



## MARIPOSA LAKE RULES and REGULATIONS

September 2018

These rules are binding upon all owners, lessees and their guests and are designed to give a common understanding for expected behavior and to help maintain a safe environment. Violations by owners, lessees or their guests may result in suspension of lake or voting privileges. Owners, lessees and guests are required to obey the laws of the State of Nebraska. Use of all Mariposa Lake Common Areas is at the individuals' own risk.

**INVASIVE SPECIES PROTOCOL:** All owners will be bound by this protocol and signed Agreement to be kept on file with the Committee Chair.

**ARCHITECTURAL REVIEW FORM.** Contact any Architectural Committee member for current form. \$1,000 maximum fine for failure to submit and get approval for any construction on lot (including docks & shore stations). Mariposa Aquatic Invasive Species (AIS) Contractor Application Permit to be filled out and approved for all equipment that will be used within 20 feet of the lake or that will be placed in the lake.

**NOISE** should be kept at moderate levels so as not to be offensive to neighbors. No excessive noise before 9:00 a.m. or after 10:00 p.m.

**LAKE USE:** Owners may use the lake once their residence has been approved in writing by the Architectural Committee AND construction has commenced. Construction is defined as "installation of footings, ongoing construction efforts", and a porta potty and securely covered dumpster on site. Owner must also contact an Invasive Species Committee Member and sign agreement.

**LITTERING** of any areas is prohibited. Members shall clean up after all picnics and remove all garbage from the beach areas. No one shall throw cans, bottles or any waste material into the lake, access roads or common area. No glass containers are to be used on any beach near the lake because of broken glass causing a safety hazard.

**TRAFFIC:** Always keep a minimum of one traffic lane on all access roads open to lots and free of parked cars and boat trailers. Maximum speed for all roads is 20 MPH, unless otherwise posted. All vehicles must stay on the right side of the road in accordance with State law. All drivers are strongly cautioned to look out for pedestrians, golf carts, and blind corners.

**RECREATIONAL VEHICLES:** No motorcycles are permitted. ATV's are permitted solely to be used for lot maintenance, for organized clean-up activities, or trailering of boats if operated by operator 14 years of age or older. Owners must carry liability insurance. UTVs are prohibited unless special permission is obtained from the Board.

Declarant and its designees shall have the right to use ATV's or motorcycles for maintenance and inspection of the property.

**GOLF CARTS** are allowed. The minimum age for the operation of golf carts is 14 if accompanied by a licensed driver who is 19 years of age or older. Otherwise, drivers must be licensed and be 16 or older. Golf carts must be equipped with headlights and taillights if used after dark. It is suggested that rear view mirrors be installed. Golf carts are to be marked with lake initial (M) and lot number on both sides and owners must carry liability insurance.

DOGS must be confined to their lot and must be on a leash when walked on common areas.

HUNTING and the use of any firearms, including BB guns, are prohibited for recreational use except for varmint control by Declarant and its designees.

HAULING SAND ONTO BEACH area must be approved by the Architectural Review Committee. Sand may be hauled in only to finish the top of the beach. No sand shall be deliberately put in the lake.

LAWNS: Avoid the use of chemical fertilizers applications and pesticides on lawns whenever possible. If fertilizers are used, use non-phosphorous ones and use them sparingly. Mulching mowers are recommended can decrease the amount of fertilizers lawns require. Use common sense. Don't dump grass clippings in the lake. Be aware of what drains into the lake from lawns, homes, driveways and boats. All of these precautions are to promote water quality and inhibit algae growth and bloom in the lake.

SWIM PLATFORMS, inflatable trampolines, and other similar type floating devise are allowed on the lake but must meet Coast Guard safety regulations and be placed within 20 feet of the shoreline. Such devices require Board approval. Swim platforms can be no larger than 8' by 10'.

ICE: Any activity on the ice is NOT recommended by the Declarant or Association due to bubblers, underground springs, and other associated unknowns. All activity will be at the individual's own risk.

FIRE PITS are allowed on Lots and common area beaches. They must be contained in a fire pit ring and attended while burning. Douse well with water when done.

BOAT RAMP: Swimmers and boat owners need to use EXTREME CAUTION during boat launching. See Swimming #7.

#### FISHING

1. State of Nebraska fishing rules apply to lake and pond areas.
2. Fishing is restricted to owner, lessees and their immediate family and guests. Guests shall be accompanied at all times by property owner.
3. All fishermen must have a state fishing license if they are 16 years of age or older.
4. Seining of fish is not permitted.
5. Fishermen shall not leave dead fish remains in the lake or on the shore nor shall anyone dispose of unused bait in Mariposa Lake.
6. Do not fish on property you do not own or lease without permission.
7. White perch, carp, drum, gar and other "rough" fish should NOT be returned to the lake.
8. Nebraska law governs the catch size quantity legally allowed for each fish species.
9. Any man-made or cedar fish habitat structures to be placed in the lake must be approved first by the Board of Directors.
10. Visit [www.outdoornebraska.ne.gov/fishing](http://www.outdoornebraska.ne.gov/fishing) for more information.

#### SWIMMING

1. All swimming shall be done within 20 feet from the shoreline.
2. Center of lake or across lake swimming shall be done only with a Coast Guard approved life jacket and only when the lake is not in use by motorboats.
3. Non-swimmers shall not use the lake unless accompanied by a swimmer capable of making a save.
4. Swimmers at Pearl Crescent Beach use EXTREME CAUTION when boats are launching from boat ramp.
5. All swimmers are responsible for their own safety and swim at their own risk.
6. Ski belts are not a Coast Guard approved flotation device.
7. No swimming within 20 yards of launching, mooring, or docking a boat.

## TOWING OTHERS/SKIS/WAKE BOARDS/KNEE BOARDS/INFLATABLES

1. All tow ropes shall be retrieved as quickly as possible.
2. Towing ropes shall not exceed a length of 60 feet.
3. Those being towed shall never spray other boats, skiers, docks or swimmers.
4. The state required fluorescent orange flag should be used to warn oncoming boats of your downed swimmer and tow ropes.
5. It is unlawful to wake jump with a motorized vessel within 50 yards of another craft.
6. Only towed devices designed for that purpose may be pulled behind any watercraft.

## BOATING RULES

1. Boaters are responsible for knowing and obeying the state regulations and statutes before boating in Nebraska. All State of Nebraska laws are in effect. Canoes, kayaks, and paddleboards are classified as vessels and fall under boating rules.
2. All boating will be in a counter clockwise direction on the lake. Boaters turn to shore to pick up a downed skier.
3. Each lot is allowed one power boat and one personal watercraft (PWC). Only one boat per lot may be operated on the lake at a time at speeds greater than 5 mph.
4. No guest boats are allowed. Lot owner must be named on the boat registration and insurance.
5. Lessees, owners, and or immediate family shall be with their watercraft while in operation.
6. All powerboat operators must complete a Nebraska boating safety course if born after December 1, 1985. Boater education is open to anyone at least 14 years of age. No one under 14 shall operate motor boats of any class at any time, and owners shall be held responsible. Operator must be at least 16 years old to pull a person being towed. Visit [www.BoatSafeNebraska.org](http://www.BoatSafeNebraska.org) for more information. Boater education certificates need to be forwarded to the Association secretary and kept on file. It is required that 1 person per lot complete course by Annual Meeting 2019. As of 2020 there will be no use of lake until certificate is provided.
7. No more than 4 powered watercrafts of any kind shall be operated on the lake at a time at speeds greater than 5 mph.
8. Absolutely no boating or skiing in excess of 35 mph.
9. Lot number must be displayed on the right side of any type of boat or canoe and preceded by the letter M. Placement rear half of boat.
10. One U.S. Coast Guard approved flotation device of suitable size shall be provided for each person on board any boat operating on the lake. Boats shall not operate with more passengers that the recommended capacity. No child under 13 is allowed aboard any vessel when not wearing a U.S. Coast Guard approved life preserver.
11. No wake speed must be maintained before 9:00 a.m. and 11 hour after sunset.
12. Powered watercraft shall always operate at no wake speeds with lights on from sunset to sunrise.
13. Operating a vessel with a blood alcohol content of .08% or greater constitutes Boating Under the Influence (BUI) and carries a penalty of up to \$1,000 fine, up to six months in jail, and the loss of boating privileges for six months. REFUSAL TO SUBMIT TO A CHEMICAL ALCHOHOL TEST WIL RESULT IN THE SAME PENALITES AS BUI.
14. Maximum boat lengths for pontoons are 25 feet, deck boats are 20 feet, speed boats are 19 feet, and sailboats are 24 feet.
15. Maximum horsepower for speed boats and deck boats is 195 Outboard or 220 Inboard/Outboard and for a pontoon 115hp. Jet Skis (PWC) is a maximum of 160hp. Use or ownership of ballast boats on Mariposa Lake is prohibited.
16. Beaching and docking shall be done at trolling speeds and racing is not permitted.
17. When passing another boat, pass to deep water (to the left).
18. Boats should stay at least 90 feet from shore and from any other boat, dock, swimmer, or person being towed (occupied area).
19. Lot owners may place buoys up to 20 feet from their shoreline to designate a swimming area.
20. Downed skiers/swimmers and non-powered boats shall have the right of way at all times.
21. Any boating accident resulting in more than \$500 in property damage, loss of life, or in any injury must be reported to the Game and Parks Commission.
22. Any boat owner who repeatedly breaks rules or drives recklessly may lose their boating and/or lake privileges for a period of up to 1 year following action by the Board of Directors.

23. No undue or damaging wake shall be created, and any damage caused by such wake will be the responsibility of the boat owner and operator.
24. Not permitted: wet bikes, PWC without a seat, air propelled craft and hydroplane racing boats, flying sport products and parasails.
25. The exhaust of every internal combustion engine used on any motorboat shall be effectively muffled in a reasonable manner. The use of cut outs or any similar noise-making devices or unrestricted above water exhaust is prohibited.
26. Current boat registration and proof of insurance shall be kept on file and updated annually with the Association Secretary.
27. Visit [www.boatsafenebraska.org](http://www.boatsafenebraska.org) for more information.

#### PERSONAL WATERCRAFT (PWC) Jet Skis

1. PWC must follow all boat regulations and operate at their own risk.
2. Zigzagging (radical turns) for the purpose of chasing wakes/waves or jumping wakes or waves with a PWC is prohibited. All PWC shall be operated a distance of not less than 90 feet from other vessels, skiers, docks, shores.
3. PWC maneuvers (e.g. donuts and cookies) which do not allow a forward progression are prohibited on the lake.
4. PWC may pull skiers, provided regulations are observed.
5. PWC are prohibited from using no-wake and swimming buoys as targets or obstacle courses.

ISLAND: No swimming or docking if there is boating on the lake (greater than 5 mph).

MARIPOSA LAKE SAFETY CITATION. All lot owners should have a current copy of this. If not, contact any member of the Safety Committee.

NO WAKE DECLARATION may be established by the Board at any time the lake water is high. Under such No-Wake Declaration, no boats may be used on the lake in excess of 5 mph until the declaration is cancelled by the Board.

MOORING OF BOATS: The Association may, in its sole discretion, provide posts for the purpose of temporarily mooring boats for use by the Owners of the Pond Lots, North Lots and West Lots. The Association has no obligation to maintain mooring facilities and may remove any existing posts or restrict or prohibit their use in its sole discretion. Any mooring or boats shall be done at the sole risk of the Owner, and the Owner shall be solely responsible for monitoring weather, lake conditions, and any other potential hazards. Each Owner hereby releases any liability of the Association for damage caused by or in connection with the mooring of boats. Boats must be moored in areas designated by the Association and may not be moored for more than 3 consecutive days. The Association reserves the right to remove or cause to be removed any moored boat which is moored in excess of 7 consecutive days or creates a hazard.

INVASIVE SPECIES ALERT! Stop the spread of invasive zebra mussels. Clean. Drain. Dry.

Visit [www.protectyourwaters.net](http://www.protectyourwaters.net) for more information. Vessels launched on Mariposa Lake may be subject to an invasive species inspection by any Board member or Association representative. Access to lake and launching of boats will require key for boat ramp gate.

MAIL SERVICE will be rural delivery out of Marquette. The cluster mailboxes are located outside the west gate. Contact the Association for keys and fee.

MIGRATORY WATERFOWL feeding is prohibited.

PROPANE TANKS and TRASH CANS need to be as inconspicuous as possible. Propane tanks may be buried as an option.

DO NOT TRESPASS on lots that are owned by others. Restricted areas are fenced off and posted with signs.

## GATES

1. All drivers must use care when passing through the gates at the entrances to Mariposa Lake (referred to as the "South Gate", the "West Gate", or together, the "Gates"). Anyone causing damage will be held responsible.
2. The West gate will be open from the time in which the first contractor enters until 5:00 p.m. and the last contractor out will lock the West gate for the night. Gates must remain locked at all other times. Anyone leaving a Gate open will be held responsible for all damages arising due to the open Gate (including trespassing).
3. Be advised that immediately after entering through the West Gate, a hiking/golf cart trail bisects the road, and resident mailboxes are located nearby. All drivers should be attentive and yield to pedestrians, golf carts, and parked cars. Drivers must reduce speed when passing the mailboxes and crossing the hiking/golf cart trail.
4. All Owners shall be responsible for informing their guests, contractors, and invitees of these rules. In the event a guest, contractor, or invitee of any Owner fails to observe any of these rules, such Owner shall be responsible for damages.

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