

PEACEFUL VALLEY PROPERTY OWNERS’ ASSOCIATION, INC.
RULES AND REGULATIONS

ISSUE #1

~~towing any person but shall be displayed when such person has ceased being towed and has reentered the water. If the watercraft is moored or anchored, no flag needs to be displayed. For safety reasons, swimmers must stay within 15 feet of a moored or anchored boat.~~

4. (RSMo 306.126.3) Watercraft encountering another watercraft displaying an orange or red flag (aka, flagged vessel) as described above shall either (a) stay 150 feet away from the flagged vessel at higher speeds, or (b) slow to no-wake speed if closer than 150 to the flagged vessel.
5. All swimmers must remain within 25 feet of the shore or nearest dock/swim platform.
6. No swimming or sunbathing is permitted on or within 25 feet of all Association-owned launch ramps.
7. To swim in the lake, children under 14 must be accompanied by an adult 18 or older.

Violation of any of the above rules and regulations may subject a member to fines and/or suspension of membership privileges.

Lake Gate Access Policy & Procedure

Purpose

The purpose of this procedure is to establish uniform policies and protocols governing access to the gated entrances of Peaceful Valley Lake. These procedures are intended to promote the safety and security of all residents, guests, and property, while facilitating efficient and courteous gate operations.

Scope

This procedure applies to all individuals entering or exiting the community, including residents, guests, vendors, contractors, delivery personnel, and emergency responders. All persons granted access to the community are expected to comply with these procedures and any related rules or regulations adopted by Peaceful Valley Property Owners Association.

Gate Operations

Gate Access Control:

1. Access is managed via Mobile Access (Avigilon Alta) or Smart Cards. All such devices and codes are property of the association and may be deactivated or reassigned at the association’s discretion. The gate area is monitored by video surveillance for security and enforcement purposes.

2. Resident Access

- a. Each property owner will be issued up to 8 authorized mobile access credentials.
- b. Residents may also be assigned a unique smart card (faub). There is a \$35 refundable deposit for each card.
- c. Sharing of gate access or card with non-members is strictly prohibited.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. RULES AND REGULATIONS (p. 13): Flag or flagpole restriction fails to include statutory exemption for the United States flag under the Freedom to Display the American Flag Act.

Statutory / Legal Reference: 4 U.S.C. § 5 Note (Freedom to Display the American Flag Act of 2005) & Mo. Rev. Stat. Ch. 355 & Common-Law Covenants

Statutory Comparison: The federal Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243) prohibits community associations from adopting or enforcing any policy that prevents a member from displaying the flag of the United States on residential property to which the member has a separate ownership interest or right to exclusive possession or use.

CURRENT WORDING IN DOCUMENT:

reentered the water. If the watercraft is moored or anchored, no flag needs to be displayed. For safety reasons, swimmers must stay within 15 feet of a moored or anchored boat. 4. (RSMo 306.126.3) Watercraft encountering another watercraft displaying an orange or red flag (aka, flagged vessel) as described above shall either (a) stay 150 feet away from the flagged vessel at higher speeds, or (b) slow to no-wake speed if closer than 150 to the flagged vessel.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

In accordance with the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243), any homeowner may respectfully display the official United States flag on residential property under their ownership or exclusive use.