

RESOLUTION NO. 2024-20

RESOLUTION AMENDING RESOLUTION NO. 2004-3 AND ALL SUBSEQUENT RESOLUTIONS RELATING TO WATERCRAFT AND USE OF THE LAKES

WHEREAS, the Cordry-Sweetwater Conservancy District (“CSCD”) is an Indiana Conservancy District organized and operated pursuant to I.C. 14-33; and,

WHEREAS, I.C. 14-33-5-20 provides in part that the Board of Directors of CSCD shall exercise general supervision of and make regulations for the administration of the affairs of CSCD; and,

WHEREAS, CSCD maintains and operates two (2) large lakes known as Cordry Lake and Sweetwater Lake (“Lakes”) as a part of its works of improvement; and,

WHEREAS, CSCD allows freeholders to utilize the Lakes for recreational purposes and the operation of motorized and non-motorized watercraft thereon; and,

WHEREAS, in order to provide for the health, safety, and welfare of individuals utilizing the Lakes, to protect the ecology of the Lakes, and to prevent erosion of shorelines and damage to private property located adjacent to the Lakes, the Board of Directors of CSCD adopted Resolution No. 2004-3 and subsequent Resolutions regulating the type of watercraft which may be operated upon the Lakes and regulating and prohibiting certain types of water-based recreation on the Lakes; and,

WHEREAS, the Board of Directors of CSCD now desires to codify, amend and restate the rules relating to watercraft allowed on the Lakes, the operation of watercraft, and the conduct of recreational activities on the Lakes.

NOW BE IT THEREFORE RESOLVED by the Board of Directors of the Cordry-Sweetwater Conservancy District that:

1. The following language contained in Resolution No. 2004-3 is hereby deleted in its entirety:

“USE OF THE LAKES

1. All Indiana title 14 Boating and Fishing Laws are hereby adopted by CSCD. More restrictive regulations may be enacted by CSCD. All Laws and Rules shall be enforced, including the following additions:

2. A decal must be purchased at the CSCD Office for each watercraft registered. A lot owner may register no more than four (4) watercraft. A lot owner may register only one (1) watercraft from each of the following classifications with the exception of class five (5). Up to three (3) will be allowed from class five (5), provided the total watercraft registered does not exceed four (4).

3. All watercraft shall be launched and loaded ONLY at the CSCD ramps.

4. No watercraft shall be stored overnight on any CSCD property, other than on the lake water.

5. An owner of an off shore lot within the CSCD, not abutting either lake, shall have the right of access to or from the lakes ONLY at the CSCD ramps. Off shore lot owners shall not store any watercraft overnight on either lake.

WATERCRAFT CLASSIFICATION CODE

POWERED WATERCRAFT:

1. Power or Speed Boat – no longer than 19 ft.
2. Pontoon Boat – no longer than 28 ft.
3. fishing Boat - no longer than 19 ft. Fishing boats with motors greater than 30 H.P. purchased and registered after March 31, 1990, will be classified as a power/speed boat. A fishing boat purchased and continuously registered with the CSCD before March 31, 1990, can be classified as a fishing boat regardless of H.P.
4. Personal watercraft, Jet Ski, Wave Runner, or other similar craft are prohibited with the exception of those purchased and continuously registered with CSCD before January 1, 1994. Personal watercraft must be inspected by a Deputy Sheriff when decals are issued. The decals must be attached to the craft at the time of inspection. Manufacturers I.D. numbers will be checked. Decals will not be issued for replacement of personal watercraft.

Personal watercraft, Jet Ski, Wave Runner, or other similar craft decals may be renewed until:

- a. The craft is sold or traded.
- b. Ownership is transferred in any manner, including estate, will or operation of law.
- c. The craft becomes inoperable.
- d. Lot owner fails to maintain a current decal.

NON-POWERED WATERCRAFT:

5. Paddle boats rowboats, windsurfer, kayaks, and canoes. A lot owner may register no more than three (3) craft in this classification. Proof of purchase of non-motorized craft will be the Affidavit proving ownership.
6. Sailboat with mast – no longer than 17 ft.

PROHIBITED WATERCRAFT:

1. Houseboats of any size.
2. Airboats, hovercraft, or similar watercraft.
3. Watercraft of any size with sleeping quarters, galleys, ~~toiles~~ toilets or cabins.
4. Watercraft designed to create large wakes, or watercraft that have been modified to create a large wake.

REQUIRED DECALS AND LOT NUMBERS

1. Decals are issued to lot owners 18 years of age or older. Watercraft without a valid registration and current decals will not be allowed on the lakes. Lot owners may obtain decals at the CSCD Office during regular hours by completing a notarized affidavit of ownership accompanied by proof of ownership. Satisfactory proof of ownership is the title to the craft, or application for title and/or current registration.

2. Decals are the property of the CSCD. A fee will be charged to lease the decals for a period of two (2) years.

3. The identification decals must be placed on each side of the craft according to the diagram furnished at the time of registration.

4. Prior to being allowed on the lakes, all watercraft must have their primary lot letters and numbers attached and clearly visible to both sides of the craft. The lot numbers must be in plain block lettering, at least three (3) inches in height, and in a color in contrast with the craft. The decal and lot numbers must be placed on the watercraft according to the diagram provided.

5. All boat trailers parked at the ramps must have two (2) inch clearly visible reflective lot letters and numbers attached to the tongues left side. This will identify the lot owners privileged to use the lakes and to prevent unauthorized boating and/or fishing.

6. Decals can be revoked due to violation of the boating rules and regulations, or for tampering with the decals. Three (3) warning tickets issued within a one (1) year period will lead to the immediate revocation and removal of the decal. A lot owner whose boating privileges have been revoked from one (1) or more of their watercraft, is prohibited from operating any craft on either lake until the decal is reinstated.

The lot owner may appear at a hearing before the Security Commission, at the regularly scheduled meeting, to determine why the privileges should or should not be reinstated. The Board shall hear the recommendations of the Security Commission and may impose any or all, but not limited to the following:

- (a) Revocation of said decal up to one (1) year.
- (b) Limited use of watercraft.
- (c) Probationary period not to exceed one (1) year.
- (d) Replacement of the decal at twice the current initial fee providing privileges have been reinstated.
- (e) Prosecution by means of Civil or Criminal Court.

7. The Board shall retain a written report of the entire incident, their findings and determinations.

8. When a lot owner sells a lot within the CSCD, all watercraft decals assigned to that lot must be turned into the CSCD Office. It is the lot owners (seller) responsibility to turn in the current decals.

OPERATION OF WATERCRAFT

1. All operators of motorized watercraft must have a valid driver's license and shall observe the following traffic rules in addition to the Indiana Boating Rules:

(a) In coves, bays, and waters designated as idle or no wake zones, persons must operate their craft at the slowest possible speed, not exceeding five (5) MPH, whereby the wake or wash created is minimal.

(b) Watercraft leaving an idle zone, dock, pier, shore or ramp, shall yield the right of way to watercraft underway.

(c) Watercraft must follow a counter-clockwise pattern. Turn right and enter the pattern before crossing the line of traffic.

(d) No watercraft shall be moored or anchored to a buoy, or moored or anchored in any location that impedes the flow of traffic or presents a danger to persons or property.

(e) No watercraft shall be moored or anchored within the ski area during green light periods.

(f) No "DONUTS", tight circular or other erratic patterns will be permitted except to retrieve downed tuber or skier.

(g) Watercraft under headway over ten (10) MPH shall remain at least fifty (50) feet from shorelines, beaches, one hundred (100) feet from dams and spillways, thirty (30) feet from other watercraft, and shall stay clear of all buoys.

(h) No watercraft will be permitted to speed over forty (40) MPH on weekends and legal holidays.

(i) Sailboats under sail, windsurfing craft, kayaks, canoes, paddle boats, and all other non-motorized craft should not operate in the ski areas during the green light period.

(j) No occupant of watercraft underway shall be permitted to sit or stand on the gunwales, seat backs or stand on the craft's bow, except for the purpose anchoring, mooring or casting off.

(k) No dangling of legs or feet in the water while watercraft is in motion.

(l) The continual use of bright lights on any craft, except for emergencies or docking is discouraged.

(m) Power loading at the ramps is not recommended, since it destroys ramp approaches.

(n) A life preserving floatation device must be on board for each occupant. It is recommended that children six and under have on a life jacket when underway.

(o) No unnecessary sounding of whistles or horns, unless used as a warning to persons or watercraft in immediate danger.

(p) No person shall operate watercraft while under the influence of intoxicating liquor or drugs, in violation of Indiana Code IC 14-15-8; 9-30-5-10. An operator suspected of DUI will be subject to a series of tests for intoxication. Refusal of testing or a finding of guilt will result in criminal arrest and removal off boating decals and loss of lake privileges.

CONTROL LIGHTS AND SIGNS

1. RED means no person is permitted to use the lakes for boating. No boats are permitted to operate on the lakes when the light is RED.
2. YELLOW indicates that the lakes are open for idle speeds only.
3. GREEN means the areas are open to boaters for skiing, tubing, cruising and other authorized activities.
4. All signs pertaining to use of the lakes, beaches, parks and marinas must be obeyed.
5. A RED LIGHT displayed on the Lake Patrol Crafts mean to stop immediately. Failure to stop constitutes fleeing law enforcement and may result in arrest.

RULES FOR SKING, TUBING, KNEED BOARDING, WAKE BOARDING AND OTHER TOWING DEVICES

1. No watercraft shall tow a skier or persons on any other device, unless the watercraft is occupied by an operator and at least one other competent person (observer). The observer shall give their full attention to watching the objects and persons being towed. The operator must give heir full attention to operating the watercraft safely.
2. A plain RED or ORANGE flag must be displayed by the observer whenever a person or object is down in the water. The flag must be at least twelve (12) by twelve (12) inches of a flat flexible material and visible 360 degrees around the watercraft.
3. No watercraft shall pull more than two (2) people at one time. No towed devices shall carry more than two (2) persons at one time.
4. Purposely dropping of skies is prohibited. Any ski dropped must be retired immediately.

5. Personal watercraft shall not tow any object in the water. All personal watercraft will follow the same traffic as required by all watercraft. Personal watercraft shall not trail within one hundred (100) feet of other watercraft, skier, or towing device. Personal watercraft must remain at least twenty-five (25) feet from other craft when passing or going along side of other watercraft.

6. Towing a ski kite or similar device is not permitted.
The lot owner is responsible for all persons operating the watercraft, registered to their lot. Lot owner must inform their guests of all State and CSCD boating Rules and Regulations.”

AND IN LIEU OF THE DELETED LANGUAGE, ADOPT THE FOLLOWING LANGUAGE:

CLASSIFICATION OF WATERCRAFT:
POWERED WATERCRAFT

1. Power or Speed Watercraft – less than 21 ft. in length weighing no more than 3,495 pds. The length and weight of the watercraft shall be determined by reference to the JD Powers Boat Database at <https://www.jdpower.com/boats/manufacturers> , or the weight and length of the watercraft as stated by the manufacturer’s specifications. If the length or weight of the watercraft stated in the JD Powers Database differs from the weight and length stated in the manufacturer’s specifications, the lesser weight and length shall be considered the true weight and length of the watercraft. Watercraft classified as Power or Speed Watercraft purchased prior to September 24, 2024, whose weight does not exceed 3,495 pounds dry weight for which a decal could have been issued pursuant to the rules in existence at the time of the purchase are considered grandfathered and may receive decals or renewal decals as allowed pursuant to the rules relating to grandfathered watercraft provided for herein.

2. Pontoon Watercraft – 24 ft. or less in length, with a maximum engine horsepower of 100 HP. No expanding or retractable pontoon decks are permitted. The length of the watercraft is presumptively established by reference to the JD Powers Boat Database at <https://www.jdpower.com/boats/manufacturers>, or the length of the watercraft as stated by the manufacturer’s specifications. If the length stated in the JD Powers Boat Database differs from the length stated in the manufacturer’s specifications, the lesser length shall be considered the true length of the watercraft. Pontoon watercraft purchased and continuously registered with CSCD before the effective date of this Resolution may receive renewal decals as allowed pursuant to the rules relating to grandfathered watercraft provided for herein.

3. Fishing Watercraft – no longer than 19 ft., with a maximum engine horsepower of 40 HP. Fishing watercraft with engines greater than 40 HP will be classified as a power/speed watercraft. Watercraft purchased and continuously registered with CSCD before March 31, 1990, are considered fishing watercraft regardless of horsepower and are considered grandfathered and may receive renewal decals as allowed pursuant to the rules relating to grandfathered watercraft provided herein.

4. Personal watercraft, Jet Ski, Wave Runner, or other similar craft, including, but not limited to watercraft described as personal watercraft herein, are prohibited, except that personal watercraft purchased and continuously registered with CSCD before January 1, 1994, may receive renewal decals as allowed pursuant to the rules relating to grandfathered watercraft provided for herein.

NON-POWERED WATERCRAFT

1. Paddle boats, rowboats, windsurfer, kayaks, and canoes. A lot owner may register no more than six (6) watercraft in this classification. Proof of purchase of non-motorized watercraft will be the Affidavit proving ownership.
2. Sailboat with mast – no longer than 17 ft.
3. Watercraft utilizing DC electric propulsion as the sole means of propulsion are considered non-motorized watercraft, provided, however, that the motor may not produce more than 100 ft. lbs. of thrust as stated in the manufacturer's specifications. Notwithstanding anything herein contained, motorized hydrofoils are not considered non-motorized watercraft.

PROHIBITED WATERCRAFT

1. Houseboat of any size.
2. Airboats, hovercraft, or motorized hydrofoils, or similar watercraft.
3. Personal watercraft, including, but not limited to, jet skis or wave runners.
4. Watercraft of any size with sleeping quarters, galleys, toilets or cabins.
5. Wake boats or watercraft designed or modified to create large wakes, including, but not limited to, watercraft designed with hulls and ballast systems, hydrofoil technology, wedges, surf caps, wake shapers, v-drives, and any other device or construction intended by the manufacturer or utilized by the operator of the watercraft to create a large wake.

REQUIRED DECALS AND LOT NUMBERS

1. Decals are issued to freeholders eighteen (18) years of age or older. Watercraft without a valid registration and current decals will not be allowed on the Lakes. Freeholders may obtain decals at the CSCD Office during regular hours by completing a notarized affidavit of ownership accompanied by proof of ownership. Satisfactory proof of ownership is the title to the watercraft, or application for title and/or current registration.
2. Decals are the property of the CSCD. A fee will be charged to lease the decals for a period of two (2) years.
3. The identification decals must be placed on each side of the watercraft according to the diagram furnished at the time of registration.
4. Prior to being allowed on the Lakes, all watercraft must have their primary lot letters and numbers attached and clearly visible to both sides of the watercraft. The lot numbers must be in plain block lettering, at least three (3) inches in height, and in a color in contrast with the watercraft. The decal and lot numbers must be placed on the watercraft according to the diagram provided.

5. All boat trailers parked at the ramps must have two (2) inch clearly visible reflective lot letters and numbers attached to the tongues left side. This will identify the freeholders privileged to use the Lakes and to prevent unauthorized boating and/or fishing.

6. When a freeholder sells a lot within the CSCD, all watercraft decals assigned to that lot must be turned into the CSCD Office. It is the freeholder's (seller's) responsibility to turn in the current decals.

7. To be issued an initial decal or initial beach pass, an applicant must first take and pass with a perfect score the Zebra Mussel Awareness Course required by Resolution No. 2023-12. This Resolution (Resolution No. 2024-20) does not amend or repeal any provision contained in Resolution No. 2023-12.

8. To obtain an initial watercraft decal, an applicant must first take and pass with a perfect score the Cordry-Sweetwater Conservancy District and State of Indiana Boating Safety Test as required by Resolution No. 2024-7. An applicant for an initial decal may take the test multiple times until a perfect score is achieved. Freeholders who have passed the test and have been issued a decal are not required to re-test to renew the decal unless the test is different than the test set forth in Exhibit "A" to Resolution No. 2024-7. If, at the time a freeholder applies for a renewal decal, the test set forth in Exhibit "A" to Resolution No. 2024-7 has changed, the applicant for the renewal decal must take the revised test and correctly answer each question. An applicant for a renewal decal who is required to re-test may take the test multiple times until a perfect score is achieved. This Resolution (Resolution No. 2024-20) does not amend or repeal Resolution No. 2024-7.

9. Watercraft designated as grandfathered pursuant to this Resolution may receive renewal decals unless:

- (a) The watercraft is sold or traded; or,
- (b) Ownership is transferred in any manner, including, but not limited to, by gift or operation of law; or,
- (c) ~~The watercraft becomes inoperable;~~ or, The watercraft's decal has expired.

REVOCATION OF DECALS

1. Decals can be revoked due to violation of the boating rules and regulations, or for tampering with the decals. Except for violation of the rules prohibiting wake watercrafts, wake surfing, ~~and~~ the intentional operation of watercraft to create a large wake, and for violation of Resolution No. 2023-12 relating to Zebra Mussels, three (3) ~~warning~~ tickets issued within a one (1) year period will ~~lead to~~ result in the immediate revocation and removal of the decal. One (1) violation of the rules prohibiting wake watercraft, wake surfing, ~~and~~ the intentional operation of a watercraft to create a large wake, and Resolution No. 2023-12 relating to Zebra Mussels will ~~lead to~~ result in the immediate loss of lake/beach privileges for three hundred sixty-five (365) days from the date of the offense and forfeiture of all boat stickers for three hundred sixty-five (365) days from the date of the offense. ~~revocation and removal of the decal.~~ An owner of a watercraft whose decal has been revoked is prohibited from operating any watercraft on either Lake until the decal is reinstated.

A freeholder whose decal has been revoked may appear at a hearing before the Security Commission, at a regularly scheduled meeting, to determine why the decal should or should not be reinstated. The Security Commission shall make a recommendation to the CSCD Board of Directors who shall consider the recommendation at the next CSCD Board of Directors meeting. The owner of the watercraft whose decal has been revoked may appear before the CSCD Board and object to the revocation of the decal. After considering the facts and circumstances of the violation, the recommendation of the Security Commission, and any information presented by the owner of the watercraft whose decal has been revoked, the CSCD Board of Directors may take the following action:

- (a) Find in favor of the owner of the watercraft and order the decal immediately reinstated.
- (b) Revoke the decal for up to one (1) year commencing upon the date of the initial revocation of the decal.
- (c) Limit the use of watercraft.
- (d) Impose a probationary period under terms and conditions determined by the CSCD Board for a period of time not to exceed one (1) year commencing upon the date of the initial revocation of the decal.
- (e) Order that a decal be reissued for the watercraft at twice the current initial fee charged for the decal.

The Board shall retain a written report of the entire incident, their findings and determinations.

2. When the owner of the watercraft is no longer a freeholder within CSCD, all watercraft decals assigned to the former freeholder must be returned to the CSCD Office. It is the former freeholder's responsibility to return to the CSCD Office all current decals.

OPERATION OF WATERCRAFT

1. All operators of motorized watercraft must have a valid driver's license and shall observe the following traffic rules in addition to the Indiana Boating Rules:

- (a) In coves, bays, and waters designated as idle or no wake zones, persons must operate their watercraft at the slowest possible speed, not exceeding five (5) MPH, whereby the wake or wash created is minimal.
- (b) Watercraft leaving an idle zone, dock, pier, shore or ramp, shall yield the right of way to watercraft underway.
- (c) Watercraft must follow a counter-clockwise pattern. Turn right and enter the pattern before crossing the line of traffic.
- (d) No watercraft shall be moored or anchored to a buoy, or moored or anchored in any location that impedes the flow of traffic or presents a danger to persons or property.

(e) No watercraft shall be moored or anchored within the ski area during green light periods.

(f) No “DONUTS”, tight circular or other erratic patters will be permitted except to retrieve downed tuber or skier.

(g) Watercraft under headway over ten (10) MPH shall remain at least fifty (50) feet from shorelines, beaches, one hundred (100) feet from dams and spillways, thirty (30) feet from other watercraft, and shall stay clear of all buoys.

(h) No watercraft will be permitted to speed over forty (40) MPH on weekends and legal holidays.

(i) Sailboats under sail, windsurfing watercraft, kayaks, canoes, paddle boats, and all other non-motorized watercraft should not operate in the ski areas during the green light period.

(j) No occupant of watercraft underway shall be permitted to sit or stand on the gunwales, seat backs or stand on the craft’s bow, except for the purpose anchoring, mooring or casting off.

(k) No dangling of legs or feet in the water while the watercraft is in motion.

(l) The continual use of bright lights on any watercraft, except for emergencies or docking, is discouraged.

(m) Power loading at the ramps is not recommended, since it destroys ramp approaches.

(n) A life preserving floatation device must be on board for each occupant. It is recommended that children six (6) and under have on a life jacket when underway.

(o) No unnecessary sounding of whistles or horns, unless used as a warning to persons or watercraft in immediate danger.

(p) Watercraft may only be launched at launching areas designated as such by the Cordry-Sweetwater Conservancy District.

(q) A watercraft may not be operated in such a manner as to create a large wake unless the watercraft is towing a skier, tuber or wake boarder, and the individual or item being towed is attached to the watercraft by means of a rope or other tethering device.

(r) No person shall operate watercraft while under the influence of intoxicating liquor or drugs, in violation of Indiana Code IC 14-15-8; 9-30-5-10. An operator suspected of DUI will be subject to a series of tests for intoxication. Refusal of testing or a finding of guilt will result in criminal arrest and removal off boating decals and loss of Lake privileges.

CONTROL LIGHTS AND SIGNS

1. RED means ~~no person is permitted to~~ that use of the Lakes is restricted and limited to watercraft whose sole means of propulsion is provided by the occupant or occupants of the watercraft. ~~for boating.~~ Watercraft propelled by gasoline engines, electric motors, wind, or any other form of propulsion except that provided by the watercraft's occupant or occupants may not utilize the Lakes during RED light periods. ~~No watercraft are permitted to operate on the Lakes when the light is RED.~~
2. YELLOW indicates that the Lakes are open for idle speeds only.
3. GREEN means the areas are open to boaters for skiing, tubing, cruising and other authorized activities.
4. All signs pertaining to use of the Lakes, beaches, parks and marinas must be obeyed.
5. A RED LIGHT displayed on the Lake Patrol Crafts means to stop immediately. Failure to stop constitutes a violation of these rules.

RULES FOR SKING, TUBING, KNEED BOARDING, WAKE BOARDING AND OTHER TOWING DEVICES

1. No watercraft shall tow a skier or persons on any other device, unless the watercraft is occupied by an operator and at least one other competent person (observer). The observer shall give their full attention to watching the objects and persons being towed. The operator must give their full attention to operating the watercraft safely.
2. A plain RED or ORANGE flag must be displayed by the observer whenever a person or object is down in the water. The flag must be at least twelve (12) by twelve (12) inches of a flat flexible material and visible 360 degrees around the watercraft.
3. No watercraft shall pull more than two (2) people at one time. No towed devices shall carry more than two (2) persons at one time.
4. Purposely dropping of skies is prohibited. Any ski dropped must be retired immediately.
5. Personal watercraft shall not tow any object in the water. All personal watercraft will follow the same traffic as required by all watercraft. Personal watercraft shall not trail within one hundred (100) feet of other watercraft, skier, or towing device. Personal watercraft must remain at least twenty-five (25) feet from other craft when passing or going along side of other watercraft.
6. Towing a ski kite or similar device is not permitted.
7. Wake surfing is prohibited. By way of example and not limitation, wake surfing is defined as a water sport in which a rider trails behind a watercraft, riding the watercraft's wake without being directly pulled by the watercraft. All persons being engaged in any water sport with the assistance of a motorized watercraft being pulled behind the vessel must utilize a tow rope.

8. Ropes or lines utilized to tow skiers or wake boarders or equipment utilized for recreational purposes that are towed behind a watercraft must be attached to the watercraft by a tow rope at least 40 feet in length measured from the point of the rope’s attachment to the watercraft to the point where the rope is held by the skier or wake boarder or attached to the device that is being towed.

9. The individual to whom the decal is issued is responsible for all persons operating the watercraft. All individuals to whom decals have been issued must inform their guests of all State and CSCD Boating Rules and Regulations and ensure compliance with those rules and regulations.

- 2. All Resolutions adopted subsequent to the adoption of Resolution No. 2004-3 in conflict with this Resolution are hereby repealed.
- 3. This Resolution shall be in full force and effect from and after its passage.

ADOPTED this _____ day of _____, 2024.

CORDRY-SWEETWATER CONSERVANCY DISTRICT
BOARD OF DIRECTORS

Aye Nay

Aye Nay

Michael Leavitt, Chairman

Aaron Parris, Vice-Chairman

Ted Adolay, Secretary

Randy Brumfield, Member

Mark Rasdall, Member

Pat Sherman, Member

Jim Maulden, Member