

# Marine Services Rules and Regulations Index

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## EMERGENCY CONTACT LIST

In the event of a fire, medical emergency or boating accident:

**Dial 911**

For all Non-Emergency Requests for assistance with Lake Mohawk  
Country Club Marine Patrol:

**CALL: 973.440.8767**

# **LAKE MOHAWK MARINE RULES AND REGULATIONS**

All rules and regulations of the State of New Jersey are applicable to Lake Mohawk.  
The following rules and regulations supersede all previously published  
Lake Mohawk Country Club Marine Rules and Regulations

## **PREFACE**

Lake Mohawk is a private lake and is intended for use by its members only. The rights of peace, tranquility, and privacy must be respected.

Our lake is patrolled by the LMCC Marine Patrol and the New Jersey State Police. These officers are authorized to enforce Federal and State Laws as well as the Marine Rules and Regulations contained herein. Over the years the Marine Patrol has done much more than call attention to safety infractions. Many lives have been saved and accidents avoided by their insistence on the observation of safety rules and regulations.

Many of our members are new to boating, and it is required that they take a formal boating safety course. Various United States Coast Guard courses are available in the area and they are well worth the time.

The Lake is open to all members in good standing to enjoy any or all of the various leisure-time activities offered. Abiding by the rules allows all to enjoy the pleasures offered by our beautiful lake.

## **BOATS**

Any person planning to purchase a boat over 19' in length is advised to contact the Lake Mohawk Country Club Office or Marine Services (See Item 4, below) prior to purchase.

1. Current Lake Mohawk Country Club Boat Tags (stickers) must be affixed on the port and starboard bow behind and in close proximity to the New Jersey Registration number. Tags are not transferrable. Tags must be affixed prior to launch and must be renewed on an annual basis. Boats in violation of this provision are subject to a fine equal to 50% of the Lake Mohawk registration fee for the first offense and to a fine equal to 100% of the Lake Mohawk registration fee for subsequent offenses. Continued failure to comply with above boat registration and boat tag display may result in a Board of Adjudication Hearing before the Marine Services Committee.
2. Gasoline-powered watercrafts are not permitted on Upper Lake Mohawk or Alpine Pool. Powerboats designated primarily for racing are not permitted on Lake Mohawk. Powered platforms, wheeled, tracked, or skidded amphibious vehicles, jet skis, jet boats, hydroplanes, aquadarts, ski sleds, air boats, hydrofoil, hovercraft, and houseboats are not permitted. No twin-powered or diesel engine craft are permitted on the Lake. Non-approved Boating Industry Association pontoon boats are not permitted.
  - a. Wake-enhancing devices and designs for boats are of serious concern for Lake Mohawk. A large wake from boats has numerous detrimental effects: 1) It can make the lake very choppy and potentially unsafe or unusable for some users (small crafts, water skiers, etc.); 2) Property damage can occur as well as shoreline erosion; and 3) The additional downward forces from the boat and propulsion system disrupt the lower strata of the Lake and the delicate ecological balance of the Lake. To help manage the lake's quality and for the safety of all users, boats with wake enhancing devices such as but not limited to, wedges, plates, or other mechanical devices for wake enhancement will not be allowed to operate on the lake. Boats with built-in ballast systems will be required to disable the systems by means such as removing control fuses, plugging of intake hoses, or removal of weights, hoses, or impellers that fill the systems. Boats with wedges, plates, or other mechanical devices will be required to remove the device, remove the handle for adjusting the plate, disable any electrical control to the

device or put a pin through the device thereby disabling its use. Owners of boats with “fat sacks” or other “stand alone” bladder systems will not be allowed to have them in their boats and will be required to remove such devices. The recommended penalty for violation of this provision is removal of the boat from the Lake for twelve months.

- b. Boats with specific wake-enhancing hull designs are not permitted on Lake Mohawk. The hull design characteristics and description that the boat manufacturer uses to market the boat will determine whether a boat fits into this category.
- c. Boat weight is also recognized as a factor in wake creation and enhancement; therefore the “Wet Weight” of any boat on Lake Mohawk will be limited to 3600 lbs or less. Wet Weight is defined as the manufacturer’s specified Dry Weight plus the maximum weight of all operating fluids:
  - (A) Wet weight of the boat- If the manufacturer does not specify the wet weight, it is calculated as the sum of the following two components:
    1. Dry Weight of the boat
    2. Nominal weight of operating fluids (where applicable):
      - a. Fuel weight (maximum fuel capacity X 6.0 lbs/US gal)
      - b. Engine oil weight (maximum capacity X 6.9 lbs/US gal)
      - c. Engine coolant weight (maximum capacity X 9.3 lbs/US gal)
      - d. Hydraulic oil weight (maximum capacity X 7.5 lbs/US gal)
  - (B) The “Total Weight” shall not exceed 5500 lbs. Total Weight is defined as the sum of the following three components and must be provided either through the manufacturer’s specification documentation or a statement from a dealer or mechanic:
    - (A) Wet weight of the boat- If the manufacturer does not specify the wet weight, it is calculated
    - (B) Maximum weight capacity (manufacturer specified or by the NMMA capacity plate, whichever is greater);
    - (C) Supplemental tank weight (including, but not limited to, live-wells, built-in coolers and integral ballast tanks, calculated by the maximum capacity of the container(s)/tank(s) X 8.3 lbs/US gal);

Wet weight (3600 lbs or less)=A or a+b+c+d

Total weight (5500 lbs or less)=A+B+C

3. **Club members are advised to contact the Club Office prior to purchasing any boat which may be questionable.** The Marine Services Committee must approve all boats before LMCC Tags can be issued. Prior to the issuance of LMCC Tags for your watercraft, it is necessary to present at the Club Office:
  - a. LMCC registration card filled out and signed by a member in good standing.
  - b. Proof of liability insurance. Minimum coverage must be \$100,000.00.
  - c. Current New Jersey Boat Registration.
  - d. New Jersey Boating Safety Certificate, and valid Operator's License where applicable.
  - e. The watercraft must be inspected by the Marine Services Committee. If the craft is transferred or subsequently altered so that its description on the Club Registration Card is not accurate, the craft must be re-inspected and re-approved. Failure to permit inspection by the Marine Services Committee constitutes grounds for revocation.
4. The maximum length for boats on Lake Mohawk is 22'0" (264" or less) as specified by the manufacturer’s overall length (OAL). Overall length shall include swim platforms or any other similar structures which may extend beyond the forward or aft areas of the boat hull.
5. The maximum width for boats on Lake Mohawk is 8'6" (102" or less) as specified by the manufacturer’s overall width (Beam).
6. Watercraft shall not be of cabin cruiser type nor contain living quarters. Enclosed passenger compartments are not permitted. Soft detachable tops are permitted. Watercraft may not contain galleys, cuddy cabins, heads, waste lines, or similar facilities.

7. All watercraft must meet all United States Coast Guard standards and conform to New Jersey State Law. All boats on Lake Mohawk shall be muffled to produce no more than 73 DBA scale noise reading 50 feet from the boat at any proper setting. Engines may not exceed the boat manufacturer's horsepower rating for the hull. Outboards may not be raised on the transom so that the cavitation plate is above the plane of the bottom of the boat.
8. All watercraft previously used on water other than Lake Mohawk must be sanitized with bleach before being put into Lake Mohawk. Such treatment shall include all wetted surfaces including the engine cooling system and the boat trailer. Boats re-entering after being in other waters must again be sanitized.
9. All small portable craft are defined as boats. This includes sailboards, canoes, kayaks, sculls, paddle boats, paddle boards, inflatable boats, rowboats, etc. and as such, they must be tagged and equipped and operated with lifesaving devices.
10. Any requests for exceptions to these rules must be presented to the Marine Services Committee and the Lake Mohawk Board of Trustees.

## **BOAT DOCUMENTS AND EQUIPMENT CHECKLIST**

### **Required Documents:**

1. Valid New Jersey license for boat operation.
2. New Jersey Boating Safety Certificate.
3. Valid New Jersey Registration for the boat.
4. Current and properly displayed New Jersey boat registration numbers and stickers.
5. Current and properly displayed Lake Mohawk Tags (stickers).

### **Equipment Checklist**

1. U.S. Coast Guard approved life preservers (PFDs), both the wearable (Types I, II, III, and V) and the throw-able (Type IV) where required. All PFDs must be of appropriate size for every passenger, in good condition, and readily accessible in an emergency.
2. Operable fire extinguisher for powerboats, mounted for easy access.
3. Triangular orange flag to be displayed only when towing a skier or object.
4. Back-fire flame control/flame arrestor (for inboard and I.O. engines).
5. Proper ventilation when required for inboard and I.O. engines.
6. Sound-producing device (horn or whistle).
7. Navigation lights properly installed and working.
8. First aid kit, boat hook, oar, extra rope, and garbage bag.
9. Operating bilge pump.
10. Anchor (mushroom type only).
11. Frequent check of the electrical system and fuel system for corrosion and wire damage.

All above items are recommended for operation of boats on Lake Mohawk, and some are also required by State and/or Federal Law. All boaters and prospective boaters shall familiarize themselves with Lake Mohawk Marine Rules and Regulations (obtainable at LMCC Office) and with the State of New Jersey Boating Safety Booklet (obtainable from New Jersey State Police Marine Bureau website.)

## **BOAT STORAGE**

The Township regulation for boat storage is written below. This article serves to remind you that boats must comply completely with the ordinance. If you do not comply, you will be in jeopardy of losing your Boat Privileges on the Lake.

Parking and storage of boats and trailers in any zone shall be permitted to subject to the following restrictions and regulations:

1. Trailers, boats or boat trailers which are thirty-two feet or more in length as measure from the outside dimensions including hitching devices shall be stored within an enclosed garage at all times. Trailers, boats or boat trailers less than thirty-two feet in length may be parked or stored outside the confines of a building only in accordance with paragraphs 2 through 7 below.
2. All trailers, boats or boat trailers shall be stored in the side yard or rear yard only. No trailer, boat or boat trailer shall be parked or stored in the front yard of a lot or the front yard building line.
3. The area devoted to the storage of boats or trailers shall not exceed seven (7) percent of the lot area or 400 square feet whichever is the lesser.
4. Any trailer, boat or boat trailer parked in the side or rear yard of any lot shall meet the requirements and regulations applicable to accessory buildings in regard to setbacks.
5. To obscure from view to the maximum extent possible, any trailer, boat or boat trailer parked or stored in a side or rear yard and not in an enclosed garage shall be screened to the maximum of six feet. Such screening may be waived if topographical area or other physical conditions would render the screening ineffective.
6. The area in which any trailer, boat or boat trailer parked or stored shall not preempt any off-street parking space required to be provided by any provision of this ordinance.
7. Failure to comply can impact your boating privileges.

## **RULES FOR OPERATION**

1. Every operator shall at all times when operating any power vessel have in his/her possession a valid and applicable operator's license, a New Jersey Boating Safety Certificate, and vessel registration, and shall exhibit the same upon request by any Marine Safety Officer, Police Officer, or authorized Club Official.
2. No person under the age of 16 shall be permitted to operate a powerboat with an inboard/outboard motor. A person of at least 13 years of age and in possession of a valid New Jersey Boating Safety Certificate may operate a vessel powered by a motor not exceeding 10 horsepower. No person under the age of 13 years shall be permitted to operate any powerboat.
3. No person who owns a power craft shall knowingly allow it to be operated by a non-licensed operator.
4. The speed of all power crafts shall be regulated at all times in order to avoid injury to any craft, whether in motion or secured to any type of structure, either directly or by the effect of the wash or wake raised due to the speed of such power craft. The operator is responsible for any damage caused by the wake of his craft.
5. No person shall operate any watercraft in a reckless or negligent manner so as to endanger life, limb, or property.
6. No watercraft shall move across the course of any authorized sailboat race or other special event in a manner to create a water condition that would endanger life, limb, or property.
7. The operator of a powerboat shall not allow any person to ride in any position that would endanger life or limb. Riding on any part of a vessel that is not intended for passenger use is prohibited. Watercraft should not be overloaded. To determine the maximum load, consult the United States Coast Guard Capacity Information Plate on the boat.
8. No person shall operate nor allow any person to operate any watercraft unless such craft has an approved wearable personal flotation device (PFD) of the correct size for each person on board. Additionally, any craft exceeding 16 feet in length must carry one throw-able Type IV device.
  - a. Any child younger than 13 years of age must wear a properly fitted United States Coast Guard approved PFD whenever the watercraft is underway.
9. No person shall use any boat while under the influence of intoxicating beverage or any narcotic drug, or permit any person who may be under the influence of an intoxicating beverage or any narcotic drug to operate any boat owned by him/her or in his/her custody and control. Violators will be subject to arrest. As per New Jersey state law, if convicted of Boating Under the Influence (BUI), the operator will lose his/her boating privileges for one year AND his/her New Jersey driver license for three to nine months depending on Blood Alcohol Content (BAC) beginning at 0.08%. For second offenses the penalties are more stringent.
10. Powerboats shall operate at a slow speed/no wake from sundown to 7:30 AM anywhere on the Lake. "No wake speed" shall mean speed at which a power vessel moves through the water maintaining headway and producing minimum wake possible.
11. Powerboats shall not exceed a speed of 35 MPH excepting for specific exhibitions requiring a permit from the State of New Jersey.
12. Powerboats shall operate at a slow speed/no wake in Tamarack Cove, Turtle Cove, Three Finger Cove, the west side of Manitou Island, the south end of Echo Island, or the South End Cove of the Lake.
13. Powerboats shall operate at a slow speed/no wake within 200 feet of any shore, wharf, pier, bridge structure,

abutment, or dock. All watercraft are prohibited from operating within 200 feet of a swimming area and/or as designated by buoys.

14. Except in cases of emergency, powerboats under way shall not run nearer than 100 feet to canoes, rowboats, sailboats, or swimmers.
15. As a means of dockage no boat shall be anchored offshore, moored to a buoy, or be on a line fixed to shore.
16. Pollution - Any person who discharges, or suffers or permits the discharge of any excrement, waste, debris, refuse, chemicals, or any other matter or material by any method, means, or manner into or upon either of the Lakes or Alpine Pool from any boat afloat on said waters, which excrement, waste, debris, debris, refuse, chemicals, or any other matter or material by any method, means, or manner into or upon refuse, chemical, material, or other matter that may or will tend to pollute said waters, or to harm or destroy the fish therein or the wildlife thereupon, or to litter said waters or the shores or banks adjacent thereto, is a disorderly person, and upon conviction shall be punished by a fine or imprisonment or both.
  - a. All vessels that are sinking or have sunk on the lake or at the dock shall be reported immediately to LMCC Marine Patrol (973-440-8767). Rapid notification will reduce the potential for a Hazardous Material release into the lake. All reasonable attempts will be made to contact the vessel's owner. If unable to contact the owner or if the owner is unable to safeguard the potential for a Hazardous Material release, the Lake Mohawk Marina will be contacted to handle the situation immediately at the owner's expense.
  - b. All fuel/oil spills or leaks on the lake or dock area shall be reported immediately to the LMCC Marine Patrol to ensure that the leak and clean-up are properly addressed.
17. Boat whistles and horns should not be sounded except in emergencies and in accordance with State Rules of Rights of Way. Township Noise ordinances should be observed in all circumstances.
18. Any person swimming or floating on a tube or similar device must have a boat escort when more than 150 feet from shore.
19. Sailboards, sailboats, sculls, rowboats, canoes, and kayaks in most cases have the right of way.

Common courtesy dictates that wakes be kept to a minimum when in the vicinity of non-power vessels, docks, boats at rest, and of course, swimmers.

20. Mushroom type anchors are the only type permitted on Lake Mohawk.
21. Navigation lights must be kept in serviceable condition and be displayed between sunset and sunrise and at other times of restricted visibility for all powerboats and sailboats. Vessels under oars or paddles may display navigation lights as prescribed for sailing vessels or have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.
22. Docking lights shall not be used while a boat is underway so as to impair visibility of other boaters looking for navigational lights on the approaching boat. Docking lights shall only be used within 50 feet of the dock.

## **NAVIGATIONAL GUIDES AND HAZARDS**

Always stay outside of marker buoys - that is, keep the buoys between yourself and the shoreline. No boat should be anchored within a radius of 50 feet of any buoy.

As one travels counter-clockwise around the Lake, the following hazards will be encountered marked with numbers on the accompanying map and on the Lake with buoys.

1. Before reaching Tamarack Cove there is a small island (Rainbow Island) with a house on it and surrounded by rocks.
2. Passing the entrance to Tamarack Cove there is Snake Island. On the south side of this island there is a lighted buoy. Between the buoy and the island there are many rocks.
3. Marker buoys on each side of Manitou Bridge indicate points within which skiing is not permitted.
4. Traveling from Tamarack Cove to Manitou Bridge there is a navigation light on each side of the bridge sign which reads, "Keep Right - No Wake" Observe this regulation.
5. After passing under the bridge and heading southeast, there is a peninsula of land which runs from Heighwood Trail to the curve marked 5 on the centerfold map. There is a dangerous stone wall in this area in addition to which the water is very shallow.
6. There is a lighted buoy inside of which there is a very large rock and sandbar.
7. There are four areas bearing this designation, indicating that extra caution should be taken.
8. Rocks south of Beach 6.
9. Lights for houses, yards, docks and beaches should be shielded so as not to shine across the water blinding boaters or annoying members across the Lake. Standard light shields are available from the manufacturers which avoid the glare without impeding security or observation. For home use amber lights are preferred for vision, aesthetics, and reduced annoyance.
10. Extra care must be taken to use the center of the channel between the Manitou Island and Echo Island, maintaining the 200 feet distance from the shores.

Remember, safe boating begins at the dock. In addition, there may be pilings, tree stumps, and other hazards in spots along the shore where boats shouldn't be taken in any event, particularly boats under power. Boaters are expected to use caution and common sense.



## **RULES FOR WATER SKIING**

The terms water skiing and towing shall be defined as anything with a rider being towed behind a power vessel by means of a towrope. These sports are enjoyable, however it can be dangerous to both skiers and swimmers if the following rules are not adhered to and good judgment not exercised. The rules below use "ski" to define all towable water activities.

1. Every skier or person in tow shall wear a U.S. Coast Guard approved, properly-fitted flotation device.
2. The tow line shall not be less than 35 feet in length nor exceed 75 feet in length. When using more than one tow line, all tow lines shall be of equal length.
3. Water skiing or towing shall be permitted only during the hours between 7:30 A.M. and sunset.
4. All operators of power vessels towing riders while under way must at all times keep at least 200 feet away from any other craft, shore, wharf, pier, bridge structure or abutment, dock, floating or swimming platform or person in or under the water, except for specific authorized exhibitions which require a permit from the State of New Jersey. Starting or landing must also be at least 200 feet from the shore, except for specific authorized exhibitions which require a permit from the State of New Jersey.
5. All powerboats towing riders must have a crew of at least two persons. It shall be the duty of the licensed operator of said powerboat to operate the boat in a safe manner, and it shall be the duty of the second crew member, a competent observer, to tend and observe the rider.
6. Wake surfing, balloon skiing, kite skiing, the use of motor-operated or motor-towed skis, parachute and para-sail skiing are prohibited at Lake Mohawk.
7. No skiing or towing shall be permitted in Tamarack Cove, Turtle Cove, Three Finger Cove, in the South End Cove of the Lake, to the west of Manitou Island, north and south of Manitou Bridge, between Manitou Island and Echo Island, and in any "no-wake" area.
8. Skiing equipment and devices shall not be abandoned nor set adrift.
9. An orange, triangular pennant approved by New Jersey Boating Regulations shall be displayed by all towboats only while towing a skier, tube, or any other object, or while a skier or rider is in the water. The ski pennant must be displayed above the highest structure of the boat.
10. Anyone interested in using the slalom course at the south end of the Lake should contact the Club Office for information.

## **SKIN DIVING**

Smart skin divers, including those involved with scuba diving, snorkeling, and all other underwater activities, work in pairs, just because in this sport there is safety in numbers. "Swimmers" when mentioned in this booklet is intended to include skin divers.

1. Underwater diving with or without an underwater breathing apparatus is permitted. Scuba divers must have successfully completed a sanctioned diving course.
2. Any person while diving shall mark his position with a buoyed flag approved by the New Jersey Boat Regulation Commission. Such flag should be displayed from a buoy, float, boat, or other floating object. Such flag shall be a

minimum of 18"x18" and shall be a red background with a white diagonal stripe running from one corner to the other.

3. No person may operate a powerboat within 100 feet of the buoyed flag.
4. It shall be unlawful for any person to display such a flag at any time other than when diving is in progress.
5. No person may swim or dive in a narrow, confined, or improved channel or in a marked channel under a bridge, or impede, obstruct, or interfere with the passage of watercraft therein.

## **ALERTS AND ENFORCEMENT**

All Marine Safety Officers while on duty on Lake Mohawk monitor VHF radio Emergency Channels 9 and 16. The MSO's listen for any distress and MAYDAY calls as well as monitor the NOAA Weather Radio for urgent Weather Related Messages.

All boaters are encouraged to watch for changes in the weather and to listen to the local radio stations for Weather Alerts. The Marine Patrol attempts to give advanced warning for approaching thunderstorms and lightning in the area. "Lightning can lash out for miles in front of a storm, and it can strike after a storm seems to have passed." ([www.boatus.com](http://www.boatus.com)).

The Lake Mohawk Marine Patrol provides a routine patrol of the Lake. The Marine Safety Officers have the authority under New Jersey Law to issue complaints returnable in the appropriate court. Offenders will be subject to the Marine Services Violations Policy below.

## **MARINE SERVICES VIOLATIONS POLICY**

### **PREAMBLE**

Whereas the water bodies within Lake Mohawk Reservation are in common ownership and are available to the membership for recreational purposes, it is the duty and responsibility of the Country Club to establish and enforce Marine Rules and Regulations for the safe and enjoyable usage of the water bodies. The Club By-Laws confirm this in ARTICLE VI, Section 2:

The Trustees shall establish the conditions, rules, and regulations under which Club facilities may be used, and the violation of such conditions, rules, or regulations shall make the use of Club facilities by a member non-permissible. The Trustees, may, for good cause, withdraw the privilege of the use of any or all Club property from any member.

The Country Club has established and maintains a Marine Services Committee to periodically review the Marine Rules and Regulations and make recommendations to the Board of Trustees. The Marine Rules and Regulations are published and made available to all boat owners. The Country Club has established and maintains a Marine Service Patrol to enforce the Marine Rules and Regulations and to report violations to the Country Club Office, and the Country Club has established and maintains a Board of Adjudication to hear cases of violations of the Marine Rules and Regulations and to make recommendations to the Board of Trustees.

## Violations Policy:

1. A member's first violation in the season will be treated as only a verbal warning to the offender with a note in the files of the Marine Patrol and the Club Office.
2. A member's second violation will result in a formal letter from the Office of the General Manager of the Country Club, notifying the offender of the multiple violations and warning that a third violation will result in a hearing before the Board of Adjudication.
3. A member's third violation will result in a mandatory hearing before the Board of Adjudication. At that hearing the third offense will be reviewed as well as the pattern of previous offenses.
4. A Board of Adjudication may also be called and assembled upon the request of a Marine Patrol Officer and/or the Waterfront Director in the event of an egregious first or second violation.
5. The Board of Adjudication will, upon hearing a case, document the proceedings and put forth their findings to the LMCC Board of Trustees along with recommendations for sanctions and/or penalties or absence thereof.
6. The LMCC Board of Trustees will review the findings and recommendations of the Board of Adjudication, along with any other relevant considerations, and will decide the final disposition of the case, which need not concur with the recommendations of the Board of Adjudication.
7. Failure of a member to appear before a Board of Adjudication after proper notification has been given shall be interpreted by the Board of Adjudication as full agreement and acceptance by the member of all findings, reports, and recommendations on the case.
8. Appeals regarding this policy, or the recommendations of a Board of Adjudication, or the subsequent decision(s) or action(s) of the Board of Trustees can be heard through the Alternative Dispute Resolution (ADR) process or by the LMCC Board of Trustees.

## **WINTER ACTIVITIES**

Every winter frequent calls are received from experienced members who see novices walking on the ice when it looks as if there hasn't been enough freezing weather to make it safe. There is always a danger on all lakes, particularly those which are spring fed, and there will be faulty places in the ice, so walking or riding on it is a hazardous pastime. Entering onto the ice for any activity is at your own risk.

1. Ice boating is permitted on the Lake. All persons engaging in the sport are warned that the high speeds attained mean that open water, big cracks, or faults in the ice are encountered without warning. It is good to survey the planned course carefully before ice boating. Always steer clear of Tamarack Cove or other areas where groups are skating.
2. Ice activities at Lake Mohawk, Upper Mohawk, and the Alpine Pool are reserved for members and their guests only.
3. Ice fishing at Lake Mohawk, Upper Mohawk, and Alpine Pool is prohibited.
4. Snowmobiles and two-wheeled, multi-wheeled, tracked, or other off-road vehicles are prohibited from the reservation, including the Lake, not only because of their excessive noise which destroys the peace of the community, but also because of their detrimental effect on the Reservation's ecology.

5. Ice bubbler systems are the only approved ice retardant systems on Lake Mohawk. Ice bubbling machines are allowed along the sea walls and around individual boat dock pilings at a distance not to exceed 12". Any such machine must be electrically driven to avoid noise. No water pumps or devices are permitted. Ice bubbler systems must be inspected and approved by the Marine Services Committee prior to initial installation. Wherever an ice bubbler system is in operation, a sign shall be posted "DANGER Thin Ice." Sign is to be at least 24 inches by 18 inches in red or black block lettering on yellow background.
6. No firearm, bow and arrow hunting, or trapping of wildlife is permitted. Swan Island and Snake Island are for use by wildlife only, and members are not permitted use of these islands.

## **REGULATIONS FOR STRUCTURES IN PRIVATE WATER LOTS**

### **PREAMBLE**

Whereas the lands beneath the water surface of the lakes of LMCC are in common ownership for the enjoyment and benefit of all members; and, whereas the LMCC Club Plan Agreement permits owners of lakefront property to build certain structures on the waterfront; therefore, it is in the interest of all club members that structures in private water lots be defined, limited, and regulated.

It is the purpose of these regulations to supplement the LMCC Club Plan Agreement. No provision of these regulations shall grant relief from any requirement of the Club Plan Agreement.

#### **1. Definitions**

- a. Boathouse: A structure, including roof and sides, used for the purpose of storing and mooring a boat and boating equipment.
- b. Boat Lift: Mechanical device, powered or manual, used to lift a boat out of the water.
- c. Catwalk: A structure extending transversely from the main walk.
- d. Deck: An addition to a dock or an independent structure in the water lot area whose purpose is for other than mooring boats or gaining access to moored boats.
- e. Dock: A structure in or projecting over a lake for the purpose of mooring boats or for gaining access to moored boats.
- f. Float: A floating dock or recreation platform, either rigid or inflated, that is anchored or tethered in a Water Lot.
- g. Lakefront Property: A dues-paying property, consisting of one or more contiguous lots fronting on a LMCC lake.
- h. Main Walk: The part of a dock structure extending into the lake from the shoreline.
- i. Pier: Any structure embedded in the bottom of the lake for the purpose of mooring boats or upon which a deck, dock, or other structure may be supported.
- j. Private: Pertaining to property owned by a party other than LMCC.
- k. Structure in Water Lot: Any object or assembly placed or constructed in or projecting over the water lot area.
- l. Water Lot: The area adjoining a lakefront property, extending 50 feet into the lake and bounded on the sides by extensions of the side lines of the property.
- m. Lake Water Level: The water surface elevation changes continually due to both hydrological conditions and the manual operation of the dam outlet controls. For the purpose of these regulations the Lake Water Level shall be established as the elevation of the principal spillway of the dam.

#### **2. Provisions for Applications, Approvals, and Appeals**

- a. These regulations shall not require any existing water lot structure to be modified except for those provisions relating to safety and proper maintenance.
- b. These regulations shall apply to all applications for construction activities on structures in or extending over water lots. Applications shall be submitted to the LMCC office and shall show sufficient detail for a full examination of compliance with these regulations.

- c. No structure in or extending over a water lot may be constructed, reconstructed, enlarged, or significantly modified, and no building permit of a local township shall be valid, unless the property owner secures written approval from the LMCC Board of Trustees. All construction activities shall be in compliance with approved plans.
  - d. Each application shall receive a timely review by a committee whose duty it shall be to ensure that the application complies with all of the provisions of these regulations and the LMCC Club Plan Agreement. The committee shall be empowered by the LMCC Board of Trustees to grant approval for the application. The committee shall provide guidance for any areas of non-compliance. In the event that the applicant refuses to amend the application to achieve compliance, he shall be advised of his option to appeal to the LMCC Board of Trustees for a waiver. Structures in non-compliance with approved plans may be subject to modification or removal.
3. General Provision for Structures in the Water Lot Area:
- a. For each lakefront property the total plan surface area of all structures shall not exceed six hundred (600) square feet or 20% of the water lot area, whichever is less. For the purpose of determining the size limits of structures in water lot areas, all supports, surfaces, accessories, slips, and enclosures shall be considered, including the area(s) enclosed by projection of such structures back to the shoreline.
  - b. No structure or accessory part of any structure shall extend into any waterway more than 15% of the width of the waterway measured on a line perpendicular to the closest opposite shore, or fifty (50) feet, whichever is less. In no event shall any float or structure or accessory part extend into any dredged channel or waterway. Floats shall not be anchored off land more than twenty five (25) feet unless a waiver has been obtained from the New Jersey State Police Marine Bureau.
  - c. Materials of construction for all structures and accessories in or extending over the water lot area shall be in compliance with all Federal, State, and local regulations. Use of approved recycled materials is encouraged.
  - d. The design and construction methods and materials shall comply with good engineering and architectural standards and applicable codes of construction.
  - e. It shall be the responsibility of the owner of each lakefront property to maintain all structures and accessories within the water lot area adjacent to his property, both above and below the water surface, in good condition, free of litter and refuse. If any structure or accessory is in danger of becoming a hazard to residents, visitors, swimmers, or boat navigation by reason of structural members extending or floating into waterways, then the LMCC Board of Trustees shall notify the owner to undertake repairs to correct the hazardous situation. Should the owner fail to undertake repairs after proper notification, the LMCC Board of Trustees may authorize repairs or demolition to be made at the owner's expense.
  - f. Failure of a lakefront property owner to comply with the letter and spirit of these regulations, upon review and decision of the LMCC Board of Trustees, could result in loss of club privileges for the property owner. The property owner could also be required to remove any non-complying structure(s) at his own expense.
4. Provisions for Piers, Docks, and Decks:
- a. An existing deck or dock may be repaired, restored, or reconstructed provided that it complies with Federal, State, and local regulations and makes no further encroachment on these regulations.
  - b. No pier, dock, or deck shall be located closer than ten (10) feet from the projection of a property side line or a line perpendicular to a line connecting the water corners of the property, whichever is more restrictive.
  - c. A dock shall extend from the shoreline no farther than necessary to accommodate proper moorage and access, and in no case shall any structure extend farther than fifty (50) feet from the shoreline.
  - d. The width of docks, main walks, and catwalks shall be no more than six (6) feet.
  - e. There shall be not more than one (1) dock for each lakefront property.

- f. No more than three (3) powerboats shall be docked overnight at any private lakefront property. Any additional dockage shall require approval of LMCC Board of Trustees. At any lakefront property where more than three (3) powerboats have been tolerated in the past, such tolerance shall expire upon transfer of ownership of the property. No commercial use of any dock at any private lakefront property is allowed.
  - g. Any structure used to provide shelter or cover for a boat in a slip or on a boat lift shall be limited to serve only one boat per dock, shall be limited to eight (8) feet overall height above the lake water level, shall have four (4) open sides, and shall have a fabric cover that shall be removed at the end of boating season. Use of any other cover material shall cause the structure to be considered a boathouse and to be subject to the applicable regulations.
  - h. The top of any horizontal surface shall not be less than fourteen (14) inches above the lake water level.
  - i. Crib-type supports shall not be used for structures in water lots.
  - j. Outdoor lighting on water lot structures shall be properly designed, installed, and maintained in accordance with applicable electrical codes. Fixtures shall be selected and installed so as to be non-offensive to other property owners.
5. Provisions for Boathouses:
- a. An existing boathouse may be repaired, restored, or reconstructed provided that it complies with Federal, State, and local regulations and makes no further encroachment on these regulations.
  - b. Boathouses shall conform to local regulations regarding accessory structures.
  - c. No boathouse shall be located within ten (10) feet of the projection of a property side line or a line perpendicular to a line connecting the water corners of the lot, whichever is more restrictive.
  - d. Boathouses shall be limited to thirty (30) feet in length, one slip in width, and one story in height with no part or accessory of the building to exceed 16 ft. above the lake water level.
  - e. There shall be no more than one (1) boathouse per lakefront property.
  - f. Boathouses shall be located over the water and shall abutt the lake shoreline.
  - g. Ingress and egress for boats shall be perpendicular to the shoreline.
  - h. Outdoor lighting on boathouse structures shall be properly designed, installed, and maintained in accordance with applicable electrical codes. Fixtures shall be selected and installed so as to be non-offensive to other property owners.
6. Provisions for Boat Lifts:
- a. No lakefront lot shall have more than two boat lifts.
  - b. A boat lift shall be of the type that lifts the boat from the bottom.
  - c. The highest portion of any boat lift shall not exceed the highest portion of the boat when lifted such that the bottom of the boat does not exceed 12 inches above the lake water level.
7. Provisions for Heat Transfer Devices:
- a. Heat transfer components of a geothermal heating/cooling system may be permitted in water lot areas under certain restricted circumstances after review and approval by LMCC Board of Trustees. Qualifying applications have been deemed to be in the general public interest and have been determined by LMCC consultant, Princeton Hydro, to have no impact on water quality or thermal properties.
  - b. Qualifying applications shall be exclusively for the private, non-commercial use of the lakefront property owner. Qualifying applications must demonstrate severe hardship resulting from unstable rock formations to minimum 300 feet depth for the rock drilling method of heat exchange and insufficient property for the ground burial method.

- c. Qualifying systems must be of closed loop design and shall utilize medium that poses no environmental threat to lake quality and/or lake designated uses in the event of leakage or rupture. Safety Data Sheets (SDS) shall be submitted to LMCC office for the medium.
- d. Qualifying systems shall incorporate design features to ensure stability and safety against natural forces within the lake and for designated uses of the lake.
- e. The property owner shall be responsible for repair and maintenance of the system components within the water lot area. Minimum requirements shall consist of routine inspection and immediate corrective action for any loss of medium or change in the configuration of the system.
- f. Heat transfer devices in water lot areas and the pipelines connecting to the home unit must be fully conforming to the General Provisions for Structures in Water Lot Areas, Section 4.0, of this regulation. In the event that the equipment in the water lot area is not fully protected by permanent dock structure, the unprotected heat exchanger shall be installed and maintained such that no component part shall be less than five (5) feet lower in elevation than the lake water level, it shall be protected by a marker buoy approved by the LMCC office, and a sign shall be posted and maintained at the shoreline warning, "No Anchoring---Hazard". The pipelines connecting the heat exchanger to the home unit shall be designed to prevent flotation.
- g. The property owner shall be responsible for obtaining and renewing all permits from all governmental and regulatory entities. Inasmuch as the equipment is proposed to be located on LMCC property, LMCC shall be a co-signor and co-applicant for the local township construction permit(s). LMCC shall be named as an insured party on the owner's Liability and Comprehensive Insurance Policy.

8. Legal Disclaimer:

The owner of any structure(s) in a water lot shall be required to construct and maintain all such structures in accordance with all applicable governmental and LMCC rules and regulations, including any future amendments and revision. The owner shall also be solely liable for any injuries or damages caused directly or indirectly by any such structure(s) and indemnify and hold harmless LMCC for any such costs, including defense costs and reasonable attorney fees, incurred by LMCC related to such structures.