

LAKE REGULATIONS

Revised and approved by the Board of Directors December 10, 2002

Amendments were made in 2004, June 14, 2005, September 13, 2005, December 13, 2005, July 27, 2006, August 24, 2006, November 14, 2006, March 13, 2007, September 11, 2007, August 11, 2009, September 8, 2009, December 13, 2011 and December 19, 2013.

I. DEFINITIONS

For the purpose of these regulations the terms below shall have the following meanings used herein:

1. **Association:** Raintree Lake Property Owners Association.
2. **Board of Directors:** The Board of Directors of the Association.
3. **Boat:** A vessel not equipped with motor and using oars or paddles manually operated as a means of propulsion; i.e., canoes, paddleboats, kayaks, rafts. Etc.
4. **Lake Committee:** The Committee shall be made up of not less than five (5) members and not greater than twelve (12) members. The Committee will elect a Chairperson, and a Secretary. The duties of Chairperson and Secretary may be combined. *Amended September 9, 2008.*
5. **Resident Identification Card:** A photo identification card issued by the Raintree Lake Property Owners Association to its members and family. Card shall be maintained on person at all times when using any Raintree amenity.
6. **Member in Good Standing:** A member of the Association who has paid all assessments fixed, established and collected by the Association.
7. **Motor Boat:** Any vessel equipped with a motor for propelling same in the water. To include personal watercraft, deck boats, ski boats, fishing boats, etc., except as otherwise defined herein.
8. **Personal Watercraft (PWC):** A type of watercraft commonly referred to as a Jet Ski or wave runner.
9. **Pontoon Boat (Traditional Design):** A motor boat equipped with two (2) or three (3) separate cylindrical pontoons, not enclosed, mounted below a flat deck no wider than 8'6". NOTE: Any watercraft not conforming to the above definition, regardless of Manufacturer's Statement of Origin (MSO), title, or registration classification, is not defined as a pontoon boat in accordance with the RLPOA definitions. This definition does not include deck boats or tunnel hulls. *Dec. 2013*
10. **RLPOA:** Raintree Lake Property Owners Association.
11. **Sailboat:** A vessel equipped with sails as its principal means of propulsion.
12. **Vessel/Watercraft:** Every type of boat, craft or device for transporting and propelling persons through the water.
13. **Water Sports Equipment:**
 - (a) **Towable:** Inflatable devices, such as tubes, that are designed for occupants to ride in and be towed behind a motor boat.
 - (b) **Non-towable:** Devices, both inflatable and non-inflatable, which are not designed to be ridden and can be used for water sports activity. This includes, but is not limited to, trampolines, ski ramps, etc.
14. **Yellow Caution Flag:** A flag displayed on the Lake Patrol Motor Boat(s) when conditions require a mandatory ten (10) MPH speed limit and no towing of water sports equipment or skiing.
15. **Raintree Lake:** As referenced Raintree Lake Proper, Sunset Cove and The Raintree Reserves. Dec. 2013

II. WATERCRAFT RESTRICTIONS

1. **Vessels** shall not exceed the following lengths/width:
 - (a) **Airboat:** Airboats are not permitted.
 - (b) **Houseboat:** Houseboats are not permitted.
 - (c) **Motor boat:** Twenty-one (21) feet
 - (d) **Other boats:** Eighteen (18) feet
 - (e) **Pontoon boat:** Twenty-eight (28) feet (A deck boat is not a pontoon boat.)
 - (f) **Sailboat:** Twenty-two (22) feet
 - (g) **Width:** No Vessel may be wider than 8 foot 6 inches. *Dec. 2013*
2. **Horsepower:** At this time, the Committee chose not to invoke a horsepower limit on motorboats.
3. **Exhaust:** All watercraft must have exhaust that vents below the waterline as measured when the watercraft is at rest.

III. LIFT GUIDELINES

1. **Boat Lift Guidelines:** Front-mounted, two round, or two rectangular, black or galvanized tanks. *Board approved August 11, 2009.* In the event any lift is deemed damaged or inoperable a notice to repair and comply will be sent to the lease holder/lessee. They will have 30 days from Notification Letter Date to comply or have a 4th level violation issued. The Appeal process may affect the time line. If not resolved and fine paid within the 30 day time limit, the lift will be subject to be impounded. If there has been not positive action to complete repairs or correct the issue RLPOA will remove and salvage the lift, repair dock and charge the Lessee the cost. *Dec. 2013*
2. **PWC Lift Guidelines:** PWC lifts must have one round, cylinder float (galvanized or black) or rectangular, black Poly Tank. *Board approved September 8, 2009.* In the event any lift is deemed damaged or inoperable a notice to repair and comply will be sent to the lease holder/lessee. They will have 30 days from Notification Letter Date to comply or have a 4th level violation issued. The Appeal process may affect the time line. If not resolved and fine paid within the 30 day time limit, the lift will be subject to be impounded. If there has been not positive action to complete repairs or correct the issue RLPOA will remove and salvage the lift, repair dock and charge the Lessee the cost. *Dec. 2013*
3. Use of used boat lifts coming from other lakes are not allowed. *August 2015 & July 2016*

IV. IDENTIFICATION AND REGISTRATION

1. **Permits:** All vessels on/in waters of Raintree Lake, to include slips and lifts on May 1, must display a valid permit for the current boating season. Enforcement begins on May 2. Permits may be obtained at the RLPOA office during business hours. Dues must be current and any fines paid before a boat permit will be issued. All applications for renewal are subject to any applicable Association regulation, including mechanical and structural soundness of the watercraft, proper safety equipment and proper lighting. All new watercraft to the Lake must provide a copy of the title or statement of origin for proof of ownership and length verification. There is a one (1) week waiting period for new watercraft to verify boat length, ownership and insurance. *Amended June 14, 2005 and December 2013*
 - (a) All Motorized and Non-Motorized Boat Owners shall be required to have a representative of the household (Minimum Age of 18) every two years take a written test provided by the RLPOA office during business hours. (Even numbered lots in Even numbered years & Odd numbered lots in Odd numbered years) It shall

be an open book test over the rules and regulations of Raintree Lake with a 100% score required before a boat permit may be issued. Any score less than 100% will require the Boat Owner Representative to retake an alternative test provided by the RLPOA. (May be taken on the same day during business hours) All NEW Motorized and Non-Motorized Boat Owners that have not before registered a boat at Raintree Lake OR Any Lot guilty of a 4th Level Violation in the previous year must ALSO have a representative of the household (Minimum age of 18) watch a video presentation provided by the RLPOA office. (Scheduling will be done through the RLPOA office) *Approved December 11, 2012*

2. **Permit Display:** Permits shall be displayed in a conspicuous place on each side of the vessel and trailer. All outdated visible permits shall not stand-alone and must be removed. Permits labeled "trailer" will be put on the applicable trailer only. *Amended 2004*
3. **Permit Fees:** The Board of Directors will determine Permit fees each year.
4. **Insurance:** Minimum liability insurance of \$100,000 naming RLPOA as additional insured with an agreement for notice of policy cancellation must be provided to the RLPOA to obtain permit(s).
5. **Residential Property Lessees or Renters (Home Exclusively):** Shall have the same boating privileges as Association members provided:
 - (a) The property owner is a member of the Association in good standing.
 - (b) All watercraft comply with requirements stated in the Lake Regulations.
 - (c) The lessor, the lessee or renter of the slip shall agree to abide by the Lake Regulations as published by the Association as a condition of the approval of said lease.
 - (d) The property owner(s) relinquish their right to use the lake.

V. OPERATING REGULATIONS

The use of the lake is a revocable privilege for Raintree Lake Property Owners in good standing that has agreed to demonstrate compliance with all the Lake Regulations and rules of the Association. Members using the lake who have lost their lake privileges due to violations or suspensions will be cited and their watercraft impounded.

In the event a resident becomes delinquent on dues and or assessments, or has outstanding fines, that resident's permit(s) shall be suspended. Once all such obligations have been satisfied, that resident's permit(s) shall be reinstated. Any watercraft with suspended permits shall be treated the same as if there were no permit or an expired permit. *Amended September 11, 2007.*

All vessels on Raintree Lake are subject to safety inspections at any time by authorized patrol. Violations must be corrected to the satisfaction of the Patrol. The Patrol may request that the vessel be removed from the lake until the violation can be corrected.

The Lake Committee will have the power to change the regulations regarding a given rule or event with the majority agreement of the committee and the approval of the Board of Directors.

1. **Boating Season:** The boating season runs from May 1 through April 30.
2. **Speed Limits:** No person shall operate a motor boat at speeds in excess of the following:
 - (a) Maximum of five (5) MPH, or such speed that does not raise the bow of the boat or create a wake around docks, swimmers, or fishermen, in any cove, within fifty (50) feet of launch areas or land.
 - (b) Ten (10) MPH in all areas of the lake not described above before sunrise and after sunset as published in the Kansas City Star.

- (c) Thirty-five (35) MPH in all areas not mentioned in (a) above, but only during the following hours: Monday thru Friday, sunrise to sunset, and Saturday and Sunday, 7 a.m. to sunset as published in the Kansas City Star.
 - (d) The Board of Directors may from time to time designate certain areas for special uses and may designate speed limits for said uses. Notice of such special use areas and speed limits shall be posted five (5) days prior to the event and displayed at the launch area and Clubhouse; i.e., sailboat regatta, fishing tournament, ski tournaments.
 - (e) The Lake Patrol, with the approval of any combination of at least two (2) of the following: Lake Committee Members, Board Members, or General Manager, may designate that the lake shall only be used at a maximum speed limit of ten (10) MPH and no skiing or towing of water sports equipment due to the number of boats on the lake, adverse weather conditions or other factors making it necessary to reduce the speed limit. In such an event, a yellow flag will be displayed from the patrol boat(s). A citation will be issued for failure to adhere.
3. **Members and Guests in Company of Members:** Guests must be accompanied by a member of the Association, or be in possession of an Association Member's Raintree Lake Resident Identification Card at all times when using Raintree Lake for motor boating, personal watercraft, water-ski activities, swimming, fishing or other purposes. It is also a requirement that Raintree Resident have in their possession their Resident ID Card while boating, fishing, swimming and/or other purposes. Fishing Tournament Participants must have a resident in good standing on board. *Amended May 10, 2011, December 2013.*
4. **Members Responsible for Children and Guests:** All dependents and/or minor children are the responsibility of their parents or guardian at all times when using Raintree Lake. Violations of these regulations, committed by dependents or children, will result in appropriate disciplinary action (including fines) against parents, as if the parents of offending children had committed such violations. Also, guests are the responsibility of the members. Violation of these regulations by guests will result in violations and fines against sponsoring members as if such violations were committed by the member.

VI. PROHIBITED ACTIVITIES:

- 1. **Racing:** Motorboats may not be raced except on those days and hours when the Board of Directors has authorized such a race.
- 2. **Intoxicants:** No person may operate any vessel while under the influence of intoxicating liquors, narcotics or drugs of any kind.
- 3. **Carelessness:** No person may operate any vessel in a careless, negligent or wanton manner so as to endanger life, limb or property.
- 4. **Protected Swimming Areas:** The Association may from time to time designate protected swimming areas by placing appropriate buoys around such area. No vessel shall be operated or permitted to drift into such areas.
- 5. **Unattended Fishing Line(s)** are prohibited at all times. This includes jug lines, bank lines, trotlines, etc. Fishing is permitted only by use of poles or rods with attached lines.
- 6. **Unattended Watercraft:** No watercraft shall be left unattended with the motor in operation.
- 7. **Wake Jumping:** No wake jumping within one hundred fifty (150) feet of another watercraft.
- 8. **Aircraft/Hot Air Balloons/Ultra-glides:** No person operating any type of Aircraft shall land on or take off nor shall they attempt to land or take off from the lake. This includes hot air balloons and ultra-glides. *Board approved August 9, 2011.*
- 9. **Dock Rules:**
 - (a) **No Swimming from Docks.** Due to safety concerns, **Courtesy Docks** are for loading and unloading boats. No fishing or swimming shall be allowed from any courtesy docks. A citation will be issued for failure to adhere.

- (b) Due to safety concerns, swim docks are for swimming and sunbathing only and are open during the season from 7:00 a.m. to 10:00 p.m. daily. Other activities on the swim docks will receive a citation for failure to adhere. Furthermore, no vessels shall be operated, or permitted to drift into designated swim areas. This is a 4th level offense resulting in 90-day suspension, loss of all current boat permits, and \$100 fine. *Board approved November 14, 2006.*

For non-motorized watercraft this is a violation that will result in:

1. First (1st) violation -written warning.
 2. Second (2nd) violation - suspension from lake for remainder of day and a \$10.00 fine.
 3. Third (3rd) violation - suspension from lake for the remainder of the day, plus a suspension from lake for seven (7) days and a \$25.00 fine.
 4. Fourth (4th) violation - suspension from the lake for remainder of day plus a 90 (ninety) day suspension, loss of all current boat permits and a \$100.00 fine.
- (c) **Leased Slips** are for leaseholders only. No trespassing at any time unless accompanied by a leaseholder of that dock or is in possession of the leaseholder of that dock's Raintree Resident ID card. Members are responsible for their guests. Due to safety concerns, no swimming or fishing is allowed from the docks. *Board approved June 14, 2005.*

VII. MISCELLANEOUS OPERATING RULES:

1. **Abandoned Vessel:** Vessels may be removed from the lake with a minimum removal charge of \$50.00 and storage charge of \$10.00 per day as set by the Lake Committee under review and approval by the Board of Directors. These rates may be reviewed and amended upon recommendation of the Lake Committee and publication by the Board of Directors.
2. **Age Limits:** All operators of motorboats with more than 15 HP must be fifteen (15) years of age or older unless under the direct "onboard" supervision of a parent, guardian, or other person at least fifteen (15) years of age. Youths twelve (12) to fourteen (14) years of age may operate vessels with up to 15 HP motors. The operator must have proof of age available or citation will be issued. This citation will be voided when proof of age is submitted to the RLPOA office.
3. **Boater Education Law:** Beginning January 1, 2005, every person born after January 1, 1984 who operates a vessel on Missouri lakes shall possess on their person or vessel a boating safety identification card issued by the Missouri State Water Patrol. Note: Remember, a Personal Water Craft is a VESSEL!
4. **Buoyant Devices:** Each person occupying a vessel shall have available a Coast Guard-approved life-saving device. All personal flotation devices (PFDs) must be in good and serviceable condition and must be readily accessible. The PFDs must be of the proper size for the intended wearer. Sizing is based on body weight and chest size. *Amended March 24, 2005.*
5. **Discharge of Refuse:** No person shall discharge into the lake or upon any dock or launching ramp any oil, gasoline, flammable materials of any kind or refuse or polluting material of any kind.
6. **Fireworks:** No fireworks shall be ignited from a watercraft or from any dock. No fireworks shall be ignited toward or into any watercraft.
7. **Flag:** All watercraft including Personal Watercraft must display a BRIGHT red/orange flag during all hours between sunrise and sunset whenever a person is out of the watercraft, whether in or on the water. The flag must be visible for 360 degrees. Flags must not be visible when a person is not in or on the water.

8. **Launching Watercraft:** Non-motorized watercraft may be launched from the shoreline of the main lake if the watercraft can be manually carried to the water or manually carried on a non-motorized cart/dolly that has been approved by the Lake Committee. A sticker will be issued indicating that the cart/dolly has been approved and appropriate documentation is retained in the office. No equipment is to be left on the shoreline at any time. Modification of the shoreline to accommodate launching shall not be permitted. Violations of this rule will incur revocation of Lake Committee approval. Launching of watercraft on any of the waterscapes is not permitted. Violations of this rule will incur a citation. *Board approved May 12, 2009.*
9. **Load:** No vessel shall carry more weight or horsepower than certified by the manufacturer as listed on provided yellow place card.
10. **Navigation Lights:** Vessels operating after sunset and before sunrise must use navigational lights in accordance with official Coast Guard Regulations. All watercraft used for sport fishing within fifty (50) feet of shore, powered by an electric trolling motor, are not required to display navigation lights unless another watercraft approaches within the immediate vicinity of the sport fishing watercraft. At such time, said sport fishing watercraft shall activate lights in time, so as to avoid a collision.
11. **Noise:** All boats shall meet state requirements on maximum noise level. No vessel shall emit a sound at a level exceeding eighty-five (85) decibels on an A-weighted scale when measured from a distance of fifty (50) or more feet from the watercraft. No person shall operate a watercraft on the lake which does not vent exhaust below the waterline as measured when the boat is at rest. All boat radios must adhere to the maximum noise levels mentioned above.
12. **Report of Collision:** Reports of all collisions by a vessel shall be made immediately to the Lake Patrol or RLPOA office and made in writing to the RLPOA office within forty-eight (48) hours after the occurrence.
13. **Right-of-Way:** Boats without motors and sailboats shall have the right-of-way on the lake. The Board of Directors may from time to time establish hours and areas for boat and sailboat races. Motorboats, personal watercraft, and other motorized watercraft shall yield the right-of-way to sailboats and to other boats involved in such events.
14. **Seating:** No person shall sit on the gunwale or outer rail of any motorboat or on the front or rear thereof while the motorboat is in operation. No more persons can ride on any vessel than the posted Coast Guard certification. *December 2013*
16. **Securing Vessels:** Every vessel not in use shall be properly secured to an assigned dock so as not to present a hazard to persons or property. No vessel shall be left unattended except when properly secured to a courtesy dock or individual slip. No vessel is to be beached. No vessel is to be secured to a swim dock or buoy of any kind. No vessel shall be left running and unattended.
17. **Traffic Pattern:** All vessels except non-motorized watercraft and watercraft used for sport fishing within 50 feet of shore and powered by an electric trolling motor as well as sailboats, under sail, shall maintain a counter-clockwise traffic pattern at all times. The nearest shoreline shall always be on the right or starboard side of the watercraft. At the discretion of Lake Patrol, for safety reasons, the counter-clockwise pattern can be enforced for all watercraft. *Dec. 2013*
18. **Tow Materials:** All water sports equipment to be towed by a vessel will be kept on the surface of the water so as to be visible to other persons using the lake. Towropes shall not exceed one hundred (100) feet in length. The Lake Committee reserves the right to restrict use of any device the Committee considers a safety hazard or an obstruction to boating traffic. The RLPOA Office/Lake Patrol may deny Rental Pontoon Users the towing of Tubers/Skiers if the Rental Pontoon is not able to tow safely. *Dec. 2013*
19. **Unsafe Actions:** No person operating a watercraft on the lake shall allow any unsafe action within such watercraft or engage in any conduct, which may cause a person to fall out of or off of the watercraft, or cause the operator to lose control of such watercraft. Failure to comply with this rule is an automatic fourth (4th) violation.
20. **Wildlife:** No person shall run down or attempt to run down any wildlife.

21. **Zebra Mussels:** No person shall introduce any vessel into Raintree Lake that has traveled to any other waters without proper decontamination, proper drying time and quarantine time as specified by the RLPOA Board of Directors and published by the Missouri Department of Conservation. *Dec. 2013*

VIII. WATER SKI RULES:

The following rules shall govern all water-ski activities on the lake:

1. **Areas:** Skiing is permitted in all Raintree Lake areas except the following:
 - (a) Within fifty (50) feet of any boat or dock.
 - (b) Within seventy-five (75) feet of any designated swim area.
 - (c) Within seventy-five (75) feet of any land or any swimmer.
 - (d) Any prohibited areas marked by the Association with buoys.
 - (e) The Area West of Ward Road called 'Raintree Reserves'. *December 2013*
2. **Hours:** Skiing is permitted Monday through Friday, sunrise to sunset, and Saturday and Sunday 7:00 a.m. to sunset as published in the Kansas City Star.
3. No person on water skis or other similar object on the lake shall swing out from a position behind the towing boat in such manner so as to pass around another boat or object, so that such boat or object shall come between the skier and towing boat.
4. **Life Saving Vest:** Every skier shall wear a buoyant, Coast Guard-approved, proper sized lifesaving vest.
5. **Lookout:** Every vessel towing a skier shall have a responsible person other than the operator serving as a ski lookout, or a Coast Guard-approved, wide-angle rear view mirror.
6. **Ski Pattern:** Vessels towing a skier shall operate a counter-clockwise traffic pattern unless directed otherwise by the Lake Patrol Officer. Buttonhook-type left hand turns are allowed at each end of the designated slalom course in order to re-enter the course at the same end just exited. Only one motorboat at a time shall be allowed in the slalom course. (See Appendix for complete set of rules and regulations for slalom course.)
7. **Operation of Vessel When Skier has Fallen:**
 - (a) Such vessels shall have the right-of-way while retrieving skiers.
 - (b) When retrieving a fallen skier, the engine of the vessel shall be turned off while the skier is boarding the vessel.
8. No person shall operate a motorboat on the lake while pulling any airborne device, such as kites and/or parasail, which rise above the surface of the water.
9. A reasonable and safe distance must be maintained between boats and skiers at all times.
10. No vessel will be modified to increase the wake created.

IX. SWIM RULES

No person (member or guest) shall swim more than fifty (50) feet from the shoreline or a swim dock unless closely accompanied by a vessel displaying a bright red/orange flag. Failure to abide by this rule has been deemed an unsafe action by the Board of Directors and will result in the following:

1. First time offense will result in a \$50.00 fine and a 30 day suspension from use of all amenities, for all members of lot;
2. Second offense will result in a \$100.00 fine and 60 days suspension from use of all amenities, for all members of lot; and
3. Third offense will result in a \$250.00 fine and 90-day suspension from use of all amenities, for all members of lot.
Board amended 7/18/11

X. WATER SPORTS EQUIPMENT

1. Towable:

Three (3) people are the maximum allowed if pulling one (1) device. Two (2) devices, such as tubes, may be towed at one time with a limit of two (2) persons on each device.

2. Non-towable:

- (a) Must have prior approval of the Lake Committee.
- (b) Must not be left unattended.
- (c) Must not be used in the main boating lanes of the lake.
- (d) Cannot interfere with access to boat slips.
- (e) Cannot be left on the water or beach/common ground overnight.
- (f) Use on the lake is subject to the Patrol's discretion. In all cases, the Patrol's decision will prevail until the next scheduled Lake Committee meeting.

XI. SCUBA DIVING

No person shall participate in SCUBA diving at Raintree Lake unless person is taking part in a training/rescue effort by City or State Officials. The only exception to this is for underwater inspection/repair. This may include dock bracing and/or framework, underwater stump removal or maintenance of underwater piping or valves. If underwater inspection/repair is desired all safety precautions required for SCUBA diving is mandatory. Divers must be certified. Written permission must be obtained from the Raintree Lake Manager or their designee. The equipment being inspected/repared shall be quarantined such that no access to the equipment is permitted. Additionally, a safety observer shall be stationed to restrict access. The Water Patrol shall be stationed in proximity to restrict any water traffic from accessing the area. *Amended 2011. Amended Sept. 9, 2014.*

XII. APPLICABILITY OF OTHER LAWS AND REGULATIONS

The regulations for boats promulgated by the United States Coast Guard and the State of Missouri also govern the use of vessels on Raintree Lake. Every licensee of a vessel and every operator should become familiar with such rules and laws and adhere to them.

Every licensee of a vessel is advised that failure to abide by all applicable rules, laws and regulations may result in criminal liability as well as civil liability for damages in the event of accident or injury by reason of such failure to obey. Failure to abide by such rules and laws is prima facie evidence of negligence.

Complete knowledge of and adherence to state and local rules is the responsibility of every parent, boat owner, resident, and guest operator. The licensee/owner shall be held responsible and liable for their boats and all persons who operate them.

XIII. VIOLATION OF REGULATIONS

1. Supervision of Operations of Lake:

Members of the Lake Committee, RLPOA Board Members and Lake Patrol assigned personnel are authorized to enforce the lake rules and issue citations. The Lake Committee may appoint any member of the community or any employee of the RLPOA to patrol the lake and to enforce the regulations and rules. In the event an operator of a vessel willfully refuses to obey order of such patrolman, willfully refuses to obey operation instructions, is not a person authorized to operate a vessel or is operating a non-permitted vessel; the patrolman may impound the vessel and hold the same at a designated area. The Board of Directors may from time to time establish release fees for such vessel.

The Lake Committee or Board of Directors may refuse to renew the boat permit of any licensee who has failed to follow the boat regulations or failed to pay the required fees following any assessments given by the Lake Committee, Appeals Committee, or the Board of Directors.

2. Complaints:

Any member of the Association may file a complaint with the RLPOA office of a violation of the Lake Regulations on a form provided by the Association at the RLPOA office. Upon filing of a complaint with the RLPOA office, a citation shall be issued by the Lake Patrol Supervisor detailing the complaint and citing the appropriate rule(s) allegedly broken. The complainant will be named as the citing officer. The office shall notify the interested parties, namely, the alleged violator, the licensee, the complainant and the witnesses, if any, whose names are endorsed on the complaint by mailing to the address of each said parties appearing on the complaint a notice fixing the time and place for a hearing on the complaint. All parties shall be present for the scheduled hearing. *Board approved June 9, 2009*

3. Appeals Process:

- (a) All violations may be appealed.
- (b) The member shall have ten (10) days following date of the citation to request a hearing in front of the Appeals Committee. Such request shall be made in writing to the Board Designee. If no hearing is requested, the citation shall be effective upon expiration of the ten (10) day period.
- (c) If a hearing before the Appeals Committee is requested, it shall be held at the next scheduled meeting of the Committee from the date of the request from the Board Designee. At the hearing, the member(s) shall be allowed to be present and represented by counsel.
- (d) The property owner and/or alleged violator will be notified, in writing, as to the time and place of the appeals meeting. This notice will be mailed no later than ten (10) days in advance of the meeting.
- (e) Proceedings before the Appeals Committee or a subsequent appeal to the Board of Directors shall be informal. At such hearing or appeal, the complainant and witnesses designated on the citation/complaint shall be heard first, followed by the alleged violator, the licensee and any other witnesses.
- (f) After the appellate hearing, the Appeals Committee shall make a decision to uphold or dismiss the alleged violation(s) and the appropriate sanctions to be imposed. This decision shall be in writing and forwarded to the member, by certified mail, within ten (10) days of the hearing. The decision shall specify the rules and regulations, which have been violated, the acts constituting such violations and the sanction or sanctions imposed or dismissal of the case.

- (f) The member shall have ten (10) days, following date of the decision of the Appeals Committee, in which to request a hearing before the Board of Directors. Such requests shall be made in writing to the Board Designee. If a hearing before the Board of Directors is requested, the Appeals Committee decision shall be stayed. If no hearing is requested, the Appeals Committee decision shall become final and the sanctions recommended therein shall be effective ten (10) days after the date of the Appeals Committee decision.
- (g) If a hearing is requested before the Board of Directors, it shall be held at the next regular meeting of the Board, or at a special meeting called before the next meeting of the Board, or at a special meeting called before the next regular Board meeting. At such hearing, the Board of Directors shall receive and consider the decision of the Appeals Committee and any testimony or other evidence, which the member(s) desire to present.
- (h) Within ten (10) days of the hearing, the Board of Directors shall render a written and final decision and cause it to be served on the member(s) by certified mail. The decision shall specify the rules and regulations, which have been violated, the acts constituting such violations and the sanction or sanctions imposed, or dismissal of the case.
- (i) Any owner of a watercraft receiving a suspension shall have all of their watercraft removed from the lake or impounded immediately. When an appeal is received at the office, the watercraft may use the lake; however, during the appeals process, if the watercraft and/or owners receive any further citation(s) while on the lake, the watercraft and its owner will be suspended and will not be allowed to use the lake until the appeals process has been completed. Any member in the appeals process for boating violations/suspensions must have written approval from the RLPOA office in their possession to use their watercraft on the lake. *Amended March 24, 2005*

XIV. PENALTIES:

1. Profanity, verbal abuse or threats directed toward the Lake Patrol, Lake Committee, or RLPOA employees or agents will not be tolerated and therefore is a FOURTH (4th) violation.
2. Any boat owner and/or operator who shall ski, tube, or exceed the ten (10) MPH speed limit after sunset and before sunrise, as published, shall be a FOURTH (4th) violation.
3. Non-compliance of boat removal from use order is a FOURTH (4th) violation.
4. The Raintree Lake Patrol has been assigned responsibility for enforcement of Lake Safety Regulations through the warning, suspension and removal procedures listed below. Violations will be assessed against the boat owner and operator in which case enforcement procedures may be taken against both the boat owner and the operator.
5. Violations will accumulate for only one boating season (May 1 to April 30). Suspensions will be imposed between May 1st and September 30th, and will carry over to the following year. All FOURTH (4th) level suspensions shall begin upon receipt of all applicable boat stickers by the RLPOA staff. *Board approved September 13, 2005.*
 - (a) First (1st) violation -written warning.
 - (b) Second (2nd) violation - suspension from lake for remainder of day and a \$10.00 fine.
 - (c) Third (3rd) violation - suspension from lake for the remainder of the day, plus a suspension from lake for seven (7) days and a \$25.00 fine.
 - (d) Fourth (4th) violation - suspension from the lake for remainder of day plus a 90 (ninety) day suspension, loss of all current boat permits and a \$100.00 fine.
6. Members must sign and accept their copy of the citation from the Lake Patrol. Their signature is not an admission of guilt, only an acknowledgement that the document was received. Refusal to sign or accept the citation is an additional violation.

7. Members violating duly enacted rules and regulations shall be subject to sanctions in accordance with the terms and provisions of such rules and regulations. Such sanctions may include, but shall not necessarily be limited to:
 - (a) Suspension from the privileges of membership, to include the right to vote and the right to use and enjoy all or part of the Common Area, for a period not to exceed ninety (90) days for each such violation.
 - (b) The assessment of reasonable fines. Such fines, as well as costs and attorney's fees, if any, expended in collecting fines or enforcing suspensions may become a lien against any lot, unit or other land owned or occupied by any violator.
8. Failure to abide by sanctions may result in:
 - (a) A civil action in any Court of competent jurisdiction, and the recovery of costs and reasonable attorney's fees from the non-complying member(s).
 - (b) Criminal prosecution for trespass or other appropriate offenses.
 - (c) The use of reasonable and lawful action by members of Raintree Patrol to ensure compliance.
9. Fine(s) must be paid within ten (10) days of the citation or, if under appeal, within ten (10) days of final disposition, or a lien may be imposed upon the property.

Note: Suspensions affect all members of a household and all vessels registered to that household. Violation of a suspension period will result in further suspension of lake use privileges and fine(s) as determined by the Board of Directors.
10. Watercraft on the Lake Without a Valid Permit:

Resident: Citation and a \$50 fine.

Non-Resident: Violator will be charged with trespassing.
11. Watercraft on the lake without valid insurance will be an automatic FOURTH (4th) violation.

APPENDIX

DEFINITIONS:

1. **Slalom Course:** A set of buoys providing a boat path and a zigzag ski path.
2. **Buttonhook Turn:** A tight radius turn for exiting and entering a slalom course.

RULES:

1. Only one (1) watercraft may use the slalom course at any given time. A watercraft shall wait to use the course until the course is clear. The course is considered clear when the watercraft and skier have left the course and buttonhook turning area. A watercraft may make multiple "passes" through the course.
2. Buttonhook turns are allowed for entering and exiting the slalom course.
3. Personal watercraft may not use the slalom course when skiers are present. Water skiers have priority.
4. Vandalism is prohibited.

5. Pontoon boats are too wide to pass through the center boat path buoys and are prohibited from driving through the center boat path buoys.
6. No vessel shall be anchored within 75 feet of the extreme boundaries of the ski course and shall never be positioned, either anchored or drifting, in a way that would interfere with normal navigable lake traffic or authorized ski course activity.

COURTESY RULES:

1. Boats waiting to use the course should wait a safe distance from the course and maintain a no-wake condition.
2. When boats are waiting to use the course, the boat on the course should yield the course after the current skier is finished.
3. Smooth water is a skier's dream. Please respect this and avoid large wakes in the course area. Idle speed is best; full speed is second best; half speed is terrible for wakes.

MISSOURI DEPARTMENT OF CONSERVATION FISHING GUIDELINES

Largemouth bass: 12-15 inches - should be released unharmed and not kept in possession.

Under 12 inches - limit five (5)

Over 15 inches - limit one (1) *any angler may have only one fish over 15 inches in his/her possession unless participating in an approved event in which you may have up to three fish over 15 inches and all fish must be released upon the end of the event.*

Bluebill: No limit or size restrictions

Crappie, white bass, and hybrid bass: No length limits, daily limit thirty (30)

Channel catfish, flat head catfish: No length limits, daily limit ten (10)

**DO NOT INTRODUCE FOREIGN FISH TO OUR LAKE WATERS!
IF CAUGHT, REMOVE ALL OTHER FISH AS PER REGULATIONS.**

PONTOON BOAT RENTAL INFORMATION:

Pontoon may be rented during the following block schedule:

Half day = (8:00 a.m. to 2:00 p.m. or 3:00 p.m. to 9:00p.m.)

Full day = (8:00 a.m. to 9:00 p.m.)

Early bird = (8:00 a.m. to 2:00 p.m. Monday thru Thursday excluding holidays)

Rental Prices are set yearly by the RLPOA Board of Directors. Inquire at RLPOA Office for Current Prices.

A full tank of gas is provided. Deposit of \$250.00 and rental fee must be paid in cash or check within seven (7) calendar days after making reservation. Payment must be made during normal business hours. Deposit will be refunded only if the pontoon is returned on time and undamaged. A rain check will be given for inclement weather (heavy to moderate rain, thunder, lightning, etc.) or the deposit will be refunded. Raintree will furnish life jackets and anchor. Occupancy for the pontoon is eleven (11) people. The pontoon is to be docked at the clubhouse boat dock. Pontoon is to be picked up and returned to the clubhouse boat dock. The pontoon will be checked in and checked out by an approved RLPOA attendant. Rental contract must be signed by a member, in good standing, of Raintree Lake. No rental will be made to dependents or guests. Towables are not allowed. (Approved 3/2000) (Amended 8/16/05) December 2013 Amended August 12, 2014.

RAINTREE LAKE BOAT SLIP POLICY

This policy was passed by the Raintree Lake Board of Directors on October 8, 1996.

This policy revised and approved by the Raintree Lake Board of Directors on November 9, 2004; October 11, 2005; February 4, 2006; November 14, 2006; December 12, 2006; and September 11, 2007; December 2013

A. Purpose and Intent

This policy shall establish guidelines for the placement of boat slips, for their maintenance and for the administration of boat slips, in order to preserve the aesthetic quality of Raintree Lake while encouraging the use of pleasure craft on the lake.

B. Location of Boat Slips

No boat slip(s) or docks of any kind are allowed on Raintree Lake, lots, or common area, or otherwise within the confines of the legal description of the Raintree Lake Community without the prior approval of the RLPOA Board of Directors. The location of each slip shall be at the discretion of the RLPOA Board of Directors. Violations will result in a fine of up to \$1,000.00 per slip plus all expenses related to remedy the violation. *Approved October 11, 2005*

C. Boat Slip Leasing

The issuance of the boat slip leases shall be the responsibility of the RLPOA. RLPOA retains the right to terminate a boat slip lease for violation of this policy, failure to pay annual assessments as due, or loss of membership status of the lease by virtue of sale of property and movement from the area as called for under the Covenants and Bylaws of the Association. Construction fees are not refundable upon termination of any lease. Upon termination of lease by the Association, the individual will have the right to place their name to the bottom of the official Boat Slip Waiting List provided their membership status becomes active. *Amended February 7, 2006, and December 12, 2006*

The sale or assignment of a primary long-term or short-term lease upon sale of residential property shall be limited in any future lease entered by the Association to provide that it may only take place with written consent of the Association which shall not be unreasonably withheld and that the right to transfer said slip with the residential property shall only be permitted for the property owners that are lease holders as of October 8, 1996. Subsequent transfers of a lease or boat slip by subsequent owners or assignees of the lease shall not be permitted.

Subletting of boat slip leases shall be permitted provided all conditions of membership are met and official forms are completed in the RLPOA office by lessee and sub-lessee. Rate shall be limited to the amount set by the Board of Directors each year.

The number of boat slip leases (long and/or short term) shall be limited to one (1) per lot ownership of members as recorded on the official assessment account of the RLPOA. This provision shall exclude multiple lot ownership held for development of single family, multi-family and/or commercial development, sale and/or rental. Members with current multiple leases shall keep those leases until they do not renew or they sell their property at which time only one (1) slip lease may be transferred with the house or lot. All other slips will go to the RLPOA for the Boat Slip Waiting List.

D. Official Boat Slip Waiting List and Assignment

The official Boat Slip Waiting List shall be maintained at the RLPOA office. Lot owners who desire to lease a boat slip shall sign up in person on the official Boat Slip Waiting List by coming into the RLPOA office to sign a Boat Waiting List entry form of which the lot owner will receive a copy.

The General Manager or official designee shall maintain and organize the official Boat Slip Waiting List so lot owners' priority can be readily determined. The list shall be made available for inspection by lot owners during regular business hours. The Lake Committee Chairperson(s) shall also have a copy of the official Boat Slip Waiting List.

The official Boat Slip Waiting List shall contain names of lot owners who do not currently lease a slip as well as lot owners who currently have a lease and wish to relocate.

Priority of lot owners on the official Boat Slip Waiting List shall be established as first in time signing up provided lot ownership has been uninterrupted from time of first signing up, lot owner has not turned down any official offer for a slip and all current dues and assessments are paid.

In the event a resident on the wait list becomes delinquent on dues and/or assessments, or has outstanding fines remaining unpaid, that resident's name shall be removed from the Boat Slip Wait List. Once all such obligations have been satisfied, that resident may reapply for admission to the Boat Slip Wait List. Notwithstanding other contingencies discovered upon application, the resident's name would be added to the bottom of the Boat Slip Wait List. *Amended September 11, 2007*

When a boat slip becomes available, the RLPOA office shall make reasonable attempts to inform the lot owner with the highest priority as follows:

1. If three (3) working days pass and the lot owner cannot be reached by telephone, at their business or home number, a registered letter will be mailed to their home address, as listed in the Association files, stating they have ten (10) days in which to respond to the RLPOA office with regard to acceptance or refusal of the boat slip assignment.
2. If the lot owner refuses a slip opportunity, the name shall be removed from its current priority and, if requested, added to the bottom of the official Boat Slip Waiting List. In the event of a request for a specific dock, notation will be made on list for information of availability by dock opening requested.
3. If lot owner fails to respond, then their name will be removed from the official Boat Slip Waiting List. A lot owner removed from the list may thereafter sign up on the official Boat Slip Waiting List and priority will be determined by the subsequent sign-up date.

E. Slip Renewal

Current boat slip lessees shall have first right of renewal of their current boat slip.

Leases expire on March 15th of next calendar year. Lessees shall be notified on or before January 15 of lease expiration date. Lessee shall have until March 15 to renew lease. Full payment of lease cost is required upon signing of new lease.

Failure to make timely payment of annual assessment, lease or other fines or liens imposed by the Association shall be cause for forfeiture of the lease.

F. Maintenance and Modifications

Boat slips and docks shall be maintained in good condition by the RLPOA maintenance personnel and/or other persons authorized by the Lake Committee with approval of the RLPOA Board of Directors.

No modifications to docks and/or boat slips is permitted without approval of the Lake Committee and filed with the RLPOA office. Unapproved Lessee modifications shall be removed at an hourly rate of \$25.00 for removal.

Boat lifts shall be specifically permitted upon execution of an appropriate addendum to lease of boat slip. The lessee may install the boat lift if the boat lift type and structure has been approved by the RLPOA Lake Committee. The RLPOA Lake Committee will not approve pontoons on boat lifts. Lessee shall be responsible for maintenance and insurance of said lift and shall be responsible for the cost of removal of the lift, in a timely manner, as defined by the RLPOA Board of Directors, not to exceed ten (10) days. In the event of repairs to be effected by the lessor at the end of the lease or upon forfeiture of membership rights, the Lessee assumes all fiscal responsibility. RLPOA will pay the cost of electricity for the docks. RLPOA will also pay the cost of maintenance for the power circuits, dock lighting and

outlets installed by the Association. A junction box will provide a convenient access point for Lessees' circuit connections. New circuits to individual slips must be approved by RLPOA in advance. The cost of maintenance for the existing or new circuits installed by the Lessee or group of Lessees will be the responsibility of the Lessee(s). Defective circuits will be disconnected and removed at the Lessee's expense. All electrical installation or maintenance shall be performed by a certified electrician and be approved by the City of Lee's Summit and RLPOA. *Amended November 14, 2006*

Lessee shall hold RLPOA harmless for Lessee's act or omissions or those of Lessee's acts or agents which might result in property damage or injury to others. Further, RLPOA shall not be responsible for any damage to the lift, docks or other boats caused by installation or operation of the aforesaid boat lift.

Any watercraft or lift may be removed by RLPOA if any violation of the Boat Slip Policy occurs without recourse or permission of Lessee and lease becomes null and void. No Boat Lift in need of repair will be allowed to be transferred within Raintree until all repairs are made. Reapplication for transfer may be resubmitted after repairs are made. *Dec. 2013*

G. Administration

The Lake Committee shall, from time to time, make recommendations to the Board of Directors for renewal fees and Boat Slip Policy.

The Office Manager or official designee shall be responsible for:

1. Maintaining files for original boat slip leases, renewals and sub-leases.
2. Collection of slip fees.
3. Recording the location and lease status of each boat slip.
4. Recording the registration number and lot owner information of each leased slip.
5. Checking compliance with Boat Slip Policy with the aid of the Lake Committee.

H. Use and Design

1. Boat slips shall be occupied only by boats/watercraft properly registered by the RLPOA Office.
2. Boats/watercraft must be properly secured to the boat slip when docked or stored.
3. For safety reasons, all accessories and equipment shall be stored in boat not on the dock. *Dec. 2013*
4. All docks on Raintree Lake shall be of the design approved by the Lake Committee and authorized by the RLPOA Board of Directors.
5. All slips shall be numbered and docks designated by alphabetical lettering.
6. RLPOA Board of Directors shall keep jurisdiction over the location and construction of the docks and may approve modification of same following recommendation by the Lake Committee and notice to the membership.