

Stonycreek Valley Development Corporation

Box 237 PO Shanksville, PA 15560

www.palakestonycreek.com

Lake Rules & Regulations **Revised and Issued by the Corporation's** **Board of Directors** **May 24, 2013**

1. INTRODUCTION

During 2012 the Board reviewed the Lake Rules & regulations issued in prior years and determined that it was time to revise and reissue them. This is the new Lake Rules & Regulations, which supersedes all previously issued versions.

2. BOATING REQUIREMENTS

- A. IF OUR LAKE WAS BEING BUILT TODAY, THE PA REGULATIONS WOULD LIMIT IT TO WATER CRAFT WITH LESS THAN 10 HORSEPOWER MOTORS DUE TO ITS WIDTH AND SIZE. OUR LAKE IS "GRAND-FATHERED" BY THE PA FISH AND BOAT COMMISSION TO ALLOW THE LARGER BOATS WE ENJOY AND IN WHICH MANY OF US HAVE LARGE INVESTMENTS. ALL PERSONS USING OUR LAKE NEED TO STRESS SAFETY AND COMPLIANCE WITH THE REGULATIONS OF THE PA FISH AND BOAT COMMISSION AND WITH THESE RULES AND REGULATIONS. AN UNFORTUNATE ACCIDENT OR A SERIES OF VIOLATIONS COULD RESULT IN OUR LAKE LOSING ITS "GRAND-FATHERED" STATUS AT THE DISCRETION OF THE PA FISH AND BOAT COMMISSION, WHICH WOULD DRASTICALLY CHANGE THE CHARACTER OF OUR LAKE.**

B. Boat Limits

- i. Except for pontoon boats, boats may not exceed twenty (20) feet in length.**
- ii. Pontoon boats may not exceed twenty-five (25) feet in length.**
- iii. No boat, regardless of length, shall be used or operated unless the mode of power is manual, paddle, sail, water-jet powered, outboard, inboard – outboard stern powered drive motor or inboard.**
- iv. Under no circumstances will any boat be permitted in excess of the of the following horsepower:**
 - (a). Jet-ski's/Wave Runners – maximum horsepower permitted shall be 145.**
 - (b). Outboard Engine – maximum horsepower permitted shall be 200.**
 - (c). Inboard and inboard-outboard Engine – maximum horsepower permitted shall be 330.**
- v. All power boats must have a muffled exhaust system.**
- vi. Boats with a “head” or “toilet” on board, houseboats, airboats, small “skipper” operated boats, “cycle” or “mosquito” outboard boats are prohibited and shall not be placed, operated or used in or upon the waters of Lake Stonycreek.**
- vii. All allowable power boats must be equipped and operated within the limits indicated on the BIA Capacity Plate affixed to the motor or boat.**

C. Boat permits

- i. No person shall operate or use any boat on the waters of Lake Stonycreek without first obtaining a permit from the Stonycreek Valley Development Corporation.**
- ii. Boat permits shall be issued only to Corporation-recognized property owners and members of their immediate family, defined as parents, siblings, children or grandchildren.**
- iii. For lake properties not owned by individuals (such as properties owned by Family Trusts or other legal entities) all beneficiaries of the Trusts or owners of the entities are eligible to obtain boat permits. Evidence of one's status with regard to the property must be presented when ordering permits.**
- iv. Boat permits will not be issued if the property owner(s) are not current with all past and current assessments and fines levied by the Corporation. Original landowners who have signed an agreement with the Corporation evidencing that they are exempt from certain assessments will be eligible to obtain boat permits as long as they are current with any other obligations to the Corporation.**
- v. Boat permits are not transferable from one boat to another. However, if a boat is replaced with another boat during any year, upon presentation of evidence of the disposal of a boat with a permit and the registration and proper insurance on a replacement boat, a new permit will be issued for the replacement boat for the remainder of the current year at no charge.**
- vi. Boat permits shall be valid for a term of one year, and all permits shall expire on the same date, May 31 as established by the Corporation's Board of Directors.**
- vii. All boats, regardless of type are required to have a current**

Lake Stonycreek sticker.

- viii. Under no circumstance shall more than two (2) permitted power boats or personal watercraft be operated on the lake at one time from any single lot regardless of the number of permitted boats or personal watercraft registered.**
- ix. Lake Stonycreek boat permit stickers shall be placed on the right side of the boat (the driver's side), next to the PA Registration numbers and sticker. All boats that require PA Registration numbers and stickers must display current registration stickers.**
- x. An application for permits will be sent with the annual lot maintenance fee billing.**
 - (a). A copy of your current state registration card for each boat for which a registration is required, must accompany your applications.**
 - (b). A copy of your current insurance coverage certificate for each power boat must also accompany your application. Your insurance policy must name Stonycreek Valley Development Corporation as a certificate holder, with no less than a \$300,000.00 combined single limit of insurance for all power boats.**
 - (c). All boat permit holders agree to hold Stonycreek Valley Development Corporation harmless from any and all liability arising out of the operation of permitted boats and personal watercraft on the waters of Lake Stonycreek.**
 - (i). Fee (per lot) for first boat or PWC (Personal Water Craft) if over 10 horsepower - \$100.00**
 - (ii). Fee (per lot) for each additional boat or PWC if over 10 Horsepower - \$150.00**

- (iii). **Fee for all boats or PWC with less than 10 horsepower, including paddle boats, canoes, rowboats, sailboats, kayaks, sailboards and catamarans - \$5.00 each**
- (iv). **There will be a \$25.00 fee for all returned checks. (Adopted September 15, 2011)**

D. Rules for Operation of Boats

- i. **The Corporation has a boat launching area for the lot owners of Lake Stonycreek. The boat launch area is located on Breastview Drive on the North end of the dam (which is on the right side of the dam if you are facing it from the lake). The area is visibly marked with NO TRESPASSING signs, to limit illegal use. The boat launch is also the access to the dam in case of an emergency, so no vehicles or trailers can be parked or left unattended in this area or on the roadway to the launch. Right-of-ways are for launching of boats, docking boats and swimming for those lot owners who own back lots. There is no camping or buildings allowed on right-of-ways.**
- ii. **All PA and Federal fishing and boating regulations, including the requirements for the issuance of PA boating licenses, shall be complied with and observed.**
 - (a). **You may review these regulations on the PA Fish and Boat Commission website at <http://www.fish.state.pa.us/>.**
 - (b). **You can get information by stopping in, calling or faxing the Local office at:**

Address
236 Lake Road
Somerset, PA 15501

Law Enforcement
Phone: 814-445-8974
Fax: 814-445-3497

Outreach & Education
Phone: 814-443-9841
Fax: 814-445-3497

- (c).** You can email the local office at: ra-swedureach@pa.gov
 - (d).** You should also receive a booklet containing some of the information with your boat registration. Review the requirements for boat and PWC operators.
- iii. Without in any way limiting the foregoing, the following rules for our lake are specifically set forth:**
- (a).** No more than two power boats per lot may be operating on the lake at any time, regardless of the number of power boats have permits related to a lot.
 - (b).** All warnings, directions and orders of the duly appointed lake patrol officers having jurisdiction shall be obeyed, and operation of boats shall be in compliance with our established “rules-of-the-road”, which are:
 - (i).** A right side of the lake, or counter-clockwise, traffic pattern shall be maintained at all times. All traffic shall keep to the right side of the lake and make all turns to the left when reversing direction.
 - (ii).** All operators must be in the proper position when behind the wheel of the boat and all occupants must be in a safe position when the boat is in operation.
 - (iii).** Only PWC craft with three (3) or more seats may pull any person.
 - (iv).** When pulling water skiers or other riders on various apparatus from shore, they shall be pulled in a direction which will enable the boat to enter the counter-clockwise traffic pattern.

- (v). Boats or 3-person PWC pulling water skiers or other apparatus shall have at least two qualified boat operators on board, a pilot and a competent observer. Tow ropes shall not exceed 100 feet for barefoot skiing, and shall not be left trailing when not being used.**
- (vi). Operators of PWC (regardless of age) are required to have completed a PA boating safety course and have in their possession the certificate identification card.**
- (vii). It is illegal to tow skiers or other apparatus behind two person PWC under PA Fish and Boat Commission Regulations.**
- (viii). PWC will be closely monitored due to the increasing number of them on the lake. Use of PWC may be restricted on Saturdays and Sundays and Holidays, at the discretion of the Lake Patrol Officers or their designate.**
- (ix). All boats must carry a Coast Guard approved life preserver for each occupant, plus at least one throwable rescue device. All water skiers must wear a Coast Guard approved life preserver.**
- (x). All water craft operated after sunset must have lighting in accordance with the PA Boating Handbook which can be found on the PA Fish and Boat Commission website.**
- (xi). No water skiing or other towed apparatus are permitted before sunrise or after sunset.**
- (xii). The entire area between the bridge over the lake and the breast of Indian Lake shall be considered a NO WAKE**

ZONE. Absolutely no skiing or tubing is permitted in this zone. Jumping or diving off of the bridge is prohibited.

(xiii). Boating privileges may be revoked by the lake patrol officer of the day, and may be revoked for extended periods by the board of Directors for repeated and/or serious offenses.

3. FISHING REQUIREMENTS

- A. In addition to compliance with PA Fish and Boat Commission Fishing Requirements, any individual or group of individuals fishing on the lake must have a Lake Stonycreek fishing permit. Lot owners may give guests their permits to use for fishing on the lake, even if the lot owner is not present.**

- B. Each lot owner (including owners of back lots) is automatically mailed an annual Lake Stonycreek fishing permit when the annual maintenance fee for the lot and any annual boat permit fees are paid.**

4. HUNTING REQUIREMENTS

No hunting is permitted at any time on Lake Stonycreek without prior approval from the Board of Directors.

5. WARNINGS AND FINES

- A. The Lake Patrol Officer and members of the Board of Directors will have full authority to enforce these Rules and Regulations. They may issue warnings and/or citations.**

- B. Refusals of warnings or citations will result in the matter being automatically turned over to the Board of Directors, the PA Fish and**

Boat commission and/or the PA State Police.

C. Lot owners are responsible for their guests, children, or any boat registered to their lot or any unregistered boat launched from their lot by a guest. Lot owners are responsible for any fines assessed to them or their guests. It is the lot owner's responsibility to make sure that their guests and children know the rules and regulations. Unpaid citations will result in suspension of lake use privileges for as long as they remain unpaid.

D. Lake Stonycreek fines will be as follows:

i. Boating violations:

1st offense – warning

2nd offense - \$50.00 citation

3rd offense - \$100.00 citation

4th offense – boating privileges revoked

ii. Fines may also be imposed for violations not related to boating. Lot owners may have boating privileges withheld or revoked for non-boating violations. The Board will determine the consequences of non-boating violations, depending on the severity or frequency of violations.

iii. Failure to pay lot fees or fines may be turned over to the magistrate, and may result in liens on your property.

iv. No one is permitted on the breast of the dam or on the spillway at any time without prior approval of the Board.

6. BUILDING CODES

A. Building permits must be secured from Stonycreek Township.

B. All building plans must be approved by the Board of Directors. Plans for all structures, including boat docks, shall be submitted to the Stonycreek Valley Development Corporation for approval and shall show the following:

- i. Location of the building on the property and distance from property lines and lake.**
- ii. Location of access roads in relation to property.**
- iii. Plans may be in sketch form and after review by the Corporation the applicant will be advised of approval or disapproval.**

C. Building Requirements

- i. Only one dwelling may be built on each lot. The footprint of such dwelling must be eight hundred (800) square feet or larger.**
- ii. The dwelling or any other structure must be on the back two-thirds of the lot opposite from the lake front.**
- iii. Any structural changes to boat docks must be submitted for approval.**
- iv. Boat docks constructed at the water's edge shall have all sides open and extend no farther than twenty (20) feet into the lake from the shore line.**
- v. A second building, not to be used as a dwelling, may be constructed for the purpose of a garage, boat storage, tool storage, etc.**

D. Other Structures

- i. A travel trailer, camper, truck camper or motor home with current registration and proper sanitation provisions may be placed on a lot on a temporary basis, not to exceed fourteen (14) days consecutively or fifty-six (56) days total on an annual basis.**
- ii. Tents may be used on a temporary basis, but shall not be permitted for longer than seven (7) days consecutively or twenty-eight (28) days annually. Proper sanitation provisions must be maintained.**
- iii. Motor homes, campers etc. with current state license may be permitted to be parked in a lot owner's driveway provided the motor home is not occupied in excess of the occupancy conditions set forth in these Rules and Regulations.**
- iv. The Board of Directors will consider exemptions to the rules governing campers and trailers when a permanent dwelling building plan has been submitted and approved by the Board. Once approved, the Board will allow a trailer/camper for a defined and agreed upon amount of time while the dwelling is being constructed. (Adopted April 2015)**

E. Other rules regarding water front specifications

- i. All dock and boat house owners on the perimeter of the lake are required to maintain the shoreline in a non-erosive condition and docks, boat houses and boat lifts in safe repair and securely fastened.**
- ii. No metal barrels for boat docks or any other purpose will be allowed in the waters of the lake.**
- iii. Floating devices of any kind (e.g. trampolines, floating docks, buoys, etc.) may not extend into the water beyond twenty (20) feet from the shoreline.**

- iv. All new construction at the water line of the lake must be rip-rapped or stabilized in a manner acceptable to the Board of Directors. This is to minimize or prevent the shoreline erosion.**

- F. Lots must be maintained (grass trimmed) as needed. Grass is not to exceed six (6) inches. Lots must also be kept free of debris and building exteriors are to be maintained.**

- G. Be aware of noise and/or music carrying across the lake after sunset. Be a considerate neighbor and monitor your evening noise.**

- H. Easements/Rights-of-Way (Adopted February 2015)**
 - i. Easements/rights-of-way negotiated individually between lot owners and the Stonycreek Township Supervisors for the purpose of sewer line installation are solely between the two parties and are not the responsibility nor the authority of the Stonycreek Valley Development Corporation.**

 - ii. Easements/rights-of-way established by deed between property owners for the purpose of access to the waterfront shall conform to the following:**
 - (a). No docks or buildings may be constructed on any so designated easements/rights-of-way, unless otherwise stipulated in said deed.**

 - (b). Any other stipulations regarding easements/rights of way are established solely between the parties and are not the responsibility nor the authority of the Stonycreek Valley Development Corporation.**

 - iii. Easements/rights-of-way that exist over SVDC owned property for the purpose of access to the waterfront shall conform to the**

following:

- (a). No docks or buildings may be constructed on any designated easement.**
 - (b). Temporary structures (e.g. picnic tables, canopies, tents, campfires or any congregation of people) are prohibited to occupy space on said easements. No motorized vehicles, automobiles, ATV's, mobile homes, etc are permitted to occupy space on easements.**
 - (c). Boat trailers, canoes, paddle boats are not to be stored on these Easements/right-of-way.**
- I. No lake side business will be permitted unless prior approval is given By at least two thirds of the Board of Directors.**
 - J. The establishment of any junk yard or other place used and maintained for the collection, storage and disposal of junk on public or private property within the geographical boundaries of Lake Stonycreek governed by the Stonycreek Valley Development Corporation is prohibited.**

7. REGULATIONS FOR SUBDIVISION OF LOTS

A. Lake Front Lots

- i. If a sale, lease, rental or grant of an easement is made of any portion of a Seller's land from the normal water's edge up to the 150 feet limit, the following will apply:**
 - (a). A minimum of seventy five (75) feet of lake frontage is needed for each new dock, be it either an individual, renter or lessee.**

- (b). Road access is needed for each lot.**
- (c). Any and all sub-divisions must be approved by the County Planning Commission and the Board of Directors.**
- (d). All building codes, Rules and Regulations of the Stonycreek Valley Development Corporation must be strictly adhered to.**
- (e). A \$1.50 per front foot charge for lake maintenance will be charged each year. This amount is subject to future increases if expenses warrant and approved by the majority vote of the Board of Directors. Any sub-divided front lot would have a minimum fee annual fee of \$150.00**

B. As stated above, the lake maintenance fee may occasionally be increased on an equal basis for all properties within the Stonycreek Valley Development Corporation Lake Stonycreek jurisdiction if expenses warrant and are approved by a majority vote of the Board of Directors.

C. Rear Lots

- i. If a sale, lease, rental or grant of an easement is made of any portion of a Seller's land (unless it is sold as a whole or for farming purposes) and any portion of the rear lot lies from the normal water's edge up to 450 feet limit, the following will apply:**
 - (a). Minimum one half acre (21,789 sq. ft.) in size.**
 - (b). Road access is needed for each lot.**
 - (c). Any and all sub-divisions must be approved by the County Planning Commission and the Board of Directors.**
 - (d). All building codes, Rules and Regulations of the Stonycreek Valley**

Development Corporation must be strictly adhered to.

- (e). A one cent per square foot annual fee for lake maintenance will be charged. This amount is subject to future increases if expenses warrant and approved by the Board of Directors.**
- (f). After having been sub-divided, if a rear lot owner's land lies within the 450 feet limit and beyond, and that individual requires fishing and/or boating permits, the lake maintenance fee will follow the guidelines of the rear lot assessment requirements, but at no time be less than a \$150.00 *minimum* charge.**
- (g). Rear lots within the 450 feet limit when properly sub-divided with Board approval, will be entitled to boating privileges *only* when all current and past assessments and fines (if any) have been paid and when all boating requirements have been fulfilled according to our Rules and Regulations.**

8. SWIMMING

- A. No swimming will be permitted beyond twenty (20) feet from the lake shore unless the swimmer is accompanied by a boat adjacent to the swimmer.**

