

FAIRFIELD PLANTATION PROPERTY OWNERS ASSOCIATION
Lakes and Watercraft Rules and Regulations
Effective May 1, 2011

- 1.0 PURPOSE: These Rules and Regulations governing the use and enjoyment of the Fairfield Lakes are intended to protect the Lakes and the rights of those individuals who are entitled to use Fairfield Lakes.
- 2.0 DEFINITIONS: As used herein, the following capitalized terms shall have the following meanings:
- 2.1 FAIRFIELD PLANTATION POA, POA and ASSOCIATION shall mean the Fairfield Plantation Property Owners Association, Inc.
- 2.2 PROPERTY OWNER- shall mean the owner of title to a lot located within Fairfield Plantation.
- 2.3 LAKE TARA shall mean that certain lake located within Fairfield Plantation and commonly referred to as "Lake Tara."
- 2.4 LAKE ASHLEY shall mean that certain lake located within Fairfield Plantation and commonly referred to as "Lake Ashley."
- 2.5 LAKE SCARLETT shall mean that certain lake located within Fairfield Plantation and commonly referred to as "Lake Scarlett."
- 2.6 LAKE shall mean any of Lake Tara, Lake Ashley, Lake Scarlett or any other lake or body of water located within Fairfield Plantation and available for use by Property Owners.
- 2.7 FAMILY MEMBER shall mean a member of a Property Owner's immediate family, who resides with the Property Owner and has the right to use the Fairfield Lakes with the Property Owner's approval.
- 2.8 GUEST shall mean an invited visitor to the home of the Property Owner who is not also a Property Owner or Family Member.
- 2.9 BOAT or WATERCRAFT shall mean a motorized or non-motorized vessel used or capable of being used as means of transportation on water, including, but not limited to motor boats, paddle boats, canoes, kayaks, row boats, shells, inflatable rafts, and any other vessel that may be used for riding, skiing, tubing and/or fishing.
- 2.10 PERSONAL WATERCRAFT shall mean a Jet Ski, SeaDoo, Wave Runner, or similar craft used or capable of being used as means of transportation on water for one to four people.

- 2.11 MARINA shall mean and refer to that certain area within Fairfield Plantation commonly referred to as the Marina that is available for use by the Property Owners for lake access and other uses designated by the POA.
- 2.12 NIGHTTIME shall mean the time of each twenty-four hour period beginning at sunset and ending at sunrise.
- 2.13 DAYTIME shall mean the time of each twenty-four hour period beginning at sunrise and ending at sunset.
- 2.14 LAKE ACCESS shall mean the capability of launching a Boat or Personal Watercraft onto a Lake, other than through privately owned lots, and which is otherwise restricted to the paved boat ramp located at the Marina.
- 2.15 TIMESHARE OWNER shall mean the owner of a right to use and occupy a timeshare unit for specific time periods.
- 2.16 MOTORIZED shall mean that which is powered by any and all electric, gasoline, or any other fueled means of propulsion.
- 2.17 IDLE SPEED shall mean you operate your watercraft or PWC at the slowest speed at which it is still possible to maintain steering control.
- 2.18 RULES AND REGULATIONS shall mean these Lake and Watercraft Rules and Regulations governing the use and enjoyment of the Lakes within Fairfield Plantation.

3.0 ENFORCEMENT OF RULES.

- 3.1 The POA may delegate the authority to supervise and enforce these Rules and Regulations, and to prosecute violators in order to protect the best interests and welfare of the POA and of the Property Owners of Fairfield Plantation. This delegation of authority may be in part or in total, as appropriate.
- 3.2 The POA, in its sole discretion, may either temporarily or permanently revoke or suspend the privilege of Lake use by a Property Owner Lessee who violates any one (1) or more of these Rules and Regulations, or whose Family Member(s) or Guest(s) violates any one (1) or more of these Rules and Regulations.
- 3.3 An application for reinstatement by any Property Owner whose Lake privileges have been revoked or suspended will only be considered after the POA has been reimbursed by said Property Owner for all POA costs (including legal expenses) associated with the violation causing the revocation or suspension as well as all fines and other charges due to the Association. Upon payment in full of all such costs, the Board of Directors of the POA ("Board") shall determine whether or not to reinstate such Property Owner's Lake privileges, which such reinstatement shall not be unreasonably withheld but which decision shall be made in the sole discretion of the Board.

3.4 WARNINGS AND CITATIONS:

3.4.1 Nothing contained in this Section 3.4 shall diminish or otherwise limit the power of the POA under Section 3.2, hereinabove.

3.4.2 Warnings or Citations may be issued by a Lake patrol officer or a deputy (i.e., a Community Patrol Officer) appointed by the POA. Noncompliance and/or disorderly conduct by a Property Owner, Family Member or Guest may result in monetary citations being levied and/or suspension of lake privileges.

3.4.3 Upon the occurrence of a violation of any of these Rules and Regulations by a Watercraft operator, a written citation will be given to the Watercraft operator describing the violation(s), as well as any applicable monetary fine(s). The Property Owner to whom the violating Watercraft is registered will also receive a copy of the citation by mail, along with a statement noting the accumulated citations to date and any outstanding fines. Watercraft operators receiving citations may contest those citations by following the instructions on the citation or by contacting the POA office.

3.5 FINES: The Board shall have the power to impose reasonable fines, which shall constitute a lien upon the Owner's Lot, and to suspend an Owner's right to vote or to use the Recreational Amenities for violation of any duty imposed under these Rules and Regulations. If any Occupant violates these rules and regulations and a fine is imposed, the fine may be imposed against the Owner and/or Occupant. The failure of the Board to enforce any provision of these rules or regulations shall not be deemed a waiver of the right of the Board to do so thereafter.

4.0 FAIRFIELD DAMS: The dams containing the Lakes are a very vital part of Fairfield Plantation. Although massive in appearance, they are also very fragile, and must be protected from all causes of erosion. With the exception of vehicular traffic on the roadway over the Lake Ashley dam, vehicles are prohibited from being driven on dam surfaces. Such prohibition includes, but is not confined to cars, trucks, motorcycles, motor scooters, four wheelers, and all-terrain vehicles. The dam surfaces may be used for walking and bank fishing only. Such use of dam surfaces shall be at the users own risk and the Fairfield Plantation POA expressly disavows any and all liability and responsibility for any mishaps or personal injuries, including death, sustained by anyone using the dams.

5.0 ISLAND AND MARINA:

5.1 ISLAND USE: The Island on Lake Tara is for day use only. It is the responsibility of persons using the island to remove (upon exit that day) what is brought onto the island. Island users must help keep the island clean. No

overnight camping is allowed and fires and fireworks are PROHIBITED. No swimming or diving is permitted from the island or island docks.

5.2 MARINA: No swimming or diving is permitted from the shore or docks of the Marina, other than to perform boat maintenance.

6.0 FISHING: There is a catch-and-release policy on all lakes in Fairfield. All grass carp caught in any Lake must be immediately returned to the water. The following Lake-specific restrictions apply:

Lake Ashley:

- All large mouth bass less than twelve inches (12”) in length may be kept;
- All large mouth bass in excess of twelve inches (12”) in length must be immediately returned to the water;
- All crappie may be kept, regardless of size;
- No more than thirty (30) bluegill may be kept by any single person in any single twenty-four (24) hour period; and
- All green sunfish and warmouth may be kept, regardless of size.

Lake Tara:

- All large mouth bass less than twelve inches (12”) in length may be kept;
- All large mouth bass in excess of twelve inches (12”) in length must be immediately returned to the water;
- All crappie may be kept, regardless of size;
- No more than thirty (30) bluegill may be kept by any single person in any single twenty-four (24) hour period; and
- All green sunfish and warmouth may be kept, regardless of size.

7.0 GENERAL RULES:

7.1 USE: The use of the Lakes shall be limited to Property Owners (including Family Members and Guests) and Timeshare Owners (including Family Members and Guests) at Fairfield Plantation whose fees, assessments and charges are currently paid.

7.2 NON-OWNERS: No Property Owner may give permission for non-owners to use unregistered Watercraft on Fairfield Plantation Lakes.

7.3 RESPONSIBILITY: Property Owners assume full responsibility for any use of the Lakes by themselves, their Family Members and Guests. No Property Owner may invite a Guest to use the Lakes without being present (i.e., on Fairfield Property) to escort and control them. Property Owners bear full responsibility for their Guest(s), including any damage caused by them or fines that may be incurred by such Guest(s) conduct.

7.4 PERMITTED WATERCRAFT: Only Watercraft specifically permitted by these Rules and Regulations, bearing a current permit decal, with covered

liability insurance and owned by a Property Owner, shall be allowed to be operated on POA Lakes. It is the responsibility of each Property Owner to insure that their Watercraft meets the criteria for registration and operation on POA Lakes. Permitted Watercraft recreation activities on Lake Tara are limited to (i) boating; (ii) fishing; (iii) canoeing; (iv) sailing; (v) riding Personal Watercraft; (vi) water skiing; (vii) wake boarding (without excessive wakes or wake enhancing devices); (viii) tubing; swimming, and (x) Knee boarding. Electric powered remote control Boats are allowed for use on Lakes Ashley and Tara. Gasoline powered remote-controlled boats are only allowed for use on Lake Tara in the dam area. Boats used for fishing or transportation on Lake Ashley shall be powered only by electric motor or paddle. Boats used for fishing or transportation on Lake Scarlett shall be powered only by electric motor or paddle.

- 7.5 LIABILITY INSURANCE: All Owners of Watercraft must maintain a minimum of THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) in liability insurance. A permit will not be given until proof of current insurance is provided showing at least the minimum liability. Property Owners are required to maintain this insurance throughout the year of permit.
- 7.6 INSPECTIONS: All Watercraft must pass an inspection as established by the POA prior to being issued a permit to operate on our Lakes. The inspection and registration procedure is outlined in further Section 12, hereinbelow.
- 7.7 PERMITS:
 - 7.7.1 Annual, weekly, and daily permits for Lake use shall be issued by the POA or a POA agent. All permits are subject to these Rules and Regulations, regardless of the duration thereof. Any Watercraft stored on or above a Lake, docked, or within ten feet (10') of the shoreline shall be considered a Boat in use on the Lake, and must have a current permit. Annual permits must be prominently displayed on the stern of the Watercraft. Daily and weekly permits shall be displayed on the left windshield at all times. No Guests are allowed to purchase launch permits.
 - 7.7.2 Annual permit/decals are required by May 1st of each year. Watercraft in use on the Lakes, without a valid permit after May 31st of each year will be cited. Boat permits/decals are vessel-specific and cannot be transferred to another Watercraft. Each individual Watercraft must be inspected and be issued its own permit/decals.
 - 7.7.3 Permits will be issued only to Property Owners in good standing, lessees whose Property Owner is in good standing, and Timeshare Owners.
 - 7.7.4 A Timeshare Owner may purchase a launch permit only for the length of time they will be occupying Fairfield Plantation property.

7.7.5 All Watercraft owners, with the exception of Timeshare users, shall affix the current three inch (3") lot number decals (issued by the POA) to the stern of the Watercraft to the right of the motor, and in a manner as to be visible from a distance of two hundred (200) feet.

7.8 General Rules for Boat and Personal Watercraft Operation.

7.8.1 State registration is not required for Boats or Personal Watercraft operated only within Fairfield Plantation.

7.8.2 No Boat, other than pontoon Boats, shall exceed twenty feet (20') in length. Pontoon Boats shall not exceed twenty-four feet (24') in length. Rowing shells for one (1) or two (2) passengers are not to exceed twenty-one feet (21') in length and are allowed for use on Lake Ashley only. If manufacturing specifications are used as a determination of Boat length, such applicable length will be the longest listed in the specification book provided to the owner at the time of purchase of the Watercraft (for the model purchased). All Watercraft exceeding the preceding length restrictions that were inspected and approved by the POA on or before January 1, 2003 are excluded from the preceding restrictions and are allowed for use on the Lakes. This exclusion does not extend to new ownership. No boat shall exceed 3000 pounds as described in the manufacturer's specifications effective November 17, 2008. All boats exceeding 3000 pounds prior to November 17, 2008 that were inspected and approved by the POA are excluded from this restriction and are allowed for use on the lake. This exception does not transfer to new ownership.

7.8.3 No Boat or Personal Watercraft shall have an altered or modified capacity plate. No Boat or Personal Watercraft may use open exhaust or over-the-transom headers. The horsepower of motors on all Boats and Personal Watercraft shall not exceed the manufacturer's recommended size as shown on the capacity plate of the applicable Boat or Personal Watercraft. Any Boat equipped with a toilet must have the toilet sealed to prevent discharge into the Lakes. No Boat or Personal Watercraft with the exception of a sail boat (i.e., day sailor) may have a cabin. No Boat or Personal Watercraft shall contain any device that increases the displacement of water for the purpose of increasing the size of the wake produced by the Boat or Personal Watercraft by artificially adding weight to the vessel or by any other means. This includes, but is not limited to, ballast, water bags, bladders, fins, or weights made of any material or passenger loading. Any Boat or Personal Watercraft suspected of concealing such weight shall be removed from the Lake for inspection by the POA officer on duty. Boats or Personal Watercraft permitted prior to 2001, which contain such a

device, shall demonstrate the device has been fully disabled prior to being permitted in subsequent years.

7.8.4 All buoys shall be placed and controlled by the POA. Removal of buoys by any other person is in violation of these rules.

8.0 OPERATIONAL RULES: The POA reserves the right to limit the number of Watercraft and Personal Watercraft on the lake at any time.

8.1 SPEED LIMITS.

8.1.1 The maximum Daytime speed limit on Lake Tara shall be **35 MPH**.

8.1.2 The Nighttime speed limit on Lake Tara is Idle Speed.

8.1.3 No Boat or Personal Watercraft shall operate in excess of Idle Speed within seventy-five feet (75') of a vessel that is moored or anchored, persons in the water, any shoreline or dock.

8.2 NIGHT OPERATION.

8.2.1 **Boats** operating at night must display standard running lights (360-degree white aft, red/green sectors forward).

8.2.2 **Boats** anchored at night must display 360-degree white light.

8.2.3 Nighttime speed on any part of a Lake is Idle Speed (5MPH)

8.2.4 **Personal watercraft** operation is prohibited during Nighttime.

8.2.5 **No Boat or Personal Watercraft** shall be used for overnight occupancy on a Lake.

8.2.6 No skiing, wake boarding, tubing, or similar activity shall be performed during Nighttime.

8.2.7 Overnight mooring of any watercraft that is not attached to a private dock or private seawall is NOT allowed on Lakes.

8.3 RIGHT-OF-WAY.

8.3.1 All powered Boats and Personal Watercraft operators shall be aware of and observe the right-of-way requirements for sail and/or human powered vessels, and shall provide "wake courtesy" to smaller or more vulnerable vessels or swimmers.

8.3.2 No Boat or Personal Watercraft shall follow closely behind another vessel, jump the wake of another vessel, nor change or reverse

their course of direction in order to ride or jump in the wake of another vessel.

- 8.3.3 As a general rule, powered Boats and Personal Watercraft on Lake Tara, shall be operated in a counter clockwise direction, keeping the shoreline to the right at all times. Boats and Personal Watercraft are permitted to cross areas of the Lake, other than in a counter clockwise direction, when that crossing is perpendicular to the adjacent shoreline. Boats and Personal Watercraft are allowed to go in any direction within fifty feet (50') of a shoreline or a dock as long as they are at Idle Speed.

8.4 OPERATIONAL DISTANCES.

- 8.4.1 No Boat or Personal Watercraft shall operate within seventy-five feet (75') of a designated swimming area and shall not operate over Idle Speed within seventy-five feet (75') of the shoreline, a swimmer, disabled boat or manually powered watercraft.
- 8.4.2 Swimmers, canoes, kayaks, row boats, paddleboats, rafts, inner tubes, floats, and similar devices shall be limited to the area no greater than fifty feet (50') from any shoreline.
- 8.4.3 Boats with swimmers shall remain within fifty feet (50') of the shoreline.
- 8.4.4 All flotation devices (including but not limited to trampolines, fun islands, rafts, etc.) when in use, must remain within fifty feet (50') of the shoreline and within sixteen feet (16') of the shoreline when not in use.

- 8.5 RACING. Racing between any and all Boats or Personal Watercraft is prohibited.

8.6 SKIING OR TOWED DEVICES.

- 8.6.1 Skiing or towed devices shall not operate closer than seventy-five feet (75') from any shoreline, dam, spillway, or dock. Any skier or towed personal device is considered an extension of the watercraft.
- 8.6.1
- 8.6.2 All skiers, wake boarders, tubers, Personal Watercraft operators, or persons engaged in similar activities shall wear a Coast Guard approved life jacket. It is highly recommended that all children under the age of ten (10) wear a Coast Guard approved life jacket while the Watercraft is on a Lake. Ski belts that attach at the waist only are prohibited.

- 8.6.3 No skiing or towing is permitted during Nighttime (unless towing a disabled vessel).
 - 8.6.4 Boats shall be allowed to use any towing device that has the towrope securely attached at any point on the tower.
 - 8.6.5 A spotter must be present on any Watercraft that is pulling a skier, tuber, wake boarder or similar individual. The use of mirrors to substitute for a spotter is **not** acceptable. The spotter must remain in a position on the Watercraft so as to be in observance of the individual being pulled at all times. Personal Watercraft need to have an open seat to be able to pick up the skier, tuber, wake boarder or similar individual.
- 8.7 **EXCESSIVE WAKE:** No Boat or Personal Watercraft shall be operated in a manner to produce an excessive, destructive, or dangerous wake. Such wake shall be at the sole discretion and judgment of the Lake Patrol Officer. Watercraft shall operate on plane for the greatest portion of the time for the activities being performed. A **NO WAKE** policy will be activated when the Board of Directors deems necessary.
- 8.7.1 The water level in Lake Tara dropping low enough that wakes will cause damage to lake walls.
 - 8.7.2 The water level in Lake Tara rising high enough to cause the lake damage.
 - 8.7.3 An emergency on Lake Tara that warrants the need for calm/still waters.
- 8.8 Boaters will be made aware of the **NO WAKE** practice in the following manners:
- 8.8.1 The Lake Patrol boat will display a red flag
 - 8.8.2 There will be a red flag displayed on the pump dock at the Marina and a sign displayed at the boat ramp.
 - 8.8.3 A buoy with a red flag stating **NO WAKE** will be placed at the entrance to each of the main coves.
- 8.9 All boaters are expected to comply with the Red Flag regulation. Citations will be issued for boats causing a wake during the **NO WAKE** periods.
- 9.0 **Specific Rules for Operating BOATS and PERSONAL WATERCRAFT.**
- 9.1 No one under the age of sixteen (16) may operate Motorized Boats or Personal Watercraft on a Lake at any time.

- 9.2 No person shall operate any Boat or Personal Watercraft while under the influence of drugs or alcohol. Violation of this Section 9.2 shall subject the Boat or Personal Watercraft operator to the same consequences as those applicable to the impaired operation of a motor vehicle in the State of Georgia. The officer on duty may escort suspected violators to the Marina area for submission to an alcohol or drug verification test administered by the Carroll County Sheriff's Department.
- 9.3 No Boat or Personal Watercraft operator or passenger shall dispose of any refuse of any type into a Lake or onto a shoreline.
- 9.4 No Boat or Personal Watercraft shall be operated with more people or more weight aboard than is permitted by law or under these Rules and Regulations.
- 9.5 No internal combustion engines are permitted on Lake Scarlet or Lake Ashley.
- 9.6 All operators of motorized vessels must carry a picture ID to show proof of age.
- 9.7 All Boats and Personal Watercraft must remain at least two hundred feet (200') behind a vessel towing a water skier, knee boarder, or any other towed water device.
- 9.8 All Boats and Personal Watercraft (with the exception of sail Boats) will operate in accordance with the regular boat traffic pattern with particular emphasis on direction of travel.
- 10.0 Waiver of Liability. Swimming, fishing, boating or any other activity on POA owned Lakes, dams, or greenbelts takes place at your own risk. The POA expressly disavows any and all liability for injury, loss of or damage to property, or death resulting from this usage.
- 11.0 POA Boat and Personal Watercraft Registration. (Fines for non-compliance with the registration process is addressed in the above listed rules and regulations unless specifically mentioned in this section)
 - 11.1 All Boats and Personal Watercraft using any of the Fairfield Lakes must be registered by the POA to allow use of or to be on any of the Fairfield Lakes. Registration runs from May 1st each year to May 1st of the following year.
 - 11.2 All POA registered Boats and Personal Watercraft must visibly display a current POA Registration Decal to allow use of or to be on any of the Fairfield Lakes.
 - 11.3 To qualify for POA Registration, the Property Owner must have watercraft liability insurance of at least THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) in coverage, a POA Card or proof of paid assessment for the current watercraft season that begins May 1st and the Boat or Personal

Watercraft must pass a visible inspection by the POA. The type of inspection and inspection list shall be approved by the Board. Those items in the inspection list may include the following:

Name, Address, Lot number, Type of Boat or Personal Watercraft, manufacturer, craft length, Color, Engine size (if any), Liability Insurance Company name with policy expiration date, occupant capacity, and a physical inspection including lights, sounding device, fire extinguisher and if an inboard motor, blower operation (A sample Inspection list is attached).

NOTE: Fire extinguishers are required for all Boats and Personal Watercraft with gasoline powered motors. Boats without lights are not allowed to operate at Nighttime. Operators of all Watercraft are required to carry some form of warning/help alarm device.

- 11.4 All persons using a Boat or Personal Watercraft on any of the Fairfield Lakes are expected to review these Rules and Regulations and are required to abide by these Rules and Regulations as a condition of using the Lake amenities.
- 11.5 Initial POA Registration of a Boat or Personal Watercraft (including visible inspection) shall be performed by a member of the Lakes and Dams Committee or a Lake Patrol Officer. A contact may be obtained by calling the POA Office.
- 11.6 Annual re-registration of a previously registered Boat or Personal Watercraft may be done at the POA Office, with the exception that no visible inspection of the applicable vessel will be done. All other requirements for registration apply. Re-registration is applicable to only to those vessels previously registered by the Property Owner. A vessel registered by a previous Property Owner cannot be re-registered by a new Property Owner.
- 11.7 When Property Owners / Lessee sign a Registration or Form they attest that the information on the Form is correct and true.
- 11.8 All registered vessels may be randomly inspected, at anytime, by the Lake Patrol or the Lakes and Dams Committee.

