

WESTLAKE LAKE MANAGEMENT ASSOCIATION

Organized Lake Activity Rules and Regulations

Effective February 2024

I. PURPOSE AND EFFECT OF THE PROPOSED RULE CHANGE

Westlake Lake Management Association (“Association”) manages, controls, and owns Westlake Lake (“Lake”) and regulates the Westlake Lake Recreational Area (as defined in the Association’s Recreational Area Restrictions (“CC&Rs”). The Lake encompasses the land beyond the Lake water edges, referred to as the Perimeter Area within the CC&Rs, and the real property within the Lake and appurtenant to it (“Lake Property”). Pursuant to Section 6.2(d) of the CC&Rs, the Association must pre-approve in writing all special events “to foster safety, security, and enjoyment, with consideration of non-participants.” The Association now sets forth Organized Lake Activity Rules and Regulations over the Lake, Perimeter Area, and eight Districts to further the following goals and interests, among others:

- Protect and preserve the serenity and peaceful use of the Lake.*
- Safety of all Lake users.*
- Coordination of Lake activities, including Westlake Yacht Club activities, to ensure the best possible Lake experience.*

Important Note: *Although WLMA members have expressed concern about any organized boat activities on the Lake that are disruptive to the preservation of the serenity and peaceful environment of the Lake and community, WLMA understands that such activities, including political activities, may periodically occur. WLMA fully supports the Westlake Yacht Club organized and sponsored events that bring distinction to the Lake and provides sailing programs and sailing regattas for our community and those that join the Westlake Yacht Club. However, as a non-profit entity, WLMA does not take any political stance and frowns on activities of a political nature on the Lake that are disruptive, noisy, and unsafe for lake users or otherwise distract from the serenity and peaceful environment. Also, WLMA understands that many members have expressed concern about any political activities on the Lake as an unnecessary activity for the Lake environment that is disruptive to the serenity they enjoy on or around the Lake. For such activities where a lake user wants to express a personal view of a political or other nature, WLMA recognizes the First Amendment freedom of speech may apply to the Lake, but has the authority to implement rules and regulations for all Lake activities considering the stated goals (listed above) that provide for a reasonable time, manner, and place of such activities. This policy addresses such rules and regulations for all lake users.*

II. ORGANIZED ACTIVITY SUBJECT TO RULES AND REGULATIONS

- 1) "Organized Activity" shall be defined as any activity occurring on the Lake, Perimeter Area, or Lake Property that can be reasonably assumed to be: intended to convey a message; organized and/or pre-planned; and/or for political, campaign or demonstration purposes.
- 2) Any Organized Activity shall be subject to all the Organized Activity Rules and Regulations, set forth herein, and the Westlake Lake Management Association Rules and Regulations and CC&Rs.
- 3) The Association may grant limited exceptions to this policy for Westlake Yacht Club organized or sponsored activities (i.e., sailing programs, regattas, etc.). Such WYC activities shall be coordinated with WLMA and management in writing.

III. ORGANIZED ACTIVITY CODE OF CONDUCT

- 1) All persons participating in Organized Activity shall not engage in hostile, offensive or abusive conduct towards anyone using the Lake, Perimeter Area, and/or the Lake Property. Hostile, offensive or abusive conduct includes, among other things, derogatory remarks, personal attacks or insults, threats or any form of discrimination or unwelcome conduct (which a reasonable person would object to). Persons participating in Organized Activity that engage in hostile, offensive or abusive conduct within the Lake, Perimeter Area, and/or the Lake Property shall be subject to immediate ejection from the area where the Organized Activity is occurring and the Association, through management, at its discretion, may order the suspension of the Organized Activity involving such persons and impose fines against such persons.
- 2) All persons participating in Organized Activity shall comply with boating safety guidelines, as set forth in the Association's rules and regulations and other safety considerations, including, but not limited to:
 - a. Exercise caution and be considerate of other boaters;
 - b. Follow direction of travel;
 - c. Boat navigation lights after sunset;
 - d. Kayaks must be off Lake after dark;
 - e. Balance weight distribution of boat; and
 - f. Life jackets – available for all occupants and always worn by children under 13 years old.
- 3) Any Organized Activity involving unwanted or offensive touching, throwing objects at or in the direction of another (e.g., water balloons, water cannons, etc.), making

threatening movements toward another, or striking another with a person's body or an object is strictly prohibited and shall subject that Organized Activity to immediate suspension and those participating to immediate ejection from the area where the Organized Activity is occurring, and such persons will be subject to fines. Also, due to the risk to our wildlife with plastic, water balloons are not permitted to be thrown on or toward Lake.

IV. ORGANIZED ACTIVITY APPROVAL REQUIREMENTS

- 1) Organized Activity must be approved, in writing (e.g., email correspondence), by management, at least forty-eight (48) hours prior to the Organized Activity taking place by the Event Sponsor completing an application, which can be obtained by contacting management. Those participating in Organized Activity that fail to receive written approval shall be subject to immediate ejection from the area where the unauthorized Organized Activity takes place and/or the Association may impose fines.
- 2) All those participating in Organized Activity approved by management shall follow the Organized Activity Rules and Regulations set forth herein, the Westlake Lake Management Association Rules and Regulations and CC&Rs. The Event Sponsor and / or the organizer that signed the application for the activity, if different, is responsible for the Organized Activity and the actions/inactions of its participants, in addition to the participants. The rules regulating the navigation of boats will be enforced.

V. ORGANIZED ACTIVITY INVOLVING: BOATING; FLAGS; SIGNS; BANNERS; DECORATIONS

- 1) All Organized Activity involving the use of boats, kayaks, including motorized and otherwise, shall have a maximum duration of two (2) hours per calendar day, within the timeslot approved by management per the approved application (thirty (30) minutes before and after the approved timeslot will be allocated for assembly and disbursement). Organized Activities are restricted to the main body of the Lake (i.e., not fingers). To minimize disruption to Lake use and access, no more than one (1) application for Organized Activity involving boats will be approved for a given timeslot on a specific day, which shall entirely be based on a first-come, first-served basis.

All Organized Activity shall start in the bay in front of the Association's office, not at the Yacht Club or Landing/restaurant docks, except for any exceptions approved by WLMA and management (e.g., the Annual Westlake Yacht Club Parade of Lights).

- 2) All Organized Activity involving the use of Boats shall not impede, disrupt, or harm any businesses or patrons of the Landing/restaurant properties; Organized Activity, and any form of congregating, in front of the Landing/restaurant docks is strictly prohibited, unless the Association authorizes an exception considering the goals of this policy.
- 3) Organized Activity involving the use of tie-ups (rafting/floating) for boats, including motorized and otherwise, is permitted so long as doing so does not create unsafe conditions, as determined by management. Organized Activity consisting of boat parades shall not impede the flow of safe navigation.
- 4) Boats involved in Organized Activity may display flags, signs and/or banners, so long as they are no larger than twenty inches (20") by ten inches (10"), made of paper, cardboard, cloth, plastic, or fabric, and hung in a manner that does not create a threat to the safe operation of any boats. WLMA generally follows local City and County guidelines for "Election Signs" regarding the number of days that Election Signs may be displayed and days that such signs must be removed after an "Election". In general, and unless City or County guidelines provide otherwise, Election Signs are permitted thirty-five days (35) before an "Election" and must be removed within two (2) days after the "Election". "Election Signs" and "Election" are defined as signs and elections for federal, state, or local government elections, or elections in any District, or any ballot initiative. Also, such Election Signs on homeowner's property facing the lake needs to comply with the homeowner's local Association rules, if applicable.
- 5) Section 6.3(e) of the CC&Rs prohibits "signs of any kind [to be] erected or maintained on or in the Lake, Boats, Boat Docks, or facing the Lake from adjacent areas fronting on the Lake without the prior written approval of the Board, except for one "for sale" sign on Owner's Lot [or Owner's common area facing Lake if Lot/parcel/unit does not adjoin Lake] of a reasonable, customary size in the industry. Such ban includes ban on political signs...". Also, such signs (commercial, political, other) that is on the homeowner property facing the lake needs to comply with the homeowner's local Association rules, if applicable.
- 6) Decorations may be installed on boats participating in Organized Activity that do not create a threat to the safe operation of any boats or negatively impact the peaceful serenity of the Lake. Decorations may be made of paper, cardboard, cloth, plastic, fabric, or lights, but not flora, balloons or similar materials. Decorations must be removed before the day following the event.
- 7) Commercial activity, of whatever nature, is strictly prohibited pursuant to the CC&Rs and rules and regulations.

VI. TIME OF DAY AND NOISE/LIGHT REGULATIONS

- 1) Unless WLMA provides an exception otherwise (e.g., Westlake Yacht Club Annual Parade of Lights), any Organized Activity approved by the Association shall take place the following hours:
 - a. Weekdays: As scheduled and approved by the Lake Operations Manager, but no earlier than 10:00 A.M. (PST) and no later than 8:00 P.M. (PST).
 - b. Weekends: As scheduled and approved by the Lake Operations Manager, but no earlier than 10:00 A.M. (PST) and no later than 8:00 P.M. (PST).
 - c. Notwithstanding the days and time frames set forth in subsections (a) and (b) above, the Lake Operations Manager and the Board/EC retains full discretion to make the ultimate decision of approving application for organized lake activities taking into account all factors, including, but not limited to, weather, other activity, patrol staffing, safety concerns, etc.
- 2) All Organized Activity shall not produce noise and/or light at levels which may become an annoyance or safety concern to those who have the rights to access and use the Lake, Perimeter Area, and/or the Lake Property, or produce noise and/or light that creates a nuisance for the properties appurtenant to the Lake, Perimeter Area, or the Lake Property. In the interests of safety on the Lake, and peaceful enjoyment of Lake users and residents adjacent the Lake, the following shall be deemed a nuisance and prohibited: horns (of all types); bullhorns; megaphones; and music and sounds through amplified instruments.
- 3) The Association, through its Executive Committee, shall retain discretion to determine what levels of noise and/or lights produced from Organized Activity constitutes an annoyance or a nuisance in accordance with Section E. 2) above.

VII. ENFORCEMENT OF ORGANIZED ACTIVITY RULES AND REGULATIONS

- 1) The Association's management and Lake Boat Patrols shall enforce the Organized Activity Rules and Regulations contained herein.

IMPORTANT NOTE: Lake Boat Patrols are not first responders, and all participants must dial 911 in the event of an emergency.

- 2) All those participating in Organized Activity shall follow the directions of the Association's management and/or the Lake Boat Patrols when so directed.

- 3) Those persons participating in Organized Activity who fail to abide by the Organized Activity Rules and Regulations shall be subject to immediate ejection from the Lake, Perimeter Area, and/or the Lake Property where that Organized Activity takes place and may be denied future applications to conduct or participate in Organized Activity. In addition to immediate suspension, such persons are also subject to fines, after being provided notice and an opportunity to be heard before the Executive Committee, pursuant to Section 42(C) of the Rules and Regulations.
- 4) The Association reserves its legal rights and remedies in the enforcement of the Organized Lake Activity Rules and Regulations, and may elect certain legal rights and remedies, at its discretion, to enforce any provision of the Organized Lake Activity Rules and Regulations herein, as well as the Westlake Lake Management Association Rules and Regulations and CC&Rs.

WESTLAKE LAKE MANAGEMENT ASSOCIATION

Organized Lake Activity

APPLICATION

EVENT SPONSOR NAME: _____ ADDRESS: _____

TELEPHONE NUMBER (CELL PHONE): _____ (must be available during event)

PROPOSED EVENT DATE: _____

PROPOSED EVENT START TIME: _____ PROPOSED EVENT END TIME: _____

LOCATION OF START & END TO EVENT: _____

EVENT DESCRIPTION

Number of Boats/Kayaks: _____

Total number people: _____

Purpose of event: _____

Event sponsor, by submitting and signing this application, understands that he/she is responsible for compliance with the Organized Lake Activity Rules and Regulations ("Rules"), as well as the CC&Rs and Rules and Regulations, and has been read and understands the Rules that have been provided to the event sponsor, and will fully inform the event participants of same:

Event Sponsor Signature

Dated

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MANAGEMENT USE

APPROVED: _____ APPROVAL CONDITIONS: _____

DISAPPROVED: _____ DISAPPROVAL REASON(S): _____

EVENT DATE: _____ EVENT TIME: _____ (start and stop time)

WLMA Authorized Signature

Dated