WESTLAKE LAKE MANAGEMENT ASSOCIATION

Westlake Lake Rules and Regulations

(Updated September 2026)

PREFACE

Westlake Lake Management Association, a California nonprofit corporation (WLMA), governs the Westlake Lake (Lake), which is private, acting under its governing documents, among them the recorded WLMA Tenth Certificate of Amendment of the Westlake Lake Recreational Area Restrictions ("CC&Rs"). WLMA solely owns the Lake property, which includes the land under the Lake, shoreline, portion of the land beyond Lake water edges described as Perimeter Area in the CC&Rs, the islands within the Lake, and the marina and Landing docks. WLMA also owns other parcels and property interests around and near the Lake, including the dam and area below the dam, and wells.

WLMA conducts its affairs to further its purposes, including fostering scenic beauty and regulating recreational use in the Lake for all Lake Users, which are defined as: WLMA members; owners of property and / or residents in the Westlake Community; members in good standing of the Westlake Yacht Club, and; all other persons (entities), who use, work at, or otherwise enter upon or around the Lake (all referred to as "Lake User(s)" and/or "User(s)").

The Westlake Community is defined in the CC&Rs to include the City of Westlake Village, Los Angeles County, and those portions of the City of Thousand Oaks, Ventura County, as reflected in the CC&Rs and map maintained by WLMA.

Lake Users' Compliance and Coordination with District Homeowner Associations' Rules: In addition to these WLMA Lake Rules and Regulations that apply to all Lake Users, and the published WLMA policies (included in the WLMA website at www.westlake-lake.com), each homeowner / member is responsible to comply with their respective District Homeowner Association (HOA) rules. WLMA is not responsible for such

compliance or coordination with District HOA rules that also apply to a homeowner / member, and ultimately WLMA has sole discretion of implementing and enforcing rules that apply to the Lake and WLMA-owned property (including Perimeter Area property).

Lake Health, Habitat and Ecosystem – Shared Responsibility by All Lake Users & HOAs: Although the Lake is privately owned with restricted access, various state and federal regulations apply to each homeowner, property owner, and Lake User including: Fish and Wildlife ("F&W") regulations to protect the wildlife habitat surrounding the lake on WLMA-owned and other any non-WLMA privately-owned property; California boating and safety laws; and other local and government laws. These rules set minimum standards that WLMA monitors for compliance for its property (including Perimeter Area property). Every homeowner and HOA is responsible to set standards and monitor their own compliance with the various state and federal regulations that apply to all homeowners to help ensure that the Lake remains a safe, healthy, and beautiful for all Lake Users, our community, and habitat.

Questions regarding WLMA Rules & Regulations, Violations, Policies, Etc.: These Lake Rules & Regulations, including other policies, helpful information, and contacts, are posted on the WLMA website at www.westlake-lake.com and / or are available in the WLMA office at: 32353 Triunfo Canyon Road, Westlake Village, CA 91361 (818) 889-5377.

RECITALS

WLMA acts to regulate all Lake use and all dock and other construction therein, and on other WLMA-owned property, including Perimeter Area.

These Westlake Lake Rules and Regulations (Rules), subordinate to the CC&Rs, are adopted by WLMA to further its purposes, and are binding on all WLMA members, and all other Lake Users including all other persons (entities), who use, work at, or otherwise enter upon or around the Lake. No person has any property rights as to the Lake property or Lake use except as WLMA may provide, including easements or licenses for private and public access, utilities and other government purposes, and revocable Lake licenses for Lake Users.

The most recent WLMA approved Rules govern. All Lake Users are required to comply with the latest Rules and any amendments published to WLMA members and Lake Users and other Lake polices are posted in the WLMA website at www.westlake-lake.com. The Rules and Lake policies do not limit WLMA from exercising its full discretion in determining matters and acting to carry out its purposes.

ANY VIOLATION OF THE RULES AND LAKE POLICES ARE SUBJECT TO IMMEDIATE CORRECTION, FINES AND / OR LOSS OF LAKE USE

RULES AND REGULATIONS

1. PREFACE & RECITALS / RULES INCLUDE INTEGRATED DOCUMENTS. The Preface and Recitals above are integrated in and are a part of the Rules and have the same force and effect as Rules provisions. The Rules in this document provide governance and guidance for all Lake Users.

WLMA from time to time prepares and publishes documents and policies to assist in Rules implementation, for example, Lake revocable license applications, boat vendor and yacht club agreements, fishing Permit, informational flyers, and other documents. WLMA approved policies provide additional guidance for implementing Rules contained herein and provide other WLMA guidance.

As mentioned in the Preface above, these Rules, including other policies, are posted on the WLMA website at www.westlake-lake.com and /or are available in the WLMA office at: 32353 Triunfo Canyon Road, Westlake Village, CA 91361 (818) 889-5377.

Use of Westlake Lake, an open body of water, involves inherent risks and dangers. These risks include, but are not limited to, drowning, injury or death from submerged objects, debris, or changes in water depth, encounters with wildlife, adverse weather or water conditions, boat traffic and wakes, slips and falls on docks or shoreline areas, and other hazards associated with recreational use of a natural lake environment.

As a material condition of WLMA's permission to use the Lake, its docks, shoreline (including Perimeter Area property), facilities, and related property, every Member, Lake User, and all of their family members, guests, invitees, contractors, and any other persons who enter or use the Lake or WLMA property (collectively, "Lake User(s)" and / or "User(s)") hereby:

(a) **Assume the Risk.** Voluntarily assume all risks of personal injury, death, property damage, or other loss arising out of or related to such use, whether caused by the negligence of WLMA or its officers, directors, agents, or otherwise;

(b) **Release and Waiver.** Release, waive, discharge, and forever hold harmless WLMA, its officers, directors, agents, contractors, and volunteers (collectively, the "WLMA Parties") from any and all claims, demands, damages, liabilities, actions, causes of action, costs, and expenses (including reasonable attorneys' fees) arising out of or in any way connected

with the User's use of the Lake or WLMA property, to the fullest extent permitted by applicable law;

(c) **Indemnification.** Agree to indemnify, defend, and hold harmless the WLMA Parties from and against any and all claims, damages, liabilities, losses, costs, and expenses (including reasonable attorneys' fees) brought by or on behalf of the User or any third party arising from or related to the User's use of the Lake or WLMA property.

This assumption of risk, release, waiver, and indemnification shall be binding upon each User and their heirs, executors, administrators, successors, and assigns. WLMA's permission to use the Lake is revocable at any time and may be further conditioned upon the User's execution of a Lake Permit, boat permit, or other agreement containing additional or expanded terms.

(d) **Member Sale or Transfer of Residence.** When a property is being sold (or transferred), WLMA must be notified of the proposed sale no less than five (5) days prior to the ownership change. Specifically, Section 3.7 of the WLMA CC&Rs states:

"3.7 <u>Notice of Transfer of Ownership</u>.

> **At least five (5) days prior to the assignment, sale, quitclaim, or other transfer or disposition of a Lot, the transferring Member shall notify WLMA of the name and address of the prospective transferee and the nature of the transfer, and shall also confirm the transfer promptly after it occurs."**

As a condition of any such sale or transfer, the transferring Member, through escrow, shall:

- Provide the buyer or transferee with current copies of WLMA's governing documents, including the CC&Rs and these Rules and Regulations; and
- Pay WLMA's reasonable escrow fee as established from time to time by the WLMA Executive Committee.

All outstanding annual watercraft registration fees, late charges, interest, and any other amounts owed to WLMA by the transferring Member must be paid in full prior to or concurrently with the transfer. WLMA may condition the issuance of any new boat registration, or Lake use privileges to the buyer or transferee upon full payment of all outstanding amounts and compliance with these Rules.

<u>General Provisions</u>

2. INVASIVE SPECIES PROCEDURES. Because of the Quagga / Zebra / Golden Mussel intrusion in California, WLMA acts to prevent such from entering the Lake. WLMA has established a mandatory protective process to follow prior to placing any watercraft on the

Lake. WLMA otherwise acts, from time to time, to address any invasive species that may threaten the Lake and, in response thereto, may implement further rules, regulations, and protocol without notice.

A. As to the Quagga / Zebra / Golden Mussel threat, WLMA requires advance inspection, possible quarantine, and a Lake Operations Manager's (LOM) written approval, among other procedures; currently, the following shall apply:

a) The procedures apply to and is required of all watercraft (including boats, kayaks and all other types of watercraft), boat motors and equipment (sails, life vests, anchors and line, fenders, etc.), trailers, including boat vendor trailers, coming to the Lake and using the boat launch, used boat floats and docks brought to the Lake, and other objects intended to be placed on the Lake.

b) For WLMA's inspection, watercraft, trailers, or other associated objects must be certified to have not been in fresh waters within the last 30 days, be CLEAN and DRY, and be free of mud and vegetation (or undergo WLMA's decontamination treatment that may from time to time be available) to avoid a quarantine period.

c) The same procedures of prior inspection, possible quarantine, and approval applies where a boater seeks to return any watercraft and its equipment, or other item described above, to the Lake after such removal from the Lake and / or private or community lots or parcels surrounding the Lake, regardless of whether previously permitted with affixed watercraft sticker. Lake Users shall provide advance notice of removing from the Lake a WLMA-registered watercraft to the LOM.

d) Live bait and live bait water storage containers are prohibited from the Lake.

e) This process must be followed prior to any entries to the Lake.

Penalty for Non-Compliance of Invasive Mussel Inspection: Failure to comply with this Quagga / Zebra / Golden Mussel advance inspection and approval could result in a fine, up to $10,000 to the Lake User, and / or loss of Lake use, and / or reimbursement of any and all costs WLMA incurs remediating any such violation.

3. SWIMMING. Persons and domestic animals are prohibited from swimming in the Lake, except briefly by persons in sailing training or accidentally falling into the Lake, or where necessary in an emergency.

4. WATERFOWL; BIRDS; ANIMALS. No feeding of waterfowl, birds (other than utilizing permitted bird feeders specifically allowed by District HOAs and not within Perimeter Property), or any animals of any kind is allowed at the Lake or District HOAs since harmful to both the wildlife on or around the lake and the Lake ecosystem.

Westlake Lake supports important wildlife habitat within the Westlake community, including a variety of birds, fish, and other species. Subject to WLMA's governing documents, and unless otherwise specified in these Rules, Members may take reasonable measures, consistent with all applicable federal, state, and local laws and regulations, including those administered by the California Department of Fish and Wildlife, to protect their private property by deterring wildlife. Any such measures that involve, affect, or are located on the Perimeter Area, that are considered "Major Work", require prior written approval from WLMA in accordance with the Perimeter Area Access Policy and Access Agreement, and WLMA's other governing documents. This policy and the Access Agreement are posted on the WLMA website at www.westlake-lake.com and / or are available in the WLMA office at: 32353 Triunfo Canyon Road, Westlake Village, CA 91361 (818) 889-5377.

5. IMPROVEMENTS; MATERIALS; LANDSCAPING.

A. A portion of a member's backyard up to the shoreline includes Perimeter Area property owned by WLMA, but the member has full access and use of it and responsibility and cost of its maintenance, including trees, landscaping, improvements, etc. Pursuant to the "Westlake Lake Perimeter Area Access Policy & Access Agreement and Revocable License", WLMA's prior written approval is required for any construction, alterations, excavations, fences, landscaping (other than routine landscaping and maintenance), hardscape, retaining walls, stairways, pathways, docks, shoreline stabilization, grading, drainage, or similar work (Major Work) in or affecting the Perimeter Area or Lake waters (CC&Rs §6.4).

WLMA's role is limited to proposed Major Work in the Perimeter Area. Such work should be subject to an application to the District's Board of Directors or any governing architectural review committee (ARC), and WLMA approval should be included in the ARC's approval process for a homeowner's application. Before granting ARC approval for any Lake-front project involving Major Work in the Perimeter Area: i) the Member and contractor must sign the Westlake Lake Perimeter Area Access Policy & Access Agreement and Revocable License; and ii) the Member's contractors must provide a Certificate of Insurance naming WLMA as an additional insured, and the Member must also provide a Certificate of Insurance naming WLMA as an additional insured, if WLMA does not already possess one. Routine landscaping and maintenance (e.g., trimming, mowing, planting or caring for flowers, shrubs and/or groundcover, lawn replacement, mulching, irrigation repairs) that does not involve Major Work, does not require WLMA approval or an Access Agreement.

This Westlake Lake Access Policy and Access Agreement and Revocable License policy is posted on the WLMA website at www.westlake-lake.com and / or are available in the WLMA office at: 32353 Triunfo Canyon Road, Westlake Village, CA 91361 (818) 889-5377

B. No liquids or materials or any kind, plants of any kind, or other improvements of any nature are to be deposited, placed, planted, or constructed in the Lake, the Lake shoreline cleaning area, or the Perimeter Area beyond the Lake shoreline unless with written permission of WLMA pursuant to the "Westlake Lake Perimeter Area Access Policy & Access Agreement and Revocable License". As discussed in 5.A. above, routine landscaping and maintenance to the Perimeter Area are an exception.

C. No such materials, plants or other improvements of any nature may be disposed of in the Lake, or the surrounding street gutters or storm drains as they feed to the Lake. Such items include, among others, grass clippings, weeds, fertilizer, tree branches, paint, cement, concrete, other building materials, insecticides, oil, any excessive soap or soapsuds, car wash materials, and other similar materials.

D, Any landscaping, vegetation, exterior materials, debris, refuse, or other condition visible from, on, across, or adjacent to the Lake that is neglected, overgrown, damaged, poorly maintained, or otherwise materially detracts from the appearance, safety, or enjoyment of the Lake and its surrounding area may be deemed a Lake use violation. This includes, without limitation, dead or unmanaged vegetation, excessive weeds, accumulated yard waste, abandoned materials or equipment, and landscaping conditions that create a safety hazard, obstruct access, or adversely affect the Lake shoreline or common areas.

Corrective action concerning unsightly landscaping or property appearance on property not owned by WLMA, though within WLMA jurisdiction and scope of authority to act, will first, before any action is taken, be deferred to the applicable property owner, neighbors, District HOAs, and, when appropriate, local government code enforcement or other responsible authorities. WLMA will have sole jurisdiction to act for WLMA-owned property.

6. FENCING. All electrified fences are not permitted. Non-electrical waterfowl fences are prohibited at the Lake unless specifically permitted or approved by the District HOA, and are to be set back at least twenty-four inches (24") from the shoreline to allow WLMA access for Lake cleaning and maintenance.

7. SOUND; BRIGHT OR NON-CONFORMING LIGHT(S). Any loud disturbance or bright or non-conforming light(s) emanating on, across, or adjacent to the Lake is a Lake use violation, except where considered a standard and necessary function for watercraft (including boats, kayaks or other types of watercrafts), passenger, and other safety, and in the case of an emergency threatening life and / or property. WLMA has complete and sole discretion whether such sounds and / or lights on, across, or adjacent to the Lake constitute violations, and any findings of such will be presumed valid.

Corrective action to noise, or bright or non-conforming lights emanating from areas surrounding the Lake on property not owned by WLMA, though within WLMA jurisdiction and scope of authority to act, will first be deferred to District HOAs and, when appropriate, local law enforcement. WLMA will have sole jurisdiction to act for WLMA-owned property, including docks and watercraft on the Lake.

Section 6.4 of WLMA's CC&Rs provide for WLMA's authority to ensure landscaping and all improvements on or visible to or from within the Lake, created directly by a member or through District HOAs, be in consonance with WLMA's safety and scenic beauty goals for the Lake, and any fish and wildlife regulations.

WLMA, through its Executive Committee ("EC") and LOM, will determine, in its sole discretion, what kinds of lighting and / or sounds constitute Lake use violations. Factors that will be considered when determining what lighting and sounds on, across, or around the Lake constitute violations include, among other things, any of the following:

A. Whether the light and / or sound creates a safety hazard, including, but not limited to, interfering with navigating the Lake's waterways.

B. Whether the light and / or sound negatively impacts the aesthetics and / or desirability of the Lake and / or its surroundings, such as, but not limited to: bright, flashing, strobing or blinking lights, dock string or rope lights; lights underneath docks, colored lights on docks, artificial noises; and other bright or non-conforming lights and / or noises.

C. Whether the light and / or sound violates municipal ordinances or acceptable lighting or sound standards, as determined by WLMA's sole discretion.

D. The degree to which the light and / or sound disrupts / disturbs wildlife on and around the Lake.

E. Whether the light is installed or placed in a hazardous or unsafe manner.

F. Whether the light and / or sound violates any other provisions of the WLMA's governing documents.

G. Safety lights on a dock must be standard white docking lights mounted on the top deck of docks, and string and rope lighting around the perimeter of the docks or lighting underneath a dock area are considered inconsistent with standard docking lights, and with the aesthetics and / or desirability of the Lake and / or surroundings and, therefore, prohibited, except, however, string and rope lights may be used only to celebrate major recognized holidays, one week before and one week after such holiday.

H. For bright lights, it will be considered too bright if the LOM determines the light exceeds 4.6 lumens per square foot (i.e., approximately a 60-Watt soft lightbulb or the LED

equivalent) and considering the location of the light, proximity to the Lake, and any of the other factors listed above.

I. Notwithstanding anything in these Rules to the contrary, holiday lights are permitted from November 15th to January 15th each year.

The EC and LOM have complete discretion when determining what lights and / or sounds on, across, or adjacent to the Lake constitute violations, and any findings of such will be presumed valid. Members notified of Lake use violations with lights and / or sounds being used on, across, or adjacent to the Lake can address the EC's and LOM's findings through WLMA's disciplinary and compliance procedures and process that are described in Rule 42 titled "ENFORCEMENT; REVIEW".

8. PROJECTILES. Launching of any projectile on, to or within WLMA property (especially within Lake waters) is prohibited at all times, regardless of means, weapon or otherwise including, among other projectiles, water launchers, water balloons, golf balls, etc., and regardless of whether launched from any watercraft or shoreline location.

9. FIREWORKS; FIRE PREVENTION. No fireworks or fires of any kind may be ignited or discharged on or around the Lake at any time and are also illegal and subject to prosecution. Gas-fueled fire pits and outdoor fireplaces of the type customarily used in residential backyards are permitted, provided they are properly contained, maintained in good working order, and operated safely in compliance with all applicable fire codes and WLMA Rules. Wood-burning, open-flame, or natural-burning fire pits and any devices that produce flying embers are prohibited due to the significant fire hazard they present. NOTE: governmental fire departments, when fighting fires, may use helicopters to draw water from the Lake, generally in the area near the dam, and, during such events, Lake Users shall avoid activity in any such areas.

10. AUTHORITY DELEGATION. The Board of Directors and EC have delegated authority to carry out any portion of the Rules and / or CC&Rs to the LOM, Lake Patrol, and any other WLMA representatives. The LOM, Lake Patrol, and any other WLMA representatives have authority to enforce the Rules, policies and CC&Rs pertaining to Lake use, including, as described below, in these Rules.

A. WLMA may restrict or prohibit use of the Lake and all related facilities to any person or persons when, in its sole discretion, doing so is necessary and / or prudent for the safe and efficient operation of the Lake, including, but not limited to, when:

a) Such person is considered to possess insufficient skill and knowledge to operate a watercraft.

b) There are too many watercrafts operating on the Lake.

c) The Lake facilities are overburdened.

d) Foul weather conditions exist.

e) A direct operational provision under these Rules, policies, or the CC&Rs is being violated.

f) There is any other reason related to safety and / or security.

B. In exercising such authority, all Lake Users must cooperate with WLMA at all times when using the Lake, which is critical to the safety and enjoyment of all users.

C. Except for emergency situations, such as a submerged or semi-submerged watercraft, dock or any other hazard (such as illegal watercraft on the Lake), Lake Users shall not do the following until given express direction by the LOM or other WLMA representative:

a) Shall not remove a boat, dock or boat float from the Lake or from a dock.

b) Shall not, unless in any safety and / or security situation, escort or tow the boat with or without person(s) on board.

D. In all situations, where persons are uncooperative, either to an escort or when requested to leave or not enter the Lake, WLMA will contact local law enforcement and / or trained medical personnel as it deems necessary.

E. WLMA does not have the capacity nor purport to be able to patrol the Lake at all times and all places, and, therefore, shall not be liable to Lake Users for any such inaction, and further, in operation of the Lake, shall not be liable to Lake Users for its actions or inactions.

F. Lake Patrol are not "first responders" and any emergency (medical, safety, property, etc.) should be addressed by calling 911. In addition, Lake Patrol are not security for lake activities or illegal conduct on or around the Lake (including illegal fishing), and any security, trespassing, or similar issue should be addressed by calling local law enforcement.

Boat Ownership and Registration

11. BOAT ELIGIBILITY; REGULATION. WLMA regulates the number of watercraft allowed for Lake use, based on overall use, retaining the discretionary right to decide from time to time: the number of boats each Lake User may have and keep at a dock – whether at a private dock, WLMA's Public Marina, WLMA office docks, District community docks, or

Westlake Yacht Club docks, such use including temporary moor (visit) at other docks including at WLMA's docks at The Landing; the arrangement of docks, floats and watercraft, based on water space, watercraft length, and accessibility – regardless of prior watercraft registration / dock approvals; and what other watercraft access on the Lake is allowed. Watercraft regulated by the Department of Motor Vehicles must maintain current registration and must properly display valid CF numbers.

12. BOAT & WATERCRAFT ANNUAL REGISTRATION & INSURANCE. Lake Users wanting to place a watercraft on the Lake must apply for and obtain annual registration from WLMA by completing and executing an application / agreement form provided by and available at the WLMA office. No registration for use will be issued while prior fines, assessments, late fees, and/or interest remain unpaid, or WLMA determines, in its sole discretion, the applicant has pending violations and / or a history of conduct that violates these Rules or the CC&Rs. The following applies to all applications and Lake Users:

A. All Lake Users who own or operate a dock or any watercraft (including boats, kayaks, or other vessels) on the Lake must purchase and maintain liability insurance coverage in an amount set by WLMA, currently a minimum of $1,000,000 per occurrence. They must provide a valid insurance certificate, including the insurer's endorsement, naming "Westlake Lake Management Association" as an "additional insured." For WLMA members who do not own a dock and do not operate watercraft on the Lake, a minimum liability insurance coverage of $300,000 is required. Proof of continuous insurance coverage must be submitted to WLMA on an annual basis. An existing umbrella policy that meets these minimum coverage requirements is acceptable. Failure to maintain continuous coverage will result in immediate suspension of the registration and restriction of Lake use until valid proof of insurance is provided.

B. There is no grace period on the required insurance. If coverage is not continuously maintained, the registration is suspended and Lake use restricted until insurance with proof is restored.

C. Watercraft registration renewal fee is due annually on 1st of January, and delinquent thirty (30) days thereafter for any applicable year, with proof of required continuing insurance. The delinquent registration fee is subject to a late charge in the amount of ten percent (10%) per month delinquent. A 15-day grace period is provided after the thirty (30) days, and then late fees will begin accruing on February 15th for any applicable year, and every month thereafter, if the fee remains unpaid. Interest on all sums imposed, including the delinquent registration fee, collection fees and costs, and attorney's fees shall be at an annual rate of twelve percent (12%). From February 16th, a watercraft without current registration is restricted from Lake use.

13. PRIVATE DOCKS. Lake front WLMA Member lot or parcel owners (or respective tenants), excluding The Landing and Districts Lots and Parcels described in Rule 14, may register a maximum of three (3) personal-use watercraft at one private approved dock, as such dock may accommodate, moored to dock or stored on single, attached boat float. Added smaller watercraft, such as kayaks, may be allowed if: safely storable on dock/float; all watercraft are owned by the WLMA Member (or all by the respective tenant); and WLMA is satisfied such watercraft use is not an enlargement of the personal use intended under these Rules or the CC&Rs. Private docks cannot be used for any business or commercial use.

14. DISTRICT COMMUNITY DOCKS. WLMA members (or respective tenants) who are members of a District HOA may register on a first apply basis a maximum of one (1) watercraft per owned District lot or parcel, to moor at that District HOA's community dock in available slips, subject also to further restriction by such District HOA consistent with these Rules. Registration of use of slips at community docks adjacent to green belts is restricted to those District HOA owners (or their tenants, if allowed by the District HOA) of a lot or parcel in each corresponding District whereon such lot or parcel the owners do not otherwise have an approved private dock. Community docks cannot be used for any business or commercial use.

In the event a Member becomes delinquent in the payment of the annual watercraft registration fee, and / or any related charges, WLMA may enter upon the community dock to which the Member's watercraft is moored and secure the watercraft to the dock by lock or other appropriate means or otherwise take necessary action to remove the watercraft from the Lake.

15. WLMA OFFICE DOCKS – Kayak Racks. The WLMA office docks are part of the "Public Marina", as addressed in Rule 16, and the area that kayak racks are available to Lake Users who own a kayak but are unable to register it at a private dock or community dock. Lake Users may apply to lease and store one (1) kayak at the WLMA office docks. Registration is granted on a first-come, first-served basis, subject to available rack space. To lease a rack, applicants must complete and sign WLMA's revocable license agreement, available at the WLMA office located at 32353 Triunfo Canyon Road, Westlake Village, CA 91361. The application must include proof of liability insurance as required by these Rules, and all applicable fees must be paid. Only one (1) kayak per eligible applicant may be registered and stored at the WLMA office docks. Kayaks must comply with all applicable Rules, including inspection for invasive species and proper maintenance.

16. PUBLIC MARINA. Lake Users may lease dock slips or kayak rack for watercraft at WLMA's Public Marina. Leasing is available on a first-come, first-served basis, subject to slip and rack availability and in accordance with allocation rights established under the

CC&Rs. To lease a slip or rack, applicants must complete and sign WLMA's revocable license agreement, available at the WLMA office located at 32353 Triunfo Canyon Road, Westlake Village, CA 91361. Applicants must also comply with all applicable Rules, including providing proof of liability insurance and payment of all required fees as set by WLMA. WLMA conducts monthly reviews of Public Marina dock slip and rack availability to manage demand and maintains a waitlist for eligible applicants when spaces are unavailable. All leased slips or racks are subject to the Rules and CC&Rs, including those governing watercraft maintenance, invasive species prevention, and Lake use.

17. OTHER USE; ACCESS TO LAKE. Day use boating licenses are not available except under special circumstances approved by WLMA, such as sailing regattas sponsored by Westlake Yacht Club. Only watercraft, and any trailers, inspected by the LOM on the day of use, that have not been in fresh waters in the last thirty (30) days, and otherwise in compliance with these Rules, may be launched at the Lake.

18. BOAT MOORING; SECURING OF WATERCRAFT/PROPERTY. When not in use, watercraft, including boats, sailboats, pedal boards, and kayaks, on the water must be moored only to a dock (including allowing kayaks and similar types of watercraft to be stored on a dock or out of sight from the Lake), or stored on a particular boat float. No watercraft may be beached or tied to the shoreline. No watercraft may be anchored and left unattended. Absent emergency, no watercraft may be moored to a dock, however temporary, without the permission of the owner or other in control. Watercraft must be secured to a dock. Items stored on a dock must be inside a dock box approved by WLMA. Watercraft not registered with WLMA must be stored out of sight and not used on the Lake. WLMA, its officers, directors, members, and agents shall not be responsible for any theft, damage, or loss of property, including watercraft, equipment, or personal belongings, on the Lake, private docks, or the Public Marina, except where such loss or damage is directly caused by the gross negligence or willful misconduct of WLMA or its representatives acting within the scope of their authority. Owners of watercraft are solely responsible for securing their watercraft and all personal property therein, including, but not limited to, ensuring proper mooring, locking, and storage in compliance with the Rules. Lake Users assume all risks associated with property left on the Lake, private docks, or Public Marina.

19. SIZE; TYPE. Subject to specific exceptions and other prohibitions listed below, no boat that exceeds eighteen feet (18') in Length Overall ("LOA") may be on the Lake. Specifically, the maximum LOA of a vessel, measured horizontally from the vessel's foremost point to its aftermost point while the vessel is in its normal operating configuration. The measurement shall include the hull and all equipment, structures, appendages, and projections that are permanently attached to, mounted on, or normally carried as part of the vessel, including, without limitation, bow pulpits, bowsprits, anchor

platforms, swim platforms, outboard engines, engine mounting brackets, and similar extensions. For a vessel equipped with an outboard engine, the engine shall be measured in its normal operating (lowered) position, rather than in a temporary raised or tilted position. Removable equipment that is ordinary removed when the vessel is underway or moored shall not be included. A small flag mounted at the stern of the boat is also not included. For purposes of determining compliance with any maximum vessel-length requirement, the actual measured LOA shall control over any length stated by the manufacturer, dealer, registration document, model designation, or other source.

The exceptions and other prohibitions / regulations include:

A. Work boats of WLMA and authorized contractors – allowed.

B. Rowing shells (sculls), which may exceed the eighteen foot (18') LOA limitation, are allowed; however, given recognition of the potentially higher nature of operating speeds of shells – which speeds will be allowed, compared to speed limits for boats generally in Rule 28 – shells are allowed on the Lake only with the written approval for each individual boat by WLMA, which approval may be determined by the LOM, including discretion to limit the total number of shells on the Lake, total and / or at any given time; and shells shall be limited to operating between the hours of sunrise to 12:00 noon, and such other daylight hours the LOM determines from time to time with view for safety and general boating / navigation, considering, among other factors, the seasons and if a weekday or weekend.

C. The three C18 sailboats owned by the WYC as the date of the adoption of these Rules.

D. Prohibited completely from the Lake are multi-hulled sailboats, any inflatable watercraft (boats, kayaks, rafts, etc.), motorized radio-controlled boats, wind-surfers, surfboards, jet-skis, motor surfers, any paddleboards (with or without a seat) and water / wake board skiers. Any such illegal category of watercraft or activity on the Lake will be considered an immediate safety hazard under the Rules and subject to monetary fines and / or loss of Lake use privilege.

An exception is hereby made for hard shelled, non-inflatable, pedal boards with handlebars (for stability) that are intended to be used while standing or from the seated position, and which are at least as stable as a kayak. Qualifying use is only permitted by one person per pedal board between the hours of sunrise and 12 noon and requires the user to wear a personal floatation device, or have one on the board while in use. The pedal board must be properly registered and insured per Rule12. of the Rules and comply with all rules and regulations including Rule 2. to prevent invasive species from entering the Lake and Rule 3. prohibiting swimming or people from entering the water. This exception is adopted on a

TEMPORARY TRIAL BASIS through September 30, 2027, and will be reevaluated after such trial period ends to determine whether this exception will be allowed on a long-term basis or revoked.

20. PROPULSION. All powerboats must be electrically propelled except for those used by WLMA, any boat service vendor approved by WLMA, and the Westlake Yacht Club patrol boat involved with regattas and other sailing activities.

Boat Safety and Security

21. BOATING RULES.

A. **Applicable Governmental Authorities.** Despite Westlake Lake being a private lake and community, the boating rules on the lake are governed by the state of California boating and safety rules included in the California Harbors and Navigation Code, California Department of Parks and Recreation, US Coast Guard rules, and the related Vehicle Code in Los Angeles and Ventura Counties. (***Note**:* The Vehicle Code requires boats to be registered with the DMV and display valid CF numbers.)

The State of California publishes a useful booklet titled "ABCs of California Boating" that can be found by visiting the following link: https://dbw.parks.ca.gov/?page_id=28731

Westlake Lake's boating rules either meet or exceed standards and regulations imposed by governmental authorities and must be complied with; Lake Users who violate any such standards and regulations are subject to fines and / or loss of Lake use privileges.

B. **Safety and Security; Release of Liability – Responsibility of Lake Users.** Lake Users shall be responsible for their own safety and security and shall take appropriate measures to ensure the safety and security of the persons and property of themselves, their family, tenants, guests and invitees, and to not jeopardize the safety and security of others, including, but not limited to, other Lake Users and Lake Patrol staff. Members and Lake Users, as a condition to WLMA allowing use of the Lake, waive all claims against and agree to defend and hold harmless WLMA and its directors, officers, members, volunteers, agents and other representatives acting on its behalf from any injury, loss, damage and/or claims to, and related to, persons or property arising from the use of the Lake.

22. BOAT CONDITION. When loaded, boats must be maintained in balanced condition to avoid capsizing. Boats may not be loaded beyond the manufacturer's recommended capacity. Boats must be free from all fire hazards and kept in a good and attractive overall condition, with bilges, cockpits, and / or wells reasonably clean, free of excess water, and the visible hull structure sound, i.e., not in a semi-submerged or submerged state.

23. EQUIPMENT. All equipment used on any boat shall conform to California State Boating Laws and, among other items, each operating boat shall carry a Coast Guard-approved wearable life jacket for each person on board. In addition, every watercraft 16 feet or more in length, except a canoe or kayak, shall carry at least one U.S. Coast Guard-approved throwable personal flotation device, which shall be placed so as to be immediately available for use.

24. LIFE JACKETS. Under California law, every child under 13 years of age on board a boat (including kayaks or other types of watercrafts) on the Lake of any length must wear a Coast Guard-approved life jacket. Additionally, all persons under 13 years of age, and persons that cannot swim, must wear a Coast Guard approved life jacket when on docks. If a Lake User receives multiple citations, i.e., more than three (3), for violation of the life jacket rule, WLMA may, in its sole discretion, impose disciplinary action, including, among other things, impose fines, terminate the Member's or Lake User's lake use privileges, terminate boat registration and any public marina contract, require removal of the watercraft from the Lake, and / or suspend the privilege to use the Lake. (See Rule 42.)

25. OPERATOR AGE. Any person under the age of sixteen (16) operating a powerboat on the Lake must be accompanied by a parent or other person age eighteen (18) or older in the boat. Under California law, there is no age restriction for operating a sailboat (or other non-powered boat) under 30 ft long (with wind as the main source of propulsion); however, anyone operating any type of watercraft must be capable of operating and navigating it in a safe and controlled manner at all times.

Boater Card Requirement*:* California law requires a Boater Card to legally operate a vessel powered by a motor (including electric boat motor) of 15 hp or more. In general, the electric boats on the Lake have a motor of less than 15 hp; however, it is the boater's responsibility to comply with this law, if required.)

26. LAKE USE HOURS. Except as hours and certain boats and other watercraft are restricted in Rules 19 (rowing shells), 27 (certain low-profile boats including low profile sail boats / other low-profile watercraft), and 31 (fishing hours), boating is generally permitted on the Lake from one (1) hour before sunrise until 11:00 p.m. No boating activities, nor activities on Public Marina docks, are permitted earlier than one (1) hour before sunrise or later than 11:00 p.m. except in an emergency.

27. RESTRICTED HOURS / RUNNING LIGHTS. With the exception of fishing boats with fixed running lights (fixed running lights cannot be clamp-on lights, flash lights, lanterns, candles, etc.), other low-profile boats including low profile sail boats, and other low-profile watercraft, including, among others, all kayaks, shells (skulls), pedal boats, etc. – with or without running lights and / or with or without power, are not permitted on the Lake after

sunset or before sunrise. All other single hull boats and electric boats are permitted on the Lake as allowed under Rule 26, however, for the one (1) hour before sunrise and between sunset and 11:00 p.m., such boats must be equipped with fixed running lights and they must have their fixed running lights turned on and showing for navigation and visibility to others (when not moored – whether underway, drifting, or otherwise). All boats shall also turn on (display) running lights during restricted visibility. Docking lights are to be used only for docking.

28. SPEED LIMIT. No boat shall exceed five (5) miles per hour and in finger basins shall not exceed three (3) miles per hour, except: patrol boats on emergency calls; and rowing shells as described in Rule 19.

Fishing

29. ELIGIBILITY; GUESTS. Annual Fishing Permit badges, expiring December 31st, are issued by and for fees set by WLMA, restricted to qualified Westlake Community Lake Users and their lessees / renters, based on valid driver's license or other acceptable proof of residency. Fishing permittees may also purchase guest badges for guests but the permittee must always accompany their respective guests when fishing. Current WLMA fishing Permit badges and guest badges and lanyards must be visibly worn while fishing; however, Lake Users and their guests are not required to have or wear a badge while fishing from the following locations: the Lake User's private property, private dock, or watercraft when moored to such private dock or when on the Lake. For HOA community docks and common area, compliance is subject to the District HOA rules.

30. FISH & WILDLIFE LAW. The State of California enforces Fish and Wildlife laws, and such laws apply to those who are fishing at the Lake and require a valid California fishing license for those who are sixteen (16) years of age or older (California Fish and Wildlife (Game) Code § 7145).

31. FISHING HOURS AND LOCATIONS. Fishing hours, including by boat, are more limited than the general boating hours under Rule 26. Hours: no fishing is allowed earlier than one (1) hour before sunrise or later than one (1) hour after sunset, and boats used for fishing must be equipped with fixed running lights, turned on and showing for navigation and visibility to others when operating before sunrise and after sunset. Recognize, with courtesy, that even normal level voices can resonate across water in the quiet of early morning and evening.

Locations: Fishing is permitted on the Lake, along the Boardwalk except in the restricted locations marked with signage and / or listed below**,** and along shore areas designated by WLMA. Unless marked otherwise, the areas where you may NOT fish include: in front of The Landing buildings where the restaurants and restaurant docks are located, the

Westlake Yacht Club, and the Public Marina docks and WLMA maintenance shed area, the WLMA office docks, the District community docks, and from bridges or the shore under bridges. A map showing approved and restricted fishing locations is available at the WLMA office and on the WLMA website. Lake Users may also contact the WLMA office to verify whether fishing is permitted in a specific location. Fishing from a boat within 100ft. of the floating buoy line near the dam is not permitted.

The WLMA fishing badge grants access to fish the Lake waters only from designated permitted areas listed above; it does not grant access to, or permission to trespass upon, any private homeowner or private community docks, beaches, or common areas. Access to these areas is strictly reserved for homeowners and residents of that specific District HOA and their accompanied guests and subject to each of the homeowner District HOA fishing rules that may vary by District HOA.

32. CATCH AND RELEASE FISHING; EXCEPTION. For invasive fish species, which includes, until otherwise changed, common carp, catch and release shall not apply, and persons fishing shall follow WLMA fish disposal guidelines that can be obtained from the WLMA office. Otherwise, the following applies to all Lake fishing: all hooks must be barbless or have barbs pinched down. Also, to prevent injury to the fish no bait of any kind is allowed – no cut live bait or other organic bait type material. This includes, among other, no goldfish, crawfish, baby bass, bluegill, shiners, waterdogs, earthworms, night crawlers, grubs, salmon eggs, or dead "live bait." Soft catfish bait, synthetic baits, or putty baits of any kind may not be used. No food products may be used. Otherwise, only artificial lures, plastic baits, spinners, or artificial flies. When fishing, promptly release fish caught back into the Lake, and avoid maneuvering your boat near other boats.

33. OTHER LIMITS. No Lake User may loan, sell, or transfer their WLMA-issued annual fishing Permit badge to another person. Any attempt to do so is void and invalid. Violation of this rule may result in the suspension of the authorized Permit holder's fishing Permit, prohibiting them from fishing on the Lake until the suspension is lifted by WLMA, in accordance with the enforcement procedures outlined in these Rules.

No commercial fishing operations, such as a guide for hire, lessons or instruction for a fee, or boat rental, are permitted. Persons who fish and do not follow these Rules may be banned from fishing the Lake.

34. FISHING PAMPHLET. The WLMA Fishing Pamphlet, which are part of these Rules, is available at the WLMA office or website and contains the complete set of fishing Rules, guidance, fees and Permit Application. All persons fishing at the Lake must first read the Fishing Pamphlet as well as this Rules document.

Boats and Dock Conditions, Boardwalk Access, and Construction

35. CONDITIONS. All watercraft and docks shall be kept in a safe, good, and attractive manner as determined by WLMA in its sole discretion. The Lake User will be notified if a watercraft or dock is found in an unsafe or unsightly condition, and will be given an opportunity to repair or remove the watercraft or dock, within a reasonable time period subject to whether there is any urgency of a Lake safety or security matter as may be described. A Lake User may request in writing for up to a thirty (30) day extension to come into compliance with these Rules, and the CC&Rs, which shall be subject to WLMA prior approval. Failure of a Lake User to comply by the applicable deadline set by WLMA shall grant WLMA authorization to remove any unauthorized improvements, construction and/or relocation and to charge the Lake User for removal and/or disposal costs as a special reimbursement assessment.

Unsightly conditions include, among others, the need for repair, clean, replace, paint or stain, or change of color. If uncorrected within the notice period, or even without notice in an emergency, WLMA shall have the right to make necessary repairs or impound or remove the dock or watercraft and be reimbursed for its costs. WLMA has the right to identify and number all watercraft and docks uniformly for all Lake purposes. The following applies:

A. Prohibited from being used or placed on any of WLMA's office and public Marina docks, its docks at The Landing, and main Boardwalk (including in front of The Landing buildings fronting Lake, the Westlake Yacht Club, and WLMA's Public Marina) are chairs, tables, ice chests, and/or other such property, as such areas must remain free and safe for pedestrian coming and going and to maintain the aesthetics of the overall lake environment.

B. The Landing docks are for Lake Users access at The Landing; WLMA imposes a two-hour time limit for boats mooring there that is subject to enforcement and / or violation notices during peak times (e.g., evenings, weekends, and holidays). Any boater(s) at The Landing docks (restaurant docks) must vacate, and leave the space and not move spaces or return to any of the other docks located along The Landing area, for a minimum of one (1) hour.

36. DOCK CONSTRUCTION. The "Application for Private/Group Dock Construction" and "Private/Group Dock Construction Revocable License Agreement" provide dock construction rules and guidance, consistent with and as part of the Rules.

Responsibility; Authority; Activities; Notice; Enforcement

37. RULES DISTRIBUTION; RESPONSIBILITY. WLMA distributes copies of this Rules document to WLMA members as part of the annual disclosures sent to all members. Further distribution and responsibility include:

A. Additional Distribution by WLMA – WLMA shall also distribute to Lake Users, on request or on application for: (1) Fishing Permit – a copy of the Fishing Pamphlet, including to those obtaining guest badges (and copy of this Rules document if not already received), (2) Dock Construction –Application for Private/Group Dock Construction and Private/Group Dock Construction Revocable License Agreement, and (3) As part of other agreements and policies. Additionally, a copy of this Rules document on request of any Lake User.

B. Distribution to Tenants – In the event WLMA members lease, rent, or otherwise lend their homes to non-owners to reside therein – they are required to give a copy of this Rules document to such tenants, inform them they are required to read and understand the Rules before using the Lake, and are responsible for their tenants to abide by them.

C. Responsibility – All Lake Users and their respective tenants are responsible for all persons at such property (tenants, invitees, guests, and other visitors) to comply with the Rules as Lake Users, and liable for any non-compliance of the Rules.

38. LAKE REGISTRATION, LICENSE (REVOCABLE LICENSE): TRANSFER AND USE RIGHTS. Lake Users, at WLMA's discretion, may be issued a WLMA approved watercraft registration and / or revocable license, including: permission to fish; registering a watercraft; use of a dock boat slip; and constructing and maintaining a private dock or community District HOA dock. From time-to-time WLMA approves forms for applications and agreements.

A. Private Dock Application – A WLMA member (owner) may apply to locate one private dock per member-owned lakefront access lot or parcel. When the WLMA member transfers the lot or parcel, that private dock application is automatically transferred to lot or parcel's successors, assigns, heirs, or representatives (transferee) so long as the member is in good standing under the CC&Rs and these Rules with WLMA; if not in good standing, including as described below, unless cured before transfer, or timely thereafter, the dock application is automatically cancelled with the dock subject to removal at member's (including transferee's) expense.

B. No Other Transfers – Except transfer of private dock applications as provided above, other transfers are prohibited and void without WLMA's written consent.

C. District Community Docks – District community docks owned and maintained by those District HOAs on behalf of their WLMA members, where not all WLMA members' lots or parcels within a residential District have lakefront access, are subject to the application

requirements under the Application for Private/Group Dock Construction and Private/Group Dock Construction Revocable License Agreement and these Rules.

D. Temporary Use Transfers – The temporary use of watercraft and fishing Permits shall not be transferred, whether to tenants, guests, invitees, or otherwise. Temporary exclusive use of other category use rights may be transferred as provided herein, only, and such temporary use transfer shall not be considered a transfer of the right to use itself.

E. Temporary Use Transfer: Private dock – Temporary exclusive use of a WLMA approved private dock may be transferred, at WLMA member owner's choice, to and for exclusive use by residing tenant at that lot or parcel. Tenant receiving such temporary private dock use must own each watercraft (or be leasing watercraft under a written lease with the member) and have a current watercraft registration and insurance for any watercraft moored at the dock except a visiting watercraft. The WLMA member is responsible to ensure tenant is in compliance with these rules at all times. WLMA is not responsible to manage the landlord tenant compliance with these rules, and will address any violations or questions to such landlord responsible to manage their tenant.

F. Good Standing – A Lake User who is delinquent no less than thirty (30) days on payment of any lake use fees, fines, late fees, and/or interest to WLMA, or does not provide proof of continuous insurance, or has not timely complied with any WLMA hearing decision under the Rules, is considered not in good standing as a Lake User, until satisfying such obligations. In addition to the foregoing bases, a Lake User is considered not in good standing when the user is delinquent under the CC&Rs as to assessments or any other fees or penalties, until the user satisfies such obligations. Lake Permits are subject to cancellation, in WLMA's sole discretion, as to any Lake User who is not in good standing.

39. AUTHORITY. WLMA authority is held ultimately by its Board of Representatives and / or its Executive Committee. The LOM has been delegated authority to operate and manage the Lake subject to the CC&Rs, Rules and policies. All Lake Users are subject to the regulations of the California Department of Fish and Wildlife. WLMA is also required to comply with those regulations as they apply to the Lake and the habitat it supports within WLMA's jurisdiction. All Lake Users shall promote the stewardship of the Lake, and also not interfere with WLMA's duty to do the same within WLMA's jurisdiction discussed in these Lake Rules or other governing documents.

40. ACTIVITIES. The following applies to work and inspection activities by WLMA, its members, or by other Lake Users as to the Lake, docks, and boats.

A. WLMA has right of access onto any lakeshore lot to do Lake maintenance and repair work, and will endeavor to give advance notice except as to routine shoreline cleaning and maintenance. Residents should assure themselves that persons who enter their property

are WLMA employees or contractors, requesting identification from the workers or calling WLMA for identity verification.

B. WLMA exclusively conducts repair, maintenance, and alteration to the Lake shoreline, and WLMA members, as well as members' respective District HOAs, are prohibited from such activity.

C. Persons owning or otherwise in control of a dock or watercraft on the Lake or a property contiguous to the Lake, who hire part or full-time contractors or workers for dock, watercraft or other Lake-related work, are responsible for obtaining all appropriate insurance in advance of construction and / or services, and maintaining and/or verifying maintenance of that insurance including: general liability and casualty, specific construction, and workers compensation (homeowner policy or contractor's). Lake-related work other than on a person's watercraft or dock shall require that "Westlake Lake Management Association" be named as an "additional insured" on appropriate insurances. WLMA members and their respective District HOAs who seek to repair a dock or docks must have prior written approval from WLMA.

D. WLMA has the right of inspection of docks and watercraft, whether a WLMA member or other authorized Lake User places the watercraft on the Lake. The following CC&Rs sections apply by these Rules equally to all watercraft owners and other Lake Users (substitute term "Lake User" for the term "Member" in the two following Sections 7.8 and 11.3 so as to apply to all Lake Users):

a) "§7.8 Operational Inspection. WLMA's employees and other representatives shall have the right to enter onto Boats in the Lake for safety inspection upon giving notice sufficient to the involved Member to afford the opportunity for the Member or representative to be present at the inspection, and the right to cure violations under the Governing Documents in the event the Member does not so cure after reasonable notice and opportunity for the matter involved. The Association and its representatives conducting such noticed inspection and/or cure shall not be subject to liability for trespass. Nothing in this provision is meant to limit the Association's right to act in an emergency, including without notice, and to act without notice to conduct shoreline and other Lake maintenance and affix Boat stickers, which activities can occasion employees going upon Boat Docks and having access to Boats."

   Under the foregoing CC&Rs section §7.8, WLMA is not subject to liability during an inspection by reason of damage to persons or property except as limited under CC&Rs §11.3 (immediately below).

b) “§11.3 Safety and Security. Members shall be responsible for their own safety and security and shall take appropriate measures to ensure the safety and security of the persons and property of themselves, their family, tenants, guests and invitees, and to not jeopardize the safety and security of others. Members waive all claims against and hold harmless WLMA and its directors, officers, committee members, other volunteers, employees, and other representatives from any injury, loss or damage to persons or property unless the injury, damage or loss can be attributed to the negligence or willful misconduct of WLMA's directors, officers, committee members, other volunteers, employees or other representatives.”

E. In situations other than inspections described in Rule 40.D. above, WLMA is not responsible to Lake Users for physical damage or other loss to watercraft, equipment, personal property, or docks except that caused by the gross negligence or willful misconduct of WLMA representatives acting within the course and scope of such employment.

41. NOTICES. Notice required under these Rules or otherwise intended by WLMA’s governing documents shall be made in writing whether or not provided in any other form. Time provided to respond shall be stated in a Notice and shall begin the day after Notice is received. Notices shall be delivered: in person, by certified mail, return receipt requested, email (if confirmed receipt by receiving party), or by any other receipt delivery system. WLMA shall send notices, if not personally delivered, to the last record address of its member or other Lake User (and last known address if different). Where notice is given by a Lake User to WLMA, it shall be given to the WLMA office in writing. Among other matters of notice in these Rules, notice is required whenever there is assertion of violation (an “incident”) of Rules by a Lake User, including where there is potential penalty and / or loss of use of Lake.

42. ENFORCEMENT; REVIEW. Except for procedures allowed under Rule 10 above, the following procedures generally apply for incidents of violation of Rules by Lake Users.

A. Incident Notices. Demand that a Lake User correct a condition and / or cease conduct, or notice of a WLMA hearing on an incident, requires no less than fifteen (15) days advance notice. A notice to act or cease acting, and / or notice of hearing may be combined, stating reasons for combining the two notices into one. Further, a Lake User shall be given at least fourteen (14) days advance notice of any incident hearing decision before the day such decision (action/penalty) is to take effect.

B. Incidents. When imposing an action and / or penalty, WLMA may consider the number and nature of incidents committed, including the current one. It is possible for a Lake User to be cited for more than one offense within a single incident, and in the same

day, cited for more than one incident if distinctly separate (for example, by a time separation). Action and / or penalty guidelines shall not restrict the WLMA Executive Committee from taking other or alternate appropriate action. Each (asserted) incident (or multiple asserted offenses grouped as one incident) initially becomes an incident for all related actions and for hearing and penalty purposes when WLMA gives written notice of the matter to the Lake User(s) involved. Action directions by WLMA Lake Patrol personnel carrying out urgent operational matters under Rule 10 above are not by themselves an incident.

C. Hearing and Penalty. Incident hearing and penalty guidelines for Lake Users are as follows:

a) The Executive Committee shall generally apply progressive discipline. It retains sole discretion to escalate or waive discipline at any level when circumstances warrant, including the severity of the violation or any impact on health or safety.

b) Discipline is generally progressive, with a warning, if not a corrective condition demand, in the first (determined) incident, and respective monetary fines up to $250, $500, and $1,000, and / or respective loss of use of Lake for 30, 60 and 90 days for the second, third, and fourth incidents within a five calendar year period.

c) After the third incident within such a period, or under any other extraordinary circumstances, including a safety violation, the Executive Committee may refer any such violation to the Board to decide matters of the incident, including a finding of extraordinary circumstances, including a safety violation, and issue an immediate demand to correct without the warning letters above and fine up to $1,500 and / or the loss of use of the Lake for up to one year for WLMA members, and permanently for Lake Users (other than WLMA members), and the Board can review such a matter each year thereafter to consider if continuation of loss of use of the Lake is appropriate.

d) Any loss of use of the Lake may include alternatives as to a violator’s watercraft or dock and may include: padlocking watercraft to the owner's dock, community dock, or rented marina slip; impounding watercraft or dock at WLMA docks; or, if warranted, removal of watercraft or dock from the Lake and selling same via auction to satisfy any and all delinquencies.

e) In all determined incidents and demands to correct conditions, where damage is incurred due to the actions or inactions of Lake User, the Lake User shall reimburse all costs of matter-related damages incurred – repairs to watercraft, docks and other property, and comply with other measures as WLMA determines necessary for the safety and / or security of the Lake.

43. ALTERNATIVE DISPUTE RESOLUTION. Except for injunctive relief or the collection of assessments and fees, in the event a dispute or controversy should arise between WLMA and any WLMA member or other Lake User, the parties may pursue mediation; if not or mediation is unsuccessful, then the parties shall resolve the matter by binding arbitration, conducted under California Code of Civil Procedure §1280 et seq., but with right to full appellate judicial review (jurisdiction and venue to be in Ventura County) upon any party's request with decision support statement. All arbitration costs and fees shall be borne equally between the parties, however, at the conclusion, the Arbitrator may award reasonable costs and attorney's fees to the prevailing party, but shall not award punitive damages.

44. ASSUMPTION OF RISK; LIMITATION OF LIABILITY. Lake Users must understand the use of the Marina, slips, docks, racks and Lake is dangerous and the risks associated with bodies of water and docks, including illness from bacteria, personal injury (and death) and property damage. Lake Users ASSUME such risks and take FULL RESPONSIBILITY for any and ALL RISKS, whether caused in whole or in part by the active or passive negligence of WLMA or its officers, directors, employees, agents, and representatives. After reasonable opportunity to inspect the Marina, slips, docks, and / or racks, including dock facilities, floats, ramps, walks, gangways, and cleats, Lake Users, by using the Lake, are satisfied that the Marina, slips, docks and / or racks are adequate for safe mooring of Lake User's watercraft and by such use accept the slip, dock and / or rack as suitable for the purpose for which the right to use the Lake is granted by WLMA. Members and Lake Users understand and agree that as a condition to use of the Lake, WLMA, its officers, directors, agents, and members shall not be liable for any claims, costs, damages, injuries, or losses suffered by any Lake User while using the Lake, Marina, slips, docks, or any related facilities or property, including Perimeter Area, except where such claims or losses are directly caused by the gross negligence or willful misconduct of WLMA or its representatives acting within the scope of their authority. Lake Users assume all risks associated with Lake use and activities.

45. LAKE CODE OF CONDUCT. Hostile, abusive, threatening, or disruptive conduct by Lake Users toward others, including any WLMA representatives, is strictly prohibited on or around the Lake. Violations may result in fines, loss of Lake use, or other disciplinary actions as determined by WLMA.

46. **AMENDMENT.** These Rules and WLMA policies cannot be amended, repealed, or otherwise modified without the approval of no less than two-thirds (2/3) of all of the Board of Representatives at a noticed meeting.

These Lake Rules & Regulations, including other policies, helpful information, and contacts for any questions are posted on the WLMA website at www.westlake-lake.com and / or are available by visiting the WLMA office at: 32353 Triunfo Canyon Road, Westlake Village, CA 91361 (818) 889-5377.