



Weatherby Lake
Improvement Company
"Together, we make a difference!"

Rules and Regulations

As Declared Effective by the Board of Directors on 11/18/2024

Table of Contents

I. Definitions.....	3
II. General Conditions Governing Use of the WLIC Property	6
III. Fishing	9
IV. Boating	9
V. Water Skiing/Sailboarding/Paddle Boarding/Towing.....	15
VI. Swimming.....	17
VII. Scuba Diving.....	17
VIII. Access Area Regulations	18
IX. Rules Applying to All Docks	22
X. Rules Applying Generally to All Boatlifts	26
XI. Variances	27
XII. Shoreline and Seawalls.....	28
XIII. Fireworks	28
XIV. Violations/Penalty Categories/Appeals.....	28
XV. Chemicals, Debris and Silt	31
XVI. Spillway	31
XVII. C Point Pavilion and W1 Picnic Area	31
XVIII. Migratory Waterfowl.....	31
XIX. Vandalism/Destruction of Property.....	32
Appendix A	33
Appendix B	34
Appendix C	36
Appendix D.....	39
Appendix E.....	41

I. Definitions

A. Board of Directors – Twelve Members elected by the Membership at the Annual Meeting to serve as Directors of the WLIC for staggered terms of three years.

B. Boarder – A Boarder rents a space in a Member’s residence while the Member is still residing in the home. A Boarder is classified as a Guest and must be registered with the WLIC office as well as take the required Lake Use Education. A Boarder does not have Lake Use Privileges and must be accompanied by an Eligible Lake User while they are on the Lake or any WLIC Access Areas/Property.

C. Block/Lot ID – Identification based on a property’s legal description as registered with Platte County.

D. By-Laws – By-Laws of the WLIC, as amended from time to time. In the event of a conflict between these Rules and Regulations and the By-Laws, the By-Laws will be the controlling document.

E. Eligible Lake Users – Includes Members, Non-Resident Members, Immediate Family, Independent Users, Renters, Permanent Registered Residents.

F. Guest – An individual who is neither a Member nor an Immediate Family Member of a Member, but is physically accompanied by either, while on WLIC property.

G. Immediate Family – For purposes of these Rules & Regulations, the term Immediate Family shall include and be limited to grandparents, parents, children and their spouses, grandchildren, stepchildren, and foster children residing in the home of the Member.

H. Independent User – For the purposes of these Rules & Regulations, the term Independent User shall be used to define a Member’s Immediate Family not living with the Member and have been registered with the WLIC Office. Independent Users shall be limited to grandparents, parents, children and their spouses, grandchildren, stepchildren, and foster children.

I. Lake Use Education: All new Eligible Lake Users, 14 years and older, shall complete Lake Use Education which includes topics on Safe Boating, Zebra Mussel Prevention and WLIC Policies, before they are eligible to receive their Lake Use Permits. All Eligible Lake Users shall be required to complete a Re-Education every year.

J. Main Channel – Any part of the lake that is not within 100’ of shoreline, within a no wake zone or within a dedicated swimming area.

K. Member – Requirements for Membership are established in the By-Laws. If the By-Laws of the WLIC specify some other Membership method, those By-Laws shall govern notwithstanding anything to the contrary in the summary below. A property owner is automatically a Member except that:

1. if title of record to any property names more than one person, such persons shall designate an individual who is to be Member, or
2. if title to any property is in the name of a Corporation, its Board of Directors shall designate in writing some individual to be the Member, or
3. if title to any property is in the name of a Partnership or Trust, the partners or trustees shall designate in writing one individual to be the Member, or
4. if any property is divided, replatted or subdivided and platted after the first day of February 1985, any resulting parcels of less than 15,000 square feet do not qualify the owner to Membership and lake privileges unless such change was made to correct a survey discrepancy and does not result in the potential or actual creation of a new Member.

L. Member Identification– Member Identification issued to Members in Good Standing and their Eligible Lake Users, on a yearly basis, which must be displayed in order to demonstrate their entitlement to Use Privileges.

M. Member in Good Standing – A Member, as defined in the By-Laws Article II – Section 2, who has paid all annual assessments, special assessments, or installments of special assessments due for the current year and is not delinquent in payments for any previous year and whose Use Privilege has not been suspended by the Board of Directors. If a Member’s required payments to be a “Member in Good Standing” is not received by March 31, then that Member’s name will be removed from all Access Areas’ waiting lists and facility reservation lists. That Member will be required to restore their “Member in Good Standing” status before being allowed to apply to have their name added to a waiting list or facility reservation lists. A person purchasing property from a Member not in Good Standing assumes responsibility for his or her predecessor’s delinquencies and does not become a Member in Good Standing until those delinquencies are cured.

N. Renter – A Renter rents and resides in the entire domicile and is not a WLIC Member. Renters are not considered a Boarder. As per section II. General Conditions Governing Use of the WLIC Property – A. WLIC Property, Members and Non-Resident Members desiring to rent their property and assign Use Privileges to their occupant must complete a “Member Application to Assign Lake Use Privileges Form”. A Renter’s Use Privileges are limited to their immediate family residing in the home of the Renter and must be registered with the WLIC office. Immediate family not residing in the home, and others residing with the Renter are classified as Guests. If a Member chooses not to assign their Use Privileges to a Renter, the Renter is classified as a Guest and must be registered with the WLIC office as well as take the required Lake Use Education. In this case, the Renter does not have Lake

Use Privileges and must be accompanied by an Eligible Lake User while they are on the Lake or any WLIC Access Areas/Property.

O. Non-Resident Member – A Member, but not a resident, entitled to Membership in the WLIC. WLIC issues annual vehicle permits to Non-Resident Members who retain Use Privileges. These must be affixed to the rear window of Non-Resident Member vehicle(s), lower left-hand side, whenever the Non-Resident Member’s vehicle(s) is on WLIC Property. (Penalty Category for failure to affix annual vehicle permit sticker - Administrative/Safety)

P. Occupy – to reside in a home.

Q. Penalty Category – One of five groups of violations of these Rules & Regulations as set forth in Section XIV herein:

1. Administrative
2. Safety
3. Environmental
4. Vandalism/Destruction of Property
5. Zebra Mussels Policy Related (See Appendix D)

R. Permanent Registered Resident – The term Permanent Registered Resident is defined as any person permanently residing with a Member at their home, has been registered with the WLIC Office and is not considered a Boarder or Renter. Permanent Registered Residents are Eligible Lake Users.

S. Person – An Individual, Trust, Partnership, Corporation, or other duly constituted entity.

T. Property – Any lot or tract now or hereafter legally subdivided or platted within the city limits of the City of Weatherby Lake as said city limits existed on the first day of January 1970.

U. Structure – Any constructed item, not a seawall as referenced in Sec. XIII, upon, over, or immediately adjacent to the waters of the WLIC such as a dock, dock ramp, boatlift, amusement item, or stairs.

V. Property Owner – Any person owning and having legal title to property within Weatherby Lake city limits as said city limits existed on the first day of January 1970.

W. Use Privilege – The privilege of Members, Immediate Family Members, Independent Users, Permanent Registered Residents, Renters and Guests to use WLIC Property.

X. WLIC – A Missouri Not-For-Profit Corporation which holds title to certain property for the benefit of all Members.

Y. WLIC Designated Equipment – Equipment that is designated by the owner as to be used exclusively in Weatherby Lake. To be “designated” the owner must make a written promise, in a form approved by the WLIC, that such property will not be used or stored at any other lake, pond, river, stream or other body of water and brought back to Weatherby Lake. Equipment shall include all watercraft (as defined in these rules), motors, docks, lifts, trailers, and shall also include any absorbent property, toys or incidental equipment used in or about the water (including but not limited to life jackets, bait buckets, fishing gear, water toys, noodles, tow ropes, inner tubes, anchor lines, etc.).

Z. WLIC Property – The Lake, dam, spillway, access areas or other property owned or leased by the WLIC.

AA. Water Skier – A person shall be deemed a skier under these Rules and Regulations if he is using skis, tube, surfboard, or any other equipment towed by watercraft.

II. General Conditions Governing Use of the WLIC Property (Penalty Category – Administrative, unless noted otherwise)

A. WLIC Property: WLIC holds title to the WLIC Property in trust for the benefit of the Members. It has been granted the authority by the courts of the State of Missouri to make, promulgate, Administer, and enforce Rules and Regulations for the use of this Property. The Rules and Regulations are for the benefit of the Members, Non-Resident Members, Immediate Family, Independent Users, Permanent Registered Residents, Renters and Guests, and have, as their purpose, the promotion and enhancement of their use and enjoyment of the Property. Each person exercising the privilege of using WLIC Property shall carefully observe all of the Rules and Regulations, as this is essential for safety and welfare and is necessary to maintain Weatherby Lake as an enjoyable and safe recreational area and place to live.

Members and Non-Resident Members shall ensure that their Immediate Family, Independent Users, Permanent Registered Residents, Renters, and Guests comply with all Rules and Regulations. Violation of the Rules and Regulations by an Immediate Family Member, Independent Users, Permanent Registered Residents, Renters or Guest shall be regarded as a violation by a Member and shall subject the Member to the fines and suspensions provided in these Rules and Regulations. To ensure against use and/or abuse of WLIC Property by trespassers or other unauthorized users, Member Identifications are issued to Members in Good Standing when assessments and fees are paid, required forms are returned and the Lake Use Education has been completed. Member Identification is available upon request for use by an Eligible Lake User. Proper use of Member Identification permits them to utilize the lake and access areas without being physically supervised by the Member. Member Identifications must not be loaned or given to others. Member Identifications are to be available for display upon request when they are using WLIC Property. Responsibility for all Member Identifications rests with the Member to whom they are issued. Loss of any of the Member Identifications should be immediately reported to the WLIC office.

Annual vehicle permit stickers are issued to Non-Resident Members and Independent Users that have completed the Lake Use Education Requirement (reference Appendix D). Vehicle permit stickers must be affixed to the lower left-hand side of the rear window of vehicle(s) if the Non-Resident Member/Independent User's vehicle(s) are on WLIC Property (Penalty Category for failure to affix annual vehicle permit sticker – Administrative).

Members and Non-Resident Members desiring to rent their property and assign Use Privileges to their Renter must meet the following requirements:

1. Complete a "Member Application to Assign Lake Use Privileges Form" (the WLIC reserves the right to approve or decline said application).
2. Have not previously received approval to Assign Lake Use Privileges to a Renter in the last 12 months, and no proposed Assignment of Lake Use Privileges may be for a period of less than 12 months.
3. The Assignment is not effective until the Renter completes all WLIC Lake Use Education courses and all other requirements of the WLIC for lake use.

A Member may not authorize a person to use the Lake and/or Access Areas, nor loan or give out Member Identifications to a person renting a Member's domicile who does not qualify as a Renter, as defined in these Rules and Regulations (for example, a person who has not completed all required Lake Use Education courses). Violations of these rules will be subject to an immediate 1-year suspension of lake use privileges.

The Use Privilege may be suspended by the Board of Directors for failure to observe other By-Laws or Rules and Regulations.

The privilege of using WLIC Property is personal and is terminated when the Member ceases to be a Member in Good Standing.

Each Member, Non-Resident Member, Immediate Family, Independent User, Permanent Registered Resident, Renter and Guest enjoying Use Privileges will, while in the exercise of such privileges, assume the risk of all injuries or damage he/she may suffer there from, and shall hold harmless the WLIC, its Board of Directors, officers, employees and agents and its Members. The WLIC does not assume any risks or liability and does not warrant Weatherby Lake or other WLIC Property to be safe for any such purpose or Use Privileges. On the contrary, the WLIC warns each and every person who may wish to use the lake, which the lake and access areas are in nature, have inherent dangers and each person entering onto WLIC property does so at their own risk. To the extent allowed by law, each Member is responsible to the WLIC for their own acts and the acts of their Guests.

Any personal property found on Weatherby Lake or other WLIC Property which has been left/stored or abandoned for over 24 hours or whose owner cannot be identified, shall be disposed of, or removed by the WLIC without notice. No trash or debris, including, but not limited to, grass, leaves or brush, shall be deposited into the Lake or upon WLIC property.

No Member shall use, or permit another person to use, Weatherby Lake or WLIC property for commercial purposes, including, but not limited, to training or instruction of Members or Non-Members, unless approved in writing by the Board of Directors. The Board of Directors may prohibit such activities if, in its opinion, such use interferes with the use of WLIC by other Members; poses any threat to health, safety or environment; exposes WLIC to any risk of liability; or, is not conducive to the general use and enjoyment of WLIC property by Members. The Board of Directors may establish uniform fees for commercial use of Weatherby Lake or WLIC property by Members or impose such other conditions as it deems necessary.

B. Designated Non-Smoking Areas: No smoking is allowed at the C Point swim beach, swim dock, restrooms, and playground.

C. Organized Events (including invitational regattas, fishing tournaments, triathlons, etc., that include participation by Non-Members): Any Member/club may apply to the Board of Directors for permission to hold such event. The Member/club will file with the Board an agreement signed by each Non-Member participating agreeing to assume all liability for any damage caused by them. They also agree to abide by the Rules and Regulations established for those using the lake.

D. Volunteer Mowers/Landscapers: The WLIC, with prior approval, will grant its permission to the Members who wish to mow and/or otherwise help maintain the property owned by the WLIC, whether the property is adjacent to the Member's property, or not. Further, any Member who adds landscaping or attempts other 'improvements' to WLIC property does so as a proffer of a gift to the WLIC. The WLIC may accept or reject such proffer to make a gift, and upon rejection the 'improvement' shall be removed, and the property returned to its original condition by the Member, at the Member's expense. In the case where a Member fails to remove the improvement and/or return the property to its prior condition, then after notice by the WLIC, the Member shall reimburse the WLIC for any expense incurred by the WLIC to return the property to its prior condition. Only a Resolution by the Board of Directors shall be construed as acceptance of any such proffer of a gift. Members must check with the WLIC before removing vegetation in the lake. The WLIC reserves the right to approve removal of vegetation from its property.

E. Noise & Disturbances: While on the Lake and on any WLIC property, all Members, Eligible Lake Users, and their Guests must abide by all Noise and Peace Disturbance Ordinances in place by the City of Weatherby Lake.

F. Guest Limit for Underage Eligible Lake Users: While at the WLIC Access Areas, Eligible Lake Users under the age of 18 can host a maximum of 10 Guests without a Member or an Eligible Lake User that is 18 or older present.

III. Fishing (Penalty Category – Administrative, unless noted otherwise)

A. Method of Catch: Fish may be taken with rod and reel or pole and line, with a maximum of three (3) lines per person. All other fishing methods are prohibited unless specific approval is obtained from the WLIC Board of Directors.

B. Size and Limits: Specific species limitations are shown in Appendix A. All fish taken must be available for viewing in the event a creel check is requested by the Water Patrol.

C. Prohibited Activities:

1. No fishing from the dam.
2. No spear fishing, except when specifically authorized by the WLIC Board of Directors for the elimination or control of specified species of fish. Hand spears, spear guns or other miscellaneous equipment for the taking of fish may not be carried in watercraft or in a person's possession while participating in fishing or diving without the permission of the WLIC Board of Directors.
3. Without the written application and approval of the WLIC Board of Directors, no person shall throw or deposit into the lake any material for the purpose of creating man-made reefs, fish habitat or fish spawning place.
4. No frogs shall be taken with light at night.
5. No hole in the ice for fishing shall exceed 8" in diameter.
6. No shelter or structure shall be allowed on the ice.
7. No unattended fishing rods or poles may be left extending off the end of watercraft, docks or shorelines.
8. No trapping or hunting of turtles.
9. No non-designated fishing equipment – See Appendix D.
10. No unauthorized person shall be allowed to enter the Dam area.

IV. Boating (Penalty Category –Safety, unless noted otherwise)

A. Watercraft and Motors (Penalty Category – Administrative):

1. Watercraft: Hull length at the water line of any watercraft shall not exceed 24 ft. 2 in. and the overall watercraft length (excluding outboard motor) shall not exceed 26 ft. Also, the total width of any part of the watercraft shall not exceed 8 ft. 6 in. without an approved variance by the WLIC Board. To be used on the lake,

watercraft must be kept in good repair and be equipped as required by these Rules and Regulations (See Appendix D for Zebra Mussel rules).

The following watercraft types are permitted:

- a. Pontoon Boats
- b. Sailboats
- c. Iceboats
- d. Rowboats / Rowing Shells
- e. Canoes / Kayaks
- f. Manually propelled water bikes / Paddleboats
- g. Runabouts
- h. Deck Boats
- i. Sailboards / Paddleboards

All other watercraft types including, but not limited to, hydroplanes, powered jet skis, wet bikes and watercraft especially built for speed or for racing are prohibited.

2. Motors:

- a. Motors must not exceed 10 horsepower and electric motors must be equivalent to a 10 HP motor or less as certified by the manufacturer, except as may be authorized for Water Patrol by the WLIC Board.
- b. Motor exhaust must be muffled.
- c. Use of fuels other than those specified by the motor manufacturer is prohibited.

A modification of motors to increase horsepower above 10 is prohibited. No motor having greater than 10 horsepower may be attached to any watercraft on the lake, nor may any watercraft have more than one motor (excluding trolling motors) attached to it (See Appendix D for Zebra Mussel rules).

3. Remote-Control Watercraft: A Permit Application for all Remote-Control Watercraft must be completed with the WLIC Office before it can be used on the Lake.

4. Maintenance: All watercraft must be maintained in a safe and seaworthy condition. Watercraft and any coverings must also be maintained to a minimum standard of appearance that maintains property values. Watercraft and coverings that are rotted or rusted out, unsafe to walk upon, submerged or partially sunken or generally in a dilapidated condition are not permitted.

If a watercraft is deemed by the Space and Dock Committee to be in violation of these Rules and Regulations, it will be handled under the same provisions as described in Appendix B (See Appendix D for Zebra Mussel rules).

B. Watercraft and Motor Permits (Penalty Category – Administrative):

1. Permit stickers issued on a calendar year basis are transferable to a replacement watercraft and/or motor, but cannot be transferred to a new owner. Permit fees are charged annually and are not refundable. The permit stickers must be purchased and affixed before the watercraft and motor are placed on the lake and/or on a dock. All permit renewal payments must be received in the WLIC Office by March 31st.

2. No person shall place, launch, operate, anchor, store on a Structure, or keep any watercraft upon WLIC Property without a current annual permit sticker properly affixed to each such watercraft and/or motor, except for iceboats. If any watercraft or motor is found on the water without a permit sticker, it shall be considered in violation of the WLIC Rules and Regulations and be subject to removal from the water and any cost incurred to remove and store the watercraft shall be borne by the owner. See Appendix B for current fee schedule. See Article XIV, Item A. Violations.

3. Delinquent penalties are established by the WLIC Board of Directors. See Appendix B for current fee schedule.

4. Permits will be issued only to Members, as defined in Article I, Section G. Permits will only be issued for watercraft and motors owned or leased by Members. No watercraft or motor permits will be issued to any Member not in Good Standing. WLIC reserves the right to require proof of ownership of all watercraft and motors for which permits are sought.

5. Installation of Watercraft and Motor Permit Stickers (Penalty Category – Administrative): All previous years or conflicting state or municipal permit stickers shall be removed. New permit stickers shall be installed to allow viewing from the aft end of the watercraft. Permit stickers must be installed by April 30th of the year for which they are issued. Desired locations are:

- a. Outboard motors - On aft side of motor cover.
- b. Watercraft - Upper right corner of aft end (stern).

6. Members are required to have liability insurance for all motorized watercraft.

C. Watercraft Block/Lot ID (Penalty Category – Administrative):

All watercraft must be identified with the Block/Lot ID of the Member's property. Letters and numerals shall be at least 3 inches in height and must contrast with the surface on which installed. All Block/Lot IDs shall be installed on the aft end of the watercraft to permit viewing from the rear.

D. Operator Requirements:

1. **Age:** No person under the age of 14 shall operate a watercraft under motor power without adult (18 years or older) supervision.

2. **Guest:** Guests 14 years and older may operate a Member's watercraft, provided the Member or an adult (18 years or older) member of his/her Immediate Family supervises that operation. Watercraft and motors owned by Guests are not allowed on Weatherby Lake.

E. Operating Rules:

1. **Load And Seaworthy Condition:** No person shall operate watercraft in an overloaded or unseaworthy condition. Watercraft is considered overloaded and unseaworthy when the number of passengers, the weight carried by the watercraft or the size of the motor exceeds the manufacturer's recommended maximums, or, in the reasonable opinion of the Water Patrol, the watercraft cannot safely be operated under the conditions then existing.

2. **Intoxication:** No person shall operate watercraft under the influence of intoxicating liquor or drugs.

3. **Unsafe Activities:** No person shall operate watercraft in a dangerous, reckless, or unreasonable manner or allow any unsafe action within the watercraft that would cause the watercraft to tip, lean or be off an even keel. Conduct such as wrestling with another person, jousting with a paddle or oars or other objects or engaging in any other conduct which could cause persons to fall from the watercraft or injury to persons in the watercraft is prohibited. No person shall operate a watercraft, whether single or coupled, in such a way to endanger the safety of himself, others or property.

4. **Speed:** Watercraft speed shall be limited to that which is reasonable and prudent, having due regard for water traffic present, swimmers, visibility, swells or waves, weather conditions and any other condition then existing.

5. **Swimmers:** No vessel shall be operated within 50 feet of another vessel at anchor with swimmers.

6. Restricted Speed Areas: Areas designated by buoy markers as “no wake areas” and all areas within 100 feet of shoreline shall be designated restricted speed areas; no watercraft shall be operated above idling speed in these areas.

7. Night Operational Requirements: All watercraft allowed to operate after sunset shall comply with the following (Per Section V.A., Paddle Boards, Sailboards and Water Skiing are not allowed after sunset.):

a. Lighting Requirement:

- **All Watercraft Allowed to Operate After Sunset that are in Motion:** Such watercraft shall display navigation lights as approved by Coast Guard Regulations which provide for a red light on the port or left side (when facing forward) a green light on the starboard or right side, and a white light, visible from all directions, on the stern (back of watercraft).
- **Watercraft at Drift or Anchor:** Such watercraft shall display a white light visible from all directions.
- **Docking Lights:** Docking lights shall only be used for docking maneuvers and not for navigation.
- **Navigational Lights:** Must always be clearly visible.

b. Speed: After sunset, all watercraft shall not operate at speeds greater than 5 mph.

c. Anchoring: Between the hours of 11:00 pm and 5:00 am, anchoring within a no wake area (100' from shoreline or behind a no wake buoy in coves designated as green in the Appendix E map) is prohibited.

8. Diver Flags: Operators of watercraft shall proceed with extreme caution and pass a minimum of 100 feet away from the marker flag indicating scuba diving in the area. The “Diver Down” marker flag has a white diagonal stripe on a red field.

9. Life Preservers: No person shall operate a watercraft on the lake unless there is in the watercraft, and readily accessible, United States Coast Guard approved PFD (personal floatation device), one for use by each person on board.

10. Disturbance: No person shall operate a motor watercraft on the lake through or near a sailing competition in such manner as to cause undue wash or waves which would disturb the race, or any watercraft taking part in the race or otherwise interfere with the competition.

11. Pontoon Watercraft Occupants: All persons must remain within the enclosed deck area when under power.

12. Zebra Mussels: See Appendix D.

F. Steering and Sailing Rules: Generally, the Inland Rules of the Road, as promulgated by the United States Coast Guard, will govern the operation of vessels on Weatherby Lake. The following steering and sailing rules shall govern the use and operation of watercraft on the Lake. Nothing herein shall be construed as permitting any watercraft or craft to be operated in a manner or at a speed greater than is safe and prudent under the circumstances.

1. When two sailing watercrafts are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows:
 - a. Watercraft which is running free shall keep out of the way of a watercraft which is close-hauled.
 - b. Watercraft which is close-hauled on the port (left) tack shall keep out of the way of watercraft which is close-hauled on the starboard (right) tack.
 - c. When both are running free with the sail on different sides, the watercraft which has the sail on the port (left) side shall keep out of the way of the other.
2. When two motor driven watercrafts are meeting end (bow) on so as to involve risk of collision, each shall alter her course to starboard (right) so that each shall pass on the port (left) side of the other.
 - a. When two motor driven boats are crossing so as to involve risk of collision, the boat which has the other on the starboard (right) side shall keep out of the way of the crossing boat.
3. When a motor driven watercraft and a sailboat are proceeding in such directions as to involve risk of collision, the motor or engine watercraft shall keep out of the way of the sailing boat.
4. The meeting or crossing of two watercrafts propelled by oars or muscular power shall be governed in like manner as to two motor watercrafts under Rules 2 and 3.
5. When a sailing watercraft or a motor driven watercraft meets, crosses the course of, or overtakes a watercraft propelled by oars or muscular power, the sailing or motor driven watercraft shall keep out of the way.
6. Where, by any of the rules herein prescribed, one of the two watercrafts shall keep out of the way, the other shall hold course and speed.

7. Every motor driven watercraft which is directed by these rules to keep out of the way of another watercraft shall, on approaching her, if necessary, slacken her speed or stop or reverse.

8. Notwithstanding anything contained in these rules, every watercraft or craft overtaking any other shall keep out of the way of the overtaken watercraft or craft.

9. In obeying and construing these rules, due regard shall be held to all danger of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

10. Nothing in these rules shall exonerate any watercraft, or the owner or operator thereof, from the consequences of any neglect to keep a proper lookout or of a neglect of any precaution which may be required by the exercise of due care and caution or by the special circumstances of the case.

11. No watercraft shall collide with, run against, strike, injure, deface, or damage any buoy, stake sign, piling, dock ramp or other structure installed by the Board. Anyone guilty of the above will be responsible for repair or replacement of the structure or property. No watercraft shall be anchored or moored so as to obstruct the view of any buoy or navigation sign or signal.

12. No watercraft shall be operated in such a manner to pose an unreasonable risk of colliding with or striking seawalls, docks or other structure lawfully installed on the Lake.

G. Sailing Regattas: This Section has been incorporated into other Sections of the Rules, See Organized Events.

V. Water Skiing/Sailboarding/Paddle Boarding/Towing (Penalty Category – Safety, unless noted otherwise)

A. Hours: Water Skiers (defined as a person using skis, tube, surfboard, or any other equipment towed by watercraft), paddle boarding, sailboarding and towing are permitted at any time between 30 minutes after sunrise and 30 minutes before sunset.

B. Skiing:

1. Areas Permitted: Water skiing activities shall be confined to the Main Channel of the lake. Skiing in restricted speed areas, such as those so marked with buoys and within 100 feet of shore, is prohibited.

2. Watercraft Operating Requirements:

a. **Flag:** A red/orange flag shall be displayed 24 inches above the bow of the watercraft at all times when towing a Water Skier. Size shall be at least 12 x 12 inches.

b. **Observer:** In addition to the operator of the watercraft, a person over 12 years of age is required in the watercraft to observe the Water Skier in a competent manner and in a position to communicate readily with the operator.

c. **Fallen Water Skier:** When a Water Skier falls, the watercraft shall immediately return to the downed Water Skier.

3. Water Skier Requirements:

a. **Life Preservers:** Water Skiers shall wear a Coast Guard approved PFD capable of floating the Water Skier.

b. **Carrying of Persons or Objects:** No person shall carry on their shoulders or arms another person, animal or object while skiing or being towed.

c. **Take-Offs:** Only take-offs out in the lake are permitted. Take-offs from docking piers or the shorelines are prohibited.

d. **Hazardous Skiing Is Prohibited:** Water Skiers shall exercise the highest degree of care so as not to endanger the safety of himself or another person. No Water Skier shall ski into the path of another watercraft, nor within 100 feet of another watercraft, Water Skier, fallen Water Skier, dock or shoreline.

e. **Towing Equipment:** Water toys not intended to be towed should not be towed with people on them (note: some paddle boards may be used for towing with all the above requirements).

4. Zebra Mussels: See Appendix D.

C. Paddle Boarding: All operators or riders age 12 or under must be wearing PFD while on board. While in the Main Channel, operators and riders of paddle boards must remain sitting or standing on paddle board. Laying down on or swimming off of paddle boards is only allowed in approved swimming areas as per section VI. Swimming.

VI. Swimming (Penalty Category –Safety, unless noted otherwise)

A. Swimming Area: Except in designated swimming areas, swimmers shall remain within 75 feet of the lake shoreline. Swimmers can also swim within 25 feet of a vessel which is anchored behind a “No Wake” buoy or anchored within 25 – 100 feet from the shoreline. There is no swimming allowed in the Main Channel

B. Designated Swimming Areas (Currently C Point Swim Beach): Areas of the lake adjacent to access areas may be designated by the Board of Directors as swimming areas only. All activities other than swimming are prohibited. Such areas shall be adequately marked. Special rules governing the safe and prudent use of a designated swimming area may be imposed by the Board of Directors and shall be posted on the shoreline in a conspicuous place. Watercraft and floatation (see Appendix B) devices that require permits are not allowed in designated swimming areas.

C. Night Swimming: Night swimming shall be permitted only in adequately lighted shoreline areas.

D. Large Inflatables/Lily Pads (Penalty Category – Administrative): All inflatables, lily pads or other swimming accessories that are over 8’ long must be registered with the WLIC Office and identified with your Block/Lot ID. All accessories must be used to the manufacturer’s specifications to ensure safety. No used Lily Pads from other bodies of water may be placed on the lake.

VII. Scuba Diving (Penalty Category –Safety, unless noted otherwise)

A. Authorization Required: All persons desiring to dive in Weatherby Lake must obtain authorization from the WLIC before diving. Authorization is valid for 14 days. Authorization will only be issued to qualified Members in Good Standing. Guest scuba divers are permitted only if sponsored by and diving with an authorized Member.

B. Qualifications: Authorization will be granted to persons who hold a scuba diving certificate from a nationally recognized professional training program such as PADI, NAUI, County and K.C. Frogman Club.

C. Scuba Diving Rules:

1. Diving Areas: Diving is permitted in all areas of the lake except as may be specifically restricted by the Board of Directors. Divers are encouraged to select diving sites which will not impede other lake use activities.

2. Buddy System: All diving shall be conducted in no less than two-man teams. Solo diving is prohibited.

3. Buoyancy Compensators: Divers must wear buoyancy compensator vests or use buoyancy compensator back packs.

4. Marker Flag: A diver down flag must be prominently displayed and visible from all directions whenever a diver is in the water. The flag is composed of a white diagonal stripe on a red field. Divers must remain within 100 feet of the flag.

5. Safety Man: If diving at distances greater than 100 feet from the shoreline, a safety man must be positioned on the lake at all times. The safety man shall be ready at all times to assist the divers and to warn approaching watercraft of the presence of the divers.

6. Suspension of Authorization: A diver found to be in violation of any of the above Rules and Regulations may have his authorization revoked for a specified time by the Board of Directors. The decision of the Board will be final in these matters.

D. Zebra Mussels: See Appendix D.

VIII. Access Area Regulations (Penalty Category – Administrative, unless noted otherwise)

A. General: The Space and Dock Committee appointed pursuant to WLIC By-Laws is charged with responsibility for administering Rules and Regulations respecting access areas and lakefront Structures. The Board of Directors may allocate part of the lake shoreline in access areas for the placement of Structures or the mooring of watercraft. Assignment of a space does not entitle a Member to exclusive right to a specific amount of shoreline. The Space and Dock Committee has the authority to relocate, reassign, move, or adjust a Member's space assignment based on the needs of the WLIC.

Excluding Lease Docks, individual structures or facilities at such sites or spaces are the Member's private property and the rights of Members must be respected. Spaces are assigned and controlled by the WLIC Office, under the supervision of the Space and Dock Committee. Spaces shall not exceed 12 ft. along the shoreline unless adjusted by the Space and Dock Committee to accommodate approved Structures and watercraft. The starting and ending boundary will be established by the Space and Dock Committee.

The Space and Dock Committee seeks to ensure but does not guarantee that every eligible WLIC Member who desires an access area space will be offered an open space when available.

B. Access Area Space Assignments: A Member in Good Standing owning other than lakefront property may apply for and obtain assignment of a shoreline space suitable for placing a Structure and/or a watercraft upon the water adjacent to an access area. All watercraft in WLIC improved access areas must be moored to a Structure. This requirement is at the discretion of the Space and Dock Committee in unimproved access areas. No 2nd spaces will be assigned until all Members on the waitlist have been assigned a 1st space. Those Members that are on the waitlist as of December 20th, 2021 with a current Access Area Space, may remain on the list for a 2nd space. All other Members can only be assigned 1 Access Area Space. Structures placed upon assigned spaces shall be constructed and

maintained in accordance with standard designs approved from time to time by the Board of Directors and published by the Space and Dock Committee. (*See Appendix C*). All walkways installed at improved access areas on or after January 1, 1995 shall be 4' wide and no more than 10' in length. As access areas are upgraded with improved seawalls, this requirement will be extended to such additional areas. Existing walkways not in compliance with these regulations will not be permitted. Variances of the above rules may be granted at the discretion of the Space and Dock Committee pursuant to Section XI of those rules. Variances for walkways over ten (10) feet shall only be granted to the extent that a compelling need exists for the variance.

Provisions with respect to certain docks:

1. **Lease Docks:** The Annual Lease Dock fee is for the calendar year and is not refundable. The annual lease terminates the day the qualifying property is sold.

2. **“T” and Plastic Docks:** “T” docks are acceptable for use where an improved seawall does not exist. Those previously approved “T” docks that exist in improved access areas may remain as long as the current owner retains the dock. The “T” docks may not be moved or sold to a Member for use in an improved access area location. Plastic docks currently on the lake are permitted for the life of the existing Structure and may not be transferred to any other Member. Once any component of a plastic dock, to include the wooden walkway, fails, then the entire dock must be removed from WLIC property and can only be replaced with an approved Structure as outlined in Appendix C.

3. **Zebra Mussels:** See Appendix D for pre-owned dock rules.

C. Subleasing Access Area Spaces: A Member may sublease their Access Area Space provided the Subtenant is a Member-In-Good-Standing and both parties have agreed to the Access Area Sublease Agreement provided by the WLIC. Members may permanently swap spaces after completing a sublease to each other of said spaces for a minimum of 18 consecutive months.

D. Access Area Rack Space Assignments: A Member in Good Standing may apply for and obtain an assignment of a Rack Space suitable for placing a kayak, canoe, or paddle board in access area. Members are allowed to swap like type spaces if approved by the Chairman of the Space and Dock Committee. No Member may have assigned more than two (2) assigned Access Area Rack Spaces.

E. New Space Applications Procedure: Application forms for new spaces are available at the WLIC office. Upon application, a Member in Good Standing will be provided a list of available sites to choose from. If spaces are not available, or not available in a particularly desired access area, a Member may be placed on a maximum of two access area waiting lists. Priority will be established by the date and hour at which the application is received at the WLIC office. A Member offered an access area space has three (3) business days to accept after which time the space will be offered to the next Member on the waiting list.

Notification of an offer will be made by email, first class letter and/or by telephone and shall be deemed to have occurred on the day notification was initiated. Applications for Lease Dock spaces count as one access area application. The WLIC has the authority to extend the acceptance period.

F. Change in Space Locations: A Member with an assigned space may request only one waitlist location in the same or another access area. Priority is given based on the date and hour the space application is received at the WLIC office.

G. Space Fee and Renewals: An annual permit fee will be levied for each space. (See appendix B for present fee schedule) Members are not required to pay the fee until they accept a space. The annual and renewal space fees are due January 1st and delinquent if not received by March 31st. All fees received after this date are delinquent and will require a penalty payment. Failure to make payment by March 31st may result in loss of space and space priority date. Space assignments will be made, and permits will be issued only to Members as defined in the By-Laws. A space assignment will not be made to, nor will a new space application, renewal or fee be accepted from a Member not in Good Standing.

H. Failure to Moor on WLIC Lease Docks: Members with a WLIC Lease Dock assignment must moor a WLIC registered watercraft that is not a paddleboard or kayak in their assigned Access Area Space by 1st inspection. Failure to moor an approved watercraft by 1st inspection may result in permanent reassignment after final inspection of the season unless one of the following occurs:

1. Member requests WLIC Office to temporarily sublease their space as per the required WLIC sublease policy/agreement.
2. Member moors one of their own approved and registered watercraft in their assigned Access Area Space by final inspection of the season.

I. Site Area Maintenance: The space and adjacent access area shall be kept free of trash, rubbish, cans, etc. by the Member to whom the space is assigned. No picnic tables, ovens, or furniture are to be stored upon the site except as installed by the WLIC. Watercraft, automobiles, trailers, and other personal property shall not be stored on access areas except as designated by the WLIC.

J. Space Termination: The Board of Directors may terminate a space assignment for the following reasons:

1. Failure to comply with any part of these Rules and Regulations governing Use Privileges. Decision of the Board on these matters will be final.
2. Failure to pay fees as required in these Rules and Regulations.

3. When a space is required for a purpose that will benefit the majority of the Members. Members displaced in this case will be given priority for space reassignment.

4. Failure to moor on WLIC Lease Docks by final inspections of the season.

K. Spaces Are Not Transferable: Access area spaces are not assignable or transferable with the sale, transfer, or lease (rental) of real property to an owner or occupant. Such a change in ownership or occupancy requires that the prior owner or occupant vacate the previously assigned space and remove all personal property from same.

Note: Sale or Lease (Rental) Of A House or Lot Does Not Transfer Dock Facility Space from Seller to Buyer or Lessee (Renter)

L. Lake Front Owners: Members owning and/or occupying any lakefront property may not obtain or retain an access area space assignment, provided, however, that an access area space may be assigned if a Member owns, but does not occupy, such lakefront property; such lakefront property is rented to persons who have lake privileges in accordance with Article I, Subsection G; and, the Member owns and/or occupies other non-lakefront Property which would otherwise qualify such Member for an access area space assignment.

M. Multiple Member Space: Access area spaces may be assigned to more than one Member when it is determined that watercraft or dock facilities are co-owned, are subject to the following:

1. All co-owners must be Members in Good Standing.
2. All co-owners must be listed with the WLIC as co-owners of the specific facility and one individual must be designated to act as agent for other owner(s) in matters pertaining to the facility.
3. A space priority or “retention date” will be established for each of the owners and this date will be used to determine space retention privileges. The space retention date will be established in the following ways:
 - a. The date the original owner (or owners if two or more were listed on original application) applied for a space will be the original owner(s) retention date.
 - b. If a co-owner is on an access area waiting list, the date of his application will be his retention date.
 - c. If co-owner is not on waiting list, the date written notification is received by the WLIC office that the individual has purchased a portion of the facility will establish the retention date.

4. In the event one of the owners sells or transfers his portion of the facility, the earliest retention date of the remaining owners will apply. If the date is later than the date of application for a dock space by someone on the access area waiting list, the dock space will be reassigned to the Member on the top of the waiting list. In this situation, the facility must be moved to an available vacant space or be removed from the lake. The remaining owners will not be permitted to dislocate any other individual currently assigned a dock space. Displaced owner(s) will be given the option of having their application integrated into the waiting list for the area in which the facility was located using the earliest retention date to determine their priority on the list or being added to the bottom of the waiting list for another access area.

N. Pets: Absolutely no pets shall be permitted in designated swim areas, marked areas adjacent thereto or any other area marked “No Pets”. Pets shall be kept on leash or under immediate and effective physical control at all times in all other access areas or other WLIC property. Members or persons otherwise responsible for pets shall be responsible for cleanup of feces or other debris caused or left by such animals in all areas or on other WLIC property.

O. Prohibited Activities: Bicycling, skating, skateboarding, and rollerblading are prohibited on all Structures (docks, dock ramps, boatlifts, amusement items, and stairs), seawalls, and sidewalks in all access areas.

P. Electrical: Members may charge batteries or use electrical equipment that require extension cords on docks and watercraft only during daylight hours. Electrical cords must be marked with a safety cone. Plugging into a Non-GFI outlet or breaker is a safety violation (See Article XIV. Violations/Penalty Categories/Appeals).

IX. Rules Applying to All Docks (Penalty Category - Administrative, unless noted otherwise)

A. Structure Materials, Construction, Anchorage, And Encapsulated Floatation: See Appendix C and D.

B. New Structure (docks, dock ramps, boatlifts, amusement items, and stairs)

Applications: Members who desire to construct a new Structure shall submit their plans along with permit application and fee to the WLIC office. The plans will provide information and/or drawings as may be reasonably required to enable a Member(s) of the Space and Dock Committee to determine if the proposed Structure will comply with these regulations. Written approval of the plans must be obtained before beginning construction. Upon completion of construction but before placement on the lake, the Structure must be inspected by a Space and Dock Committee Member for compliance with the approved plans and dock regulations. Permits will not be issued for docks not in compliance. An annual permit will be issued following a successful inspection.

C. Sales or Transfers of Existing Docks: Permits will not be issued with respect to docks sold or otherwise transferred from one Member to another unless the dock conforms to the requirements and specifications existing at the time of the sale or transfer for the use intended. New Members will be issued permits only upon demonstrating to a Member(s) of the Space and Dock Committee that the dock conforms to the applicable specifications for the use intended and the appropriate fees are paid. The WLIC reserves the right to remove the dock and anything attached to the dock to the owner's Property. All costs associated with any collection process and/or removal of the dock, et al., shall be incurred by the Member. See Appendix D for Zebra Mussel rules related to docks.

D. Permit Renewal: Dock permits are issued on a calendar year basis. The dock permit fee shall be received in the WLIC office by March 31. All dock permit fees received after this date are delinquent and will require a penalty payment in addition to the fee before the permit will be issued. Lake Use Permit Fee invoices are mailed with the annual assessment notice to all Members.

E. Permit Fee: Docks adjacent to lakefront properties will be charged an annual dock permit fee. Docks adjacent to WLIC access areas will be charged an annual access area space fee. Dock or space fees are as shown in the Schedule of Fees in Appendix B. All privately owned docks will be issued an annual permit sticker to reflect that the dock or space fee has been paid. Where two or more WLIC Members share a dock in an access area they will each pay a space fee, and each will be issued a permit sticker and all permit stickers will be displayed on the dock. Permits will be issued only to Members who have paid all WLIC assessments and fees due.

Permits are issued on a calendar year basis and are transferable to a replacement dock but can NOT be transferred to a new owner. Permit Fees are not refundable.

F. Block/Lot ID and Permit Installation: All previous Member's Block/Lot ID and previous years' permit stickers shall be removed. Any new assignment or dock transfer requires the placement of a Block/Lot ID sign that will be provided by the WLIC. This sign shall be placed on the lake side of all docks. Docks located in a WLIC access area site must also have such identification displayed on the shore side. The dock permit sticker shall be adhered to the lake side sign. Current dock permit stickers must be installed by April 30th of the year for which they are issued.

If a watercraft or an attached dock structure (*e.g.*, ladder) obstructs the view of the permit sticker and/or Block/Lot ID, then these identifying markers shall be moved to a location on the dock that can be easily viewed from the lake.

G. Location: Except with respect to Kings Cove, the NS-1, NS-2 10 ft. strips, and any property with less than 50 ft. of shoreline, a dock and/or watercraft must be located not less than 10 feet from the side lot line of private lake front property as extended outward into the lake and at the exact assigned space location in access areas as extended outward into the lake on a line perpendicular to the shoreline. Docks and/or watercraft shall be located so as not to interfere with the use of properly located adjacent Structures or watercraft.

H. Maintenance: Structures on WLIC property must be maintained in first class condition for personal safety and to maintain a presentable, cared-for appearance essential to preservation of property values. In particular, encapsulated floatation must be replaced where necessary for safety and to maintain a level Structure. Rotted wood must be replaced. Peeling or otherwise disfigured paint or other decorations must be scraped and repainted or removed.

The decision of the Space and Dock Committee will be final as to the need for maintenance and repair, subject to appeal to the Board of Directors. Any existing Structure not currently meeting approved sizes and requiring major maintenance, *i.e.*, replacement of major structural Members, shall be re-built to conform to an approved size as delineated in Appendix C.

I. Inspections: All Structures shall be inspected before initial installation and at least once a year by a Member of the Space and Dock Committee. The owner of a Structure found to be in violation of the WLIC Rules and Regulations shall be notified in writing of each such violation. Such notice shall be mailed by 1st class mail to the owner of the Structure at the owner's last known address as shown on the records of the WLIC. Such notice shall specify each violation and shall grant the owner of the Structure 15 days to bring Structure into compliance with the WLIC Rules and Regulations. The owner of the Structure to whom notice is given may appeal the decision of the inspector to the Space and Dock Committee by serving notice of appeal to the secretary of the WLIC within 10 days from the date of mailing the notice of violation. The Space and Dock Committee shall consider the appeal within 15 days of service of the notice of appeal and shall notify the owner in writing by 1st class mail of its decision. Any Structure owner aggrieved by the decision of the Space and Dock Committee may appeal the decision to the WLIC Board of Directors by serving written notice thereof to the secretary of the WLIC within 5 days from the date of receiving the decision of the Space and Dock Committee. Such appeal shall be heard at the next regular meeting of the Board of Directors in the manner specified in Section XIV, Subsection B. APPEALS. The decision of the Board of Directors shall be final. Any decision of the inspector or the Space and Dock Committee not appealed within the requisite time period shall be final.

The owner of the Structure shall bring it into compliance with the WLIC Rules and Regulations within 15 days of the date of the notice of violation(s) or agree with the Space and Dock Committee Chairman on a written plan to do so unless appealed pursuant to these Rules and Regulations. If not overturned on appeal, such structure shall be brought in compliance within 15 days after a decision becomes final.

The owner of a Structure found in violation of these Rules and Regulations shall notify the secretary of the WLIC at such time as all violations have been remedied or corrected.

The owner of a Structure who does not bring the Structure into compliance with these Rules and Regulations within the time period allotted shall be deemed to have abandoned the Structure, and the Structure shall be removed and disposed of by the WLIC. All costs associated with removal and disposition of the Structure shall be the responsibility of the owner.

J. Dock Amusement Structures: Applications for authorization to build slides, diving boards or platforms or any other amusement structures will be made under the same procedures as new docks. No permit or fee is required. Amusement structures may only be constructed on docks which conform to the dock regulations and carry current permit stickers.

The WLIC does not recommend or promote the installation of such structures and does reserve the right to determine if the proposed structure is in keeping with the first-class appearance of the lake and in no way interferes with or inconveniences other lake users. The construction of an amusement structure is an acknowledgment of owner's awareness of the risks associated with installing such structures. Any such amusement structure shall meet the following requirements:

1. **Centering:** A slide-tower or diving board or combination structure must be centered within the dock's overall width dimension.
2. **Protrusions:** Slides shall not protrude greater than one foot beyond the end of the dock. Diving boards shall not protrude greater than three feet beyond the dock edge.
3. **Diving Board and Platform:** The height of diving boards above the dock deck shall not exceed four feet. When diving platforms are used, no fixed structure shall exceed one 1 ft. above the platform.
4. **Material, Strength and Stability:** An amusement structure may be constructed of wood, pipe, steel, or suitable composition material. The structure must be designed to safely support 700 pounds of live weight.
5. **Annual Inspection:** All amusement structures will be inspected as part of the annual dock inspection. If a structure is deemed by the Space and Dock Committee to be in a state of disrepair or interferes with lake use, it will be handled under the same provisions as described in Article IX, Section I.
6. **Zebra Mussels:** See also Appendix D for rules related to dock amusement structures.

K. Lease Docks: The WLIC may construct docks and charge an annual fee for their use.

L. Dock Aerator: No Member shall operate a dock aerator (also referred to watercraft bubbler/dock bubbler) or other artificial means of preventing ice at any time on the Lake.

X. Rules Applying Generally to All Boatlifts (Penalty Category - Administrative, unless noted otherwise)

A. General: The rules contained within this Section X apply to boatlifts situated adjacent to access areas as well as lakefront properties.

B. Definition: A boatlift is a fixed device that extends over WLIC property that is designed to hold a craft. A Member's property where the watercraft may be pulled on to a trailer or rail is not a boatlift.

1. Boat Lift Applications: Members who desire to install a Boatlift shall submit their plans to the Space and Dock Committee. The plans will provide information and/or drawings as may be reasonably required to enable the Space and Dock Committee to determine if the proposed structure will comply with these regulations. Written approval of the plans must be obtained from the Space and Dock Committee before beginning construction and /or placing the structure in the lake. Upon completion of construction and installation, the boatlift must be inspected for compliance with the approved plans and boatlift regulations.

2. Boatlift Covers: Boatlifts shall not have canopy or fixed covers.

3. Location: Except with respect to Kings Cove, NS-1, NS-2 10' strips, and any property with less than 50' of shoreline, a boatlift and/or watercraft must be located not less than 10 feet from the side lot line of private lake front property as extended outward into the lake and at the exact assigned space location in access areas as extended outward into the lake on a line perpendicular to the shoreline. Docks and/or watercrafts shall be located so as not to interfere with the use of properly located adjacent docks, watercraft, or boatlifts.

4. Maintenance: All boatlift structures on the lake must be maintained in first class condition for personal safety and to maintain a presentable, cared-for appearance essential to preservation of property values on the lake.

5. Number of Boatlifts: No Member shall install more than two (2) boatlifts.

6. Electric Powered Boatlifts: Electric powered boatlifts must meet City of Weatherby Lake electrical code.

C. Inspections: Refer to Article IX. Rules Applying to All Docks, Section I. Inspections.

D. Zebra Mussels: See Appendix D for rules related to boatlifts.

XI. Variances

A. General: The Space and Dock Committee (the S&D Committee) may in unusual or compelling circumstances grant variances of the rules respecting the size, placement, number, and construction of Structures by following the procedures set forth below. All variances are subject to periodic review and may be terminated at will by the Board of Directors.

B. Variance Procedure:

1. Any Member desiring a rule variance for a Structure shall apply by submitting a Variance Request Form available at www.wlic.org or the WLIC office, together with a \$50 non-refundable processing fee, to the WLIC office. Such requests shall clearly describe and justify the variance requested. Photographs and/or drawings should be attached.

2. The Board of Directors will decide by majority vote whether or not to direct the WLIC office to publicize the request. If so directed, the request will be posted on official WLIC digital channels, emailed to all Members on the WLIC list server, and mailed by first class mail to every Member who owns property or who has an assigned access space in the relevant access area, and to any immediately adjoining property owners. If the requested variance location is not in an access area, in addition to posting the variance on the WLIC website and emailing the variance to the WLIC Membership list server, a copy of the request will be sent by first class mail to at least five lake front property Members on either side of the variance location, as well as to all access area assigned space Members located within that boundary.

3. The S&D Chairman shall create a group of 5 persons comprised of S&D Committee Members to consider the request at a meeting which shall be held within 31 days of the variance request posting. The WLIC Office will notify the requesting Member(s) of the date and time of the S&D review group meeting that will consider the request. Any Member may express his or her support or objection to the request at the meeting. The S&D review group shall determine by majority vote whether to grant or deny the requested variance. The S&D review group shall determine whether the variance is in the best interests of the Membership as a whole taking into account all relevant competing considerations, including without limitation, the consequences of setting variance precedents that may cause additional problems if broadly granted. The S&D review group shall thereupon advise in writing the variance applicant of its decision. If the S&D review group elects to approve a variance request, the letter to the applicant must specifically delineate the terms and conditions of the approved variance.

4. Any Member may appeal a decision of the S&D review group to the Board of Directors. The appeal procedure shall be conducted as specified in Section XIV, Subsection B, APPEALS. The Board's decision shall be final.

XII. Shoreline and Seawalls (Penalty Category – Administrative, unless noted otherwise)

The entire water surface of Weatherby Lake measured at full spillway level is the property of WLIC. Full spillway level is defined as 897.5' above mean Sea Level. WLIC shall be provided with plans and a survey prior to any construction or alteration of the shoreline on private property. No seawalls or alteration of the shoreline shall be allowed to be undertaken until plans are submitted and approved by the WLIC. If unable to determine precise property line, the WLIC may require a certified survey identifying the shoreline and lot corners marked with permanent stakes. Plans for new seawalls or repair of existing seawalls must be submitted to the WLIC for approval prior to construction or execution of such repairs. Construction materials other than concrete or stone must be approved in advance by the Board. Plans for repair of existing seawalls must also be submitted to the WLIC for approval prior to execution of such repairs. No seawall alteration may encroach upon existing water lines. No sand beaches allowed. (Note: Sand beaches pre-existing the creation of this rule may be grandfathered by the Board of Directors.) Trees, other vegetation, and man-made structures bordering the shoreline of Weatherby Lake must be well maintained by the owner of the same.

Any owner's tree that falls onto WLIC property must be removed by the owner within 30 days or the WLIC will remove the tree from WLIC property and invoice the owner for the cost of removal.

XIII. Fireworks (Penalty Category –Safety, unless noted otherwise)

Fireworks shall not be launched or set off from or onto WLIC Property at any time, including July 4th. This includes access areas, the dam, the spillway, vessels and docks on the lake surface and any other property owned by the WLIC. The Board of Directors may approve specific displays upon written application.

XIV. Violations/Penalty Categories/Appeals

A. Violations:

1. Each Member shall be responsible for the conduct and actions of himself/herself, Immediate Family, Independent Users, Permanent Registered Residents, Renters and Guests, subject to penalties as defined within this document. Unless otherwise provided for in these Rules and Regulations, a Member shall be notified by regular mail of any violation of these Rules and Regulations which comes to the attention of the Board of Directors. Unless otherwise provided in these Rules and Regulations, penalties for violation of these Rules and Regulations during any one calendar year shall be as follows:

Penalty Categories, as identified in parenthesis at the beginning of each section in these Rules and Regulations, and the penalties associated with each violation (All penalties due within 30 days):

	Administrative	Safety	Environmental	Vandalism/ Destruction of Property
1 st	Written Warning	Written Warning	Written Warning	\$250
2 nd	\$50	\$100	\$250	\$500 and suspension of lake privileges for one (1) year
3 rd	\$100	\$200	\$500	\$2500 and indefinite suspension of lake privileges
4 th	\$500 and/or suspension of lake privileges for one (1) year	\$500 and/or suspension of lake privileges for one (1) year	\$1000 and/or suspension of lake privileges for one (1) year	

2. Violations with Immediate Fines:

a. Leaving the Security Boat Ramp Cable Down is subject to an immediate \$50 penalty for each cited violation.

b. Per Appendix B, operating watercraft on WLIC property without a valid Block/Lot ID or current year Permit Sticker displayed is subject to an immediate \$50 Penalty for each cited violation

c. Per Appendix D, failure to comply with the provisions of Appendix D may result in an immediate and indefinite loss of all Lake privileges and a fine up to \$5,000 or damages to the WLIC, whichever is greater, at the sole discretion of the Board of Directors.

d. During major holidays as decided by the Board of Directors, all violations will not include a written warning.

e. Each calendar year, structures, watercraft and floatation without current Permit Stickers or Block/Lot ID by April 30th are subject to an immediate \$50 fine and subsequent penalties as listed in the Administrative section of the Violations Chart above.

f. If a Member has not resolved a Space & Dock Violation from a prior year, their penalties will not start over on a new calendar year. Instead, they will be subject to the subsequent penalties as listed in the Administrative section of the Violations Chart above.

3. All Members whose lake privileges are suspended pursuant to these Rules and Regulations shall be so notified by certified mail. Suspension of privileges applies to the Member, Immediate Family, Independent Users, Permanent Registered Residents, Renters and Guests. Continued use of the lake or other WLIC property in any manner shall be considered a trespass for Members and Guests.

4. Notice will be given by regular mail of any fine and by certified mail of the suspension of Use Privileges for the remainder of the year as the result of multiple violations. Unless an appeal is made to the Board of Directors in the manner provided in Subsection B below within fifteen (15) days, the fine or suspension shall be effective. If no appeal is taken and a fine is not paid within thirty (30) days, Use Privileges will be suspended until paid.

B. Appeals:

Appeals from decisions of the Space and Dock Committee or with respect to violations of these Rules and Regulations may be made to the Board of Directors pursuant to the following procedures:

1. Unless otherwise specified, an appeal must be received at the WLIC office within fifteen (15) days of date that notice is given of the decision from which the appeal is taken. For notices given by regular mail, notice is given on the date the letter is deposited in the mail. For notices given by certified or registered mail, notice is given on date of receipt.
2. The appeal must be in writing, must state the relevant facts known to the Member and reference any By-Laws or Rules and Regulations that the Member believes support his position.
3. Unless the Board of Directors otherwise advises the Member, the appeal will be taken up by the Board at the next Board meeting after the appeal is received. The Member may and the person to whom the violation was issued MUST appear and be heard at the time the Board first considers the appeal.
4. The decision of the Board of Directors will be final.

XV. Chemicals, Debris and Silt (Penalty Category – Environmental, unless noted otherwise)

No chemicals shall be added to or knowingly allowed to enter Weatherby Lake except as may be permitted from time to time by specific action of WLIC Board of Directors.

Exception: Draining of treated water, such as swimming pools and hot tubs is permitted when authorized by the WLIC. For authorization and draining procedures contact the WLIC office. No debris, such as grass, leaves or brush shall be deposited in the lake or on access areas.

No silt shall be allowed to leave the property of any Member and enter the Lake. All Members must install siltation controls sufficient to preclude silt from maintenance and/or construction activities from leaving their property and entering the Lake.

XVI. Spillway (Penalty Category –Safety, unless noted otherwise)

No unauthorized person shall be allowed to enter the Spillway Chute area. The Spillway Chute area is the concrete area between the Spillway Bridge and the Silting Basin below.

XVII. C Point Pavilion and W1 Picnic Area (Penalty Category – Administrative, unless noted otherwise)

A. Rentals: These areas are for the use of Members in Good Standing and for Lake Organizations that have been approved by the WLIC. Reservations can be made by either above mentioned Members or organizations. The Member or organization must contact the office in order to make reservations. Those that are there without reservations during times that they are reserved by others will yield to those that have reservations. Fees for Picnic Area Reservations are listed in Appendix B.

B. Holidays: No reservation of WLIC facilities will be provided on the holidays of Memorial Day, Fourth of July, and Labor Day, except for Weatherby Lake organizations providing functions and services available to all Members. Parking at WLIC Access Areas during Holidays and Special Events may be restricted by the Board of Directors due to Safety Concerns.

XVIII. Migratory Waterfowl (Penalty Category – Environmental, unless noted otherwise)

No Member or Guest of a Member shall feed nor leave food out for the purpose of feeding migratory waterfowl. This shall include from watercraft, docks, and all properties that the WLIC holds title to. Violations of this rule shall be assessed in accordance with Article XIV.

**XIX. Vandalism/Destruction of Property (Penalty Category – Vandalism/
Destruction of Property)**

Members and their Immediate Family, Independent Users, Permanent Registered Residents, Renters and Guests who are charged with vandalism and/or destruction of WLIC property shall be held liable for the cost of repairs and/or replacement of such WLIC properties. Violations of the Rules and Regulations by Immediate Family, Independent Users, Permanent Registered Residents, Renters or Guests shall be regarded as violation by a Member and shall subject the Member to the fines and suspensions provided in the Rules and Regulations.

Appendix A

Fish Limitations

<u>Species</u>	<u>Size</u>	<u>Daily Limit</u>
Bass	15” minimum	4 per day
Channel /Blue Catfish	12” minimum	5 per day
Crappie	None	30 per day
Trout	10” minimum	2 per day
Walleye	15” minimum	2 per day
White Amur (Grass Carp) *	None	Protected

- (Grass carp) All Grass Carp must be released immediately. All others - No Limit.
- All fish under minimum size limits must be returned to the Lake immediately. (Recommended by the Missouri Department of Conservation)
- The daily limit for Catfish is 5 fish per day, NOT 5 Channel and 5 Blue Catfish per day but any combination that totals 5 fish. Example: 3 channel and 2 Blue Catfish = YOUR LIMIT.
- *Grass Carp (White Amur) were stocked in Weatherby Lake for the purpose of aiding in the control of weeds and aquatic plants in the Lake. If caught they must be returned to the Lake unharmed.
- The use of Asian Carp as bait is not allowed at Weatherby Lake.

Appendix B

Annual Lake Permit Fee Schedule

Property Abutting the Lake

Each Dock Fee \$300.00/Each

Access Areas

Lease Dock (No Deposit Required) \$475.00/Each Side

Space Fee (12 ft. Access Area for Watercraft and Dock Space on Water) \$300.00/Each

Kayak Rack Space Fee \$20.00/Each

Watercraft/Large Floatation Devices/Motors

Each Watercraft (Over 14 Ft. Including Sailboats) \$40.00/Each

Each Motor (Including Electric If Primary Propulsion) \$40.00/Each

Other Non-Motorized Watercraft \$15.00/Each

(Other Non-Motorized Watercraft can include, but is not limited to, canoes, kayaks, paddleboards, sailboards, rowing shells, rowboats, paddleboats, sailboats-14 ft. or less in length)

All Floatation Devices Over 8 ft. Long \$10.00/Each
(All Floatation Devices can include, but are not limited to, lily pads, rafts, islands, etc.)

\$150.00 penalty per month for Lake Permit Fee payments received after March 31st.

No Lake Permit Fee payments will be accepted until all lien-able assessments have been paid in full.

Current year permit stickers will not be issued if the Lake Use Education requirements have not been met per Appendix D.

If the Board, in its sole discretion, removes items(s) from the lake, all penalties and costs related to removal must be paid before the Member is allowed to replace items.

WLIC will not collect dock, space, watercraft, or motor permit fees for new requests made between October 1 and December 31 in any calendar year but will issue necessary permit stickers that must be applied as applicable.

\$50.00 penalty payable within 30 days for each cited violation of operating watercraft on WLIC property without a valid Block/Lot ID or current year Permit Sticker displayed. The fees are levied in addition to the annual property assessment and are intended as "Permit Fees."

All of the above fees are non-refundable.

Picnic Area Reservations

C Point Pavilion Deposit: \$200.00- 100% refundable upon return of key, proper cleaning, absent of damage and not cancelled within 30 days prior to rental date.

W1 Picnic/Shelter Deposit: \$25.00 - 100% refundable after proper cleaning and absent of damage

Cancellation Policy: All cancellations must be made 30 days prior to rental date, to receive deposit refund

C-Point Pavilion Rental Fees:

Friday, Saturday, and Sunday: \$40.00/hour (2-hour minimum rental)

Monday thru Thursday: \$15.00/hour (2-hour minimum rental)

W-1 Picnic Shelter Rental Fees: \$25.00/per day (any day of the week)

-
- 50% of the permit fees collected will be restricted to improvements in access areas as determined by the property management committee.
 - 50% of the permit fees collected will be allocated to the general fund for yearly operations.

Appendix C

Structure Materials, Construction, Anchoring and Encapsulated Floatation

- A. No docks, ramps, floats, lifts, or equipment may be transferred from other lakes or waterways.
- B. All new structure (docks, ramps, boatlifts) to be placed upon the waters of the WLIC must have a plan and permit (see IX.B. of these Rules and Regulations) and be inspected and approved by a Member(s) of the Space and Dock Committee (the Committee) before such structure is placed upon the waters of the WLIC. Any Member who places an uninspected, non-compliant structure on WLIC property, and who does not remove or bring such structure into compliance with 15 days after notification, will be fined as per Section XIV of these Rules and Regulations. The Committee determines the Structure or the anchoring to be unstable or unsafe.
- C. All structures with steel or concrete fabrication must be constructed according to the manufacturer's specifications.
- D. Dock and ramps shall not have canopy or fixed covers.
- E. All non-fabricated structures must be constructed as follows:
 - 1. **Framing:**
 - a) Must be of adequate galvanized metal gauge or minimum 2X10 treated wood
 - b) Corners – bolted at the corners using L brackets
 - c) Deck joists (deck support Members) – screwed to the outside frame. Joist support brackets are recommended but not required.
 - 2. **Decking:**
 - a) 2" treated wooden planks screwed to minimum 2' centers
 - b) 5/4" treated wooden planks or composite material screwed to minimum 16-inch centers
 - c) Metal decking screwed or bolted with centering support according to manufacturer's recommendations.
 - d) PVC decking must be applied per the manufacturer's specifications.
 - e) Screws used on treated lumber must meet manufacturer's standards.

- f) No nails are permitted in new structures and protruding nails in existing structures must be replaced with screws.

F. All structures must be constructed and anchored as follows:

1. **Dock and Walkway Railing:**

- a) If permitted, and when authorization to build is given, shall be 42” above the dock.

2. **Floatation:**

- a) All new structures and floatation added to existing structures must utilize encapsulated floatation.
- b) Subject to approved variance, encapsulated floatation must be attached to the underside of the structure using float boards of minimum 2X6 treated wooden boards or metal supports.
- c) Encapsulated floatation must be sufficient to keep the underside frame of the structure from touching the lake surface when 200 lbs. of weight is applied to any corner of the structure.

3. **Size:**

- a) New ramps must be a width of 4’ and a maximum length of 10’. Existing ramps not in conformance with this requirement are permitted for the life of the ramp but must be brought into compliance upon change in ownership, or when access area is improved with new seawall.
- b) Docks:
 - Lakefront: Dock dimensions shall not exceed 14X20 nor be less than 6X12. 4X24 ramp docks are permitted. Maximum of two docks permitted.
 - Access Area: Docks must be 6X12, 8X12 or 4X24.
 - Additional encapsulated floatation may be required on any dock to improve stability.

4. **Anchoring:**

- a) Anchoring requirements depend upon the type of structure and shoreline. All anchoring cables must be minimum 1/4” diameter and all anchoring pipes must be minimum 1 5/8” outer diameter. Lakeside vertical anchoring

pipes must extend a minimum of 2' above the deck of the structure at lake full pool.

- Seawall: A structure (excluding ramp docks) with a ramp attached to a seawall needs two anchoring cables and two 1" diameter bolts, or horizontal metal piping attaching the shore side of the structure to the seawall, or it needs two vertical "one" piece anchoring poles on the lakeside.

A 4X24 ramp dock attached to a seawall requires two vertical "one" piece anchoring pipes on the lakeside.

- Unimproved Shoreline: A structure with a ramp attached to an unimproved shoreline needs two vertical anchoring pipes on the shoreline and one vertical "one" piece anchoring pipe on the lakeside.

A 4X24 ramp dock requires two vertical "one" piece anchoring pipes on the lakeside and at least one on the shoreline.

- b)** No structure may be anchored to a tree or any other type of vegetation.
- c)** The Space & Dock Chairman may modify the "one" piece pole requirement when necessary.

Variations to the above rules may be granted upon approval of the Space and Dock Committee pursuant to Section XI of these rules.

Appendix D

Zebra and Quagga Mussels and Other Invasive Species (Zebra Mussels)

Whereas, Zebra Mussels are a very destructive and prolific invasive species; and,

Whereas, Zebra Mussels have been migrating into the area; and,

Whereas, numerous local bodies of water have become infested with Zebra Mussels; and,

Whereas, it would potentially be catastrophic to the lake, the ecology, fisheries, use, enjoyment, and property values of the Members if Zebra Mussels were introduced into the lake;

The WLIC Board believes it to be in the best interests of all the Members to implement new policies to address the ever-changing threat to the lake from Zebra Mussels. After months of study, research, discussion, debate, and consideration the Board has promulgated the following, which was submitted to the Membership for comment and objection, and pursuant to the Bylaws, the following has been approved:

- A.** All watercraft, as defined previously in IV. A., motors, trailers, docks, lifts and any absorbent equipment (i.e. lifejackets, bait buckets, fishing gear, water toys, noodles, lily pads, tow ropes, anchor lines ski equipment, scuba and sailboarding, etc.) to be used at Weatherby Lake must be designated for exclusive use at Weatherby Lake prior to being placed on the Lake.
- B.** Used watercraft, motors and trailers must first be approved by the WLIC, then, if approved, inspected, treated, and quarantined/dried by the WLIC prior to being designated for Weatherby Lake use and placed on the Lake.

Treatment – Heated power wash at a minimum of 140 degrees at the supervised Weatherby Lake power washing station.

Quarantine/Dry – Length of drying time determined by weather conditions and time of year (up to 30 days, as specified by WLIC).

Inspection – By authorized WLIC volunteers.

The cost of the treatment will be borne by the Member.

- C.** Watercraft cannot be stored in nor licensed/permitted for use at any other body of water.
- D.** Used docks, encapsulated floatation, boat lifts, and lily pads are NOT allowed to be placed on the Lake.

- E.** All contractors performing repairs, maintenance, construction or delivery of watercraft or equipment used at Weatherby Lake must be approved by the WLIC and affirm that any tools, trailers or equipment used in performing their services at the Lake are used only at the Lake and have not been used at any other body of water.
- F.** All equipment removed from the Lake for repair or maintenance located beyond the boundaries of the city of Weatherby Lake will be inspected and approved by the WLIC prior to being placed back on the Lake.
- G.** New Members, Non-Resident Members, Immediate Family, Independent Users, Permanent Registered Residents. Renters (age 14 and above) eligible for Use Privileges shall complete the initial required Lake Use Education Requirement within 30 days of Use Privileges eligibility. Re-Education shall be required every year.
- H.** All Members, Non-Resident Members, Immediate Family, Independent Users, Permanent Registered Residents, Renters shall affirm in writing that they have designated their watercraft and equipment only for use at Weatherby Lake and completed the educational requirements with regard to Zebra Mussels prior to receiving their annual permit stickers.
- I.** Failure to comply with the provisions of Appendix D may result in an immediate and indefinite loss of all lake privileges and a fine of \$5,000.00 or damages to the WLIC, whichever is greater, at the sole discretion of the Board of Directors.
- J.** Appeals of fines and penalties resulting from the provisions of Appendix D shall follow the procedure set forth in Section XIV. Subsection B.
- K.** Exemptions/Exceptions to the required Lake Use Education must be made in writing to the WLIC explaining purpose and reason. Two of the four executive officers will review and approve/deny within four business days. (Example: medical/ handicap limitations, active military service, living/relocation temporary out of city/state).

Appendix E

Map

