the shoreline.
- h. More than two towable devices may not be pulled from one Watercraft at any one time.
- i. A dedicated observer must continuously make visible an orange safety flag while a Skier is preparing to launch, and until they successfully launch. The orange safety flag must also be continuously visible after a Skier falls, and until the fallen Skier either successfully relaunches, or is safely onboard the Watercraft.
- j. Any person using a non-powered Watercraft including, but not limited to a Kayak, Paddleboard, Pedal Boat, Rowboat or Canoe shall not enter or operate in the "Open, or Ski Zone". Sailboats are permitted in the "Open, or Ski Zone".
- k. Motorized Watercrafts shall extend right of way to Watercrafts without power.
- l. Litter shall not be discarded improperly from any Watercraft regardless of intent.
- m. Parasails, and Kite Boards are not permitted on Aurora Lake.
- n. The minimum size limit on fish is as follows: Northern Pike 22", Large Mouth Bass 15". Bass of any size cannot be taken from the lake until after June 15th to allow time for spawning.
- o. Recreational Swimming, anchoring, or rafting, are not permitted in the "Open, or Ski Zone" during daylight hours. The slalom course area and the adjacent cove at its north end are considered "Ski Zones".
- p. In no case shall a Motorized Vehicle of any kind operate, or an Ice Fishing House structure be placed on, a frozen Aurora Lake.
- q. In no case shall a person ride on the transom of a motorized Watercraft while such Watercraft is in motion.

IV. Enforcement and Penalties

The Trustees of the ALA reserve the right to observe and enforce all Federal, State, and Aurora Lake specific ALA Rules and Regulations directly or through Authorized Observers. The Trustees of the ALA may also recommend penalty for violators in accordance with Process and Penalties.

Use of Aurora Lake is a privilege, not a right. There will be due process for any penalty assessed for violations of the ALA Rules and Regulations. However, penalties may not be sequential as determined by the severity and nature of the incident(s), or if there is presence of patterned behavior. If any section of this agreement is held to be invalid, illegal, or unenforceable, that shall not affect or impair, in any way, the validity, legality, or enforceability of the remainder of this document.

Authorized Observers:

Security officers which could include, but are not be limited to, Aurora Lake Patrol, City of Aurora Police, Village of Reminderville Police, ODNR Officers, Trustees of the ALA, or Community Members will enforce Federal and State Laws, and/or the Aurora Lake specific ALA Rules and Regulations. Video Evidence is permissible in all cases, and should be forwarded to auroralakeassociation@gmail.com with a verbal, or visual date/time stamp, as well as a violator, or ALA permit reference number, if known.

Process and Penalties: Violating any combination of Federal, State, or Aurora Lake specific ALA Rules and Regulations will be subject to the following Process and Penalties.

- a. Violators of Federal, or State laws are subject to penalties described in statute and the Ohio Revised Code. Violators of Federal Law, State Law, or the Aurora Lake specific Rules and Regulations are afforded due process as described in the paragraphs below, and are subject to the penalties listed below. Video evidence is permissible in all cases, and may be reported to ODNR, or other state officials.

Verbal Warning. A verbal counseling of the Violator will be conducted for educational purposes. This will be followed by an email notification to the Violator, and copied to the ALA Executive Secretary. In the event that the Violator is a minor, then such notification may be made to the parent or legal guardian of the Violator.

Written Warning. A formal written counseling of the Violator will be issued for educational purposes. This may be sent by email to the Violator or Homeowner associated with the ALA permit, and/or optionally by certified mail. It will be copied to the ALA Executive Secretary, and to ASHA/HHOA for record keeping. A \$100 fine may be assessed, and accompanied by up to a two (2) week suspension of lake privileges. In the event that the Violator is a minor, then such notification may be made to the parent or legal guardian of the Violator.

Final Written Notice: A formal written notice will be issued to the Violator or Homeowner associated with the ALA permit, and have a maximum term of up to 12 months. This term may carry beyond the current permit life. Notification will be sent to the Homeowner associated with the ALA permit or to the Violator by email, and/or optionally by certified mail. It will be copied to the ALA Executive Secretary, and ASHA/HHOA for record keeping. Lake privileges may be immediately revoked contingent upon the severity of offense(s), patterned behavior, or as deemed appropriate by the Trustees of the ALA. In the event that the Violator is a minor, then such notification may be made to the parent or legal guardian of the Violator.

- b. Homeowners and/or Violators that receive fines, suspensions, or expulsions will be granted a ten (10) day period to contest such fines, suspension, or expulsion from the time of notification. The Homeowner and/or Violator will be granted an executive hearing with the Trustees of the ALA as indicated in the final written notice, but the penalty will be served from the date of the original

notification. In any event, the Homeowner and/or Violator must respond with formal notification indicating their intent to appeal, or not, to auroralakeassociation@gmail.com.

- c. The operator and/or Homeowner associated with the ALA permit of a Watercraft involved in an accident of collision upon Aurora Lake must expressly comply with ORC 1547.10, ORC 1547.59, and OAC 1501:47-1-09, and further must promptly report the accident or collision in writing to the Trustees of the ALA within 5 days of such collision or accident by email to auroralakeassociation@gmail.com.

Appendix A:

Aurora Lake Watercraft Buying Policy

It is the policy of the Aurora Lake Association (ALA) to accept from the homeowner a new or existing Watercraft application that meets the criteria established in the current Lake Access Permit Application for Aurora Lake. As part of that application process, the following Watercraft length requirements must be met:

A. Motorized or Non-motorized Watercrafts:

1. Manufacturer Specifications for the Watercraft must state a length of 20 feet or less; and
2. The original and unaltered Title⁽¹⁾ as issued by the State of Ohio for the Watercraft must state a length of 20 feet or less.
3. If there are no available Manufacturer Specifications, or if the ALA determines there is any doubt as to the validity of the Manufacturer Specifications or Title, then the ALA reserves the right to utilize the Measuring Guideline (see Appendix B) to establish a Watercraft length of 20 feet or less.

B. Sail-Boats:

1. Manufacturer Specifications for the Watercraft must state a length of 23 feet or less; and
2. The original, and unaltered Title⁽¹⁾ as issued by the State of Ohio for the Watercraft must state a length of 23 feet or less.
3. If there are no available Manufacturer Specifications, or if the ALA determines there is any doubt as to the validity of the Manufacturer Specifications or Title, then the ALA reserves the right to utilize the Measuring Guideline (see Appendix B) to establish a Watercraft length of 23 feet or less.

A Watercraft must be able to pass the burdens of proof as defined above, as applicable. Otherwise a Watercraft application will not be approved and an ALA permit will not be issued.

Grandfather Privilege Clause:

Watercrafts in Section A that exceed 20 feet, and were registered for use on Aurora Lake as of Oct 1, 2018, are grand-fathered for future use of the current AHSA or HHOA Homeowner, assuming all other conditions of the application are met.

Watercrafts in Section B that exceed 23 feet, and were registered for use on Aurora Lake as of Oct 1, 2018 are grandfatered for future use of the current AHSA or HHOA Homeowner, assuming all other conditions of the application are met.

The grandfather privilege is not transferrable. Watercrafts in Section A or B that exceed the 20 feet and 23 feet specification, respectively, may not under any circumstances be sold or otherwise transferred to another Homeowner in AHSA or HHOA for use on Aurora Lake because an ALA Permit will not be issued.

1. If the Title is found to be altered in any way, then the Homeowner will be instructed to immediately remove the respective Watercraft from Aurora Lake as it will be implied that the conditions of the Lake Access Permit have not been met. In addition, the ALA may file complaints with relevant authorities.

Appendix B:

Measuring Guide Process

Items required:

1. String weight
2. Tape or Chalk
3. Tape Measure

Motorized or Non-motorized Watercraft:

1. Watercraft should be positioned on a trailer and level ground. The rub-rail of the boat, or the closest similar structure, should be level with the ground. Measurements should be taken at 90 degree angles.
2. Drop a string weight from the forward-most tip of the boat. Place a First mark on the ground where the still string weight touches the ground.
3. Drop a string weight from the rear-most transom of the boat. Place a Second mark on the ground where the still string weight touches the ground. The transom does not include a removable swim deck or other platform that is removable from the hull.
4. Measure the distance between the First and Second marks with a measuring tape to determine the Watercraft length.

Pontoon Watercraft:

1. Duplicate the process above by measuring the First mark from the forward-most point of the Watercraft, and the Second mark from the rear-most point of the transom, not including the engine.

Advisory: Homeowners should note that the Measuring Guide Process is not a standalone burden of proof. The Trustees of the ALA shall make the final determination as to the length of any Watercraft.

Notes:

All Watercrafts are unique, and history has shown variance within brands. As such, regardless of a Watercraft Manufacturer specification and Title that evidence 20 feet or 23 feet, respectively, the ALA reserves the right to utilize its Measuring Guide Process for final approval.

As it relates to Watercrafts transferred within the Aurora Lake boating community, this process is not meant to mandate who a Watercraft can be transferred/sold to. Instead, it is meant to inform the users of Aurora Lake that Watercrafts exceeding 20 + feet or 23 + feet will not be permitted privileges for use on Aurora Lake.