

# **LAKE-USE RULES & REGULATIONS**

## **PARC LAKE ESTATES**

These lake-use rules and regulations for Parc Lake Estates have been promulgated and approved by the Board of Directors for the Parc Lake Estates Home Owners Association, LLC (Association). Unless otherwise specifically provided herein, the Lake-Use Rules & Regulations shall be subject to the Declaration of Covenants, Conditions and Restrictions filed for record on under Clerk's File No. \_\_\_\_\_ in the Real Property Records of Harris County, Texas.

### **1. Use of the Lakes & Ponds**

All owners, members and occupants in good standing of the Parc Lake Estates Home Owners Association, LLC\_\_ and their guests, subject to the Lake-Use Rules & Regulations shall be allowed access to and the usage of the lakes and ponds. Access to and use of these waters shall be for recreational purposes only. No person who is not a member in good standing or a guest of a member not in good standing of the Association shall be allowed access or use of these waters. The lakes and ponds are private impoundments for the use and enjoyment of members in good standing with the Association and trespassers shall be prohibited to use these waters and are subject to removal and prosecution.

### **2. Special Events**

Should a member of the Association wish to utilize any of the lakes or ponds for a special event, the Association shall require that a usage and release of liability agreement be executed based on the proposed use. Any use of these waters for special events is subject to prior written approval of the Board of Directors.

### **3. Boating**

No boats, canoes, rafts or other waterborne craft shall be propelled by means of an internal combustion engine(s), either inboard or outboard. All permitted watercraft shall be approved by the Association and shall display an Association decal. All permitted watercraft may be used between the hours of 6:00am and 10:00pm.

Exception: Use of an outboard motor shall be allowed for lake maintenance only.

### **4. Swimming**

Swimming or any activity that may cause a member or guest to be in the water is strictly prohibited. This includes but is not limited to swimming, wading, scuba diving, snorkeling, tubing, and windsurfing, etc.

### **5. Diving, Climbing & Jumping**

Diving, climbing and jumping on, from or into the lakes, ponds, bulkheads, docks, waterfalls, etc. is strictly prohibited.

### **6. Fishing**

Members in good standing and their guests are permitted to fish in the lakes and ponds or from the shoreline. Use of the following fishing techniques is not allowed:

- a) Trotlines
- b) Throwlines
- c) Juglines
- d) Nets
- e) Traps
- f) Yo-Yo's

Taking of fish from the waters of the Association shall be prohibited if a catch and release policy is in

effect. If harvesting is allowed, harvest sizes and bag (creel) limits will be set forth by the Association and posted. The Association reserves the right to amend these rules as they deem necessary.

No member shall stock, release or introduce any type of fish or animals into the waters of the Association. No fish feeders of any type are allowed to be installed near or discharge into the water unless performed by the Association.

#### 7. Hunting

Hunting is not allowed and the possession of any type of firearms is strictly prohibited.

This includes but is not limited to BB guns, pellet guns, bows and arrows, etc.

#### 8. Bulkhead

Extreme care should be taken when constructing or landscaping in close proximity of the bulkhead. Heavy machinery should not be operated near the bulkhead. The bulkhead is not a support structure and no dock, pier or other structure should be placed on top of, directly in front of or next to or directly in back of or next to the bulkhead. Repairs to the bulkhead shall be the sole responsibility of the Association. Damage to the bulkhead, caused by a member or their guest(s), shall be the economic responsibility of that member and must be repaired immediately. However, any repairs must be approved by the Association. Failure to timely complete the bulkhead repairs according to the approval by the Association may result in the repair performed by the Association and the member will be responsible for such cost which will be immediately paid to the Association.

#### 9. Piers & Docks

Piers, docks, decks, ramps, etc. are not permitted unless specifically approved by the Association. The Association reserves the right to allow these structures at any time or for any reason on a case by case basis.

#### 10. Landscaping

All trees, shrubs or other vegetation shall be maintained in such a manner as not to obstruct passage on the water or make passage hazardous. No trees or other deep-rooted vegetation may be planted within ten (10) feet from the bulkhead or edge of the water. Willow trees are discouraged but, if introduced, shall not be planted within twenty-five (25) feet from the bulkhead or edge of the water. Any trees, shrubs or other vegetation shall be kept trimmed so as not to overhang the water. It should be noted that some chemicals are used, from time to time, during maintenance of the waters to control aquatic vegetation and any damage to member's trees, shrubs or other vegetation is the sole responsibility of the member.

No member shall introduce any type of vegetation into any waters of the Association.

#### 11. Pumps

No manual, electric, solar, gas or motorized pumps nor any device used to extract water from the lakes and ponds will be allowed for the private use of the members such as irrigation, cleaning, swimming pools, Jacuzzis, spas, hot tubs, air conditioning/heating. etc.

#### 12. Waterfowl

Waterfowl can cause serious problems in the water as well as on land. Members are not permitted to manipulate the number of waterfowl by introduction, harvesting, extraction or breeding. The Association reserves the right to remove, dispose of or destroy any waterfowl it feels is necessary whether or not such waterfowl belongs to or was purchased by a member without liability to any member.

#### 13. Fertilizers & Chemicals

Fertilizers, pesticides, herbicides, insecticides or other chemicals shall not be permitted within ten

(10) feet of the bulkhead or edge of the water. Members and groundskeepers shall be expected to mow around the water in a manner as to minimize the discharging of clippings into the water. Tree limbs or other structures shall not be placed in the water for the use of fishing or any purpose unless deemed necessary by the Association.

#### 14. Swimming Pools

Members who have swimming pools are not permitted to discharge or drain pool water directly into the lakes and ponds. French drains, flower beds, hot tubs, spas, Jacuzzis, air conditioning/heating, etc. are also prohibited from draining or discharging directly into these waters.

#### 15. Garbage Disposal

Trash, garbage, refuse or other waste or pollutants of any kind shall not be disposed of in or near the waters of the Association.

#### 16. Pets

Members and their guests shall not bring animals or pets to the lakes and ponds except for dogs and cats restrained by leash. No animals whatsoever shall be permitted in a watercraft or in the water. It is the member's responsibility to remove their pet's debris from the lake or pond area.

#### 17. Nuisances

No noxious or offensive behavior or activity shall be permitted in or around the lakes and ponds, nor shall anything be done that may be or become an annoyance to other persons as determined by the Association. Any actions not specifically mentioned in these Lake-Use Rules & Regulations but which is deemed, by the Association, to be noxious, offensive, annoying, injurious or hazardous shall be prohibited.

#### 18. Enforcement

All members and their guests shall abide by these rules and regulations and shall assist the Association in their enforcement. The Board of Directors, at its discretion, may delegate the power to interpret and the duty to enforce these rules and regulations to a duly appointed committee. This includes but is not limited to the right to determine a member's privilege to use the waters of the Association for a determinable period of time as well as to levy fines.

#### 19. Safety

The safety and well-being of the members and their guests is the primary goal of the Association. The lakes and ponds have been designed, constructed and maintained to provide as much safety as reasonably can be expected. However, all members and their guests should recognize that there are associated risks inherent with all lakes and ponds, whether natural or man-made, and these risks are the sole liability of the members and their guests.

#### 20. Indemnification

Every member does hereby agree to defend, indemnify and hold harmless the Association and its Board of Directors from and against any such claim for injury or damage to the member, his property, tenants, employees, agents, customers or guests whether the injury or damage results or is claimed to have resulted from any negligence of the Association or its Board of Directors.

Below is a list of safety rules to be followed by all members and their guests:

- 1) No watercraft shall be left unattended in the water at any time.
- 2) No watercraft shall be stored in the water.
- 3) Children under the age of thirteen (13) and non-swimmers must wear a U.S. Coast Guard approved life jacket while in any watercraft .

- 4) All children under the age of sixteen (16) shall be accompanied by an adult or guardian while in any watercraft.
- 5) Intoxicated persons and consumption or possession of any alcoholic beverage while in a watercraft is strictly prohibited.
- 6) Use of glass containers near the water or while in the watercraft is prohibited.
- 7) All guests or non-members must be accompanied by a member in good standing while in or near the waters of the Association.
- 8) Feeding and interaction with wildlife and/or waterfowl is prohibited.
- 9) Care should be exercised when removing a fish from a hook. It is recommended that all hooks be barbless to facilitate the catch and release policy
- 10) Any person witnessing any concerning action or discovery of any concerning situation should immediately notify the Association or its Board of Directors

This is by no means an exhaustive list of safety rules and any person should exercise caution and common sense when a question arises regarding safety issues of the Association's lakes, ponds and waterways.

21. Modifications These Lake-Use Rules & Regulations may be amended from time to time by the Board of Directors of the Association. Amendments shall be made available to all members in a manner determined by the Board of Directors.