



Indian Lake Borough

Office of the Mayor

LAKE CLOSURE

The lake is closed to ALL recreational boat traffic from Monday June 22 through Wednesday June 24. Weed treatment is occurring. Not only is it unsafe to be in the water, but the disturbance to the lake diminishes the effect of the treatment. As the treatment is costly, please help by staying off of the lake.

HOUSE CHECKS

As a service to homeowners, our police officers routinely perform house checks for those who come to the lake infrequently or who will be away for a defined period. Send an e-mail to Officer Rigby at police@indianlakepa.us if you want your house checked either for a specific period or periodically on an ongoing basis. Provide your name, the address of the property at the lake, and the time-period that you wish the police to perform checks. The department currently performs over 150 such checks per month.

BOATING AFTER DARK

All are reminded, especially those that plan to view the Fireworks display on 4th of July weekend from the lake, that you may operate a boat on the lake only at NO WAKE SPEED at night. Be sure to check that navigation and anchor lights are working. Additionally, PWC (jetski's) and other watercraft without navigational lighting may not be operated during these times. If traveling the lake at night, it is not appropriate or legal to operate your boat with your mooring/docking lights turned on. While I know they seem to make great headlights, they prevent an oncoming boater from seeing the red/green navigation lights and therefore present a potentially hazardous condition. We traditionally have complaints each year of boats speeding up and down the lake after dark - as late as 3 or 4 in the morning, playing loud music or blowing loud air-horns. Not only does such conduct violate boating regulations (Ordinance 116) and our Nuisance Ordinance (Ordinance 105), such conduct is very dangerous not to mention annoying to others. It is hoped that all enjoy the lake but do so responsibly and in a manner respectful of our Ordinances and your neighbors.

FIREWORKS

As you all know, the Indian Lake Service Corporation legally contracts with a professional company to provide our annual fireworks display. This company is licensed to use "display fireworks", is insured and has a permit issued by the Borough in order to legally conduct their display.

Unlike our neighboring states, Pennsylvania has very restrictive rules on the types of pyrotechnics that are permissible for private use. PA permits residents to purchase and use only sparkler and novelty items that are not classified as either Consumer or Display Fireworks. Additionally, it is illegal to transport Consumer or Display fireworks from another state into PA.

In order to avoid injury (to yourself or others) or fire risk from the illegal transport and use of pyrotechnic fireworks, our Police officers and the State Police will be on the lookout (from both the lake and on land) for anyone violating the PA Fireworks Law. If you have a complaint regarding such use by neighbors, please call 911 so that an officer can be dispatched.

So that all may be better information regarding the PA Fireworks Law, the following frequently asked questions from the PA State Police website may be helpful:

Q: Can I use fireworks in Pennsylvania?

A: State law prohibits the use of Consumer and Display Fireworks in Pennsylvania without a permit. Items defined as “ground and hand-held sparkling devices”, “novelties” and “toy caps” in American Pyrotechnics Association (APA) Standard 87-1 are not currently regulated by State Law; therefore, their sale and use are permissible. These “non-fireworks” are the only types allowed to be sold from tents, stands, convenience stores, retail establishments and other various outlets not licensed by the Department of Agriculture. (Title 35, Chapter 13A, Sections 1271 & 1275)

Q: Can I buy regular fireworks – not sparklers or novelty items -- under any conditions?

A: This answer depends on whether or not you are a Pennsylvania resident.

Pennsylvania residents: May purchase Consumer Fireworks only with a display permit issued by the municipality wherein the display will take place.

Non-residents: An amendment to the Fireworks Law, effective November 30, 2004, makes it legal, upon proof of out-of-state residency status, to purchase Consumer Fireworks from a facility licensed by the Pennsylvania Department of Agriculture provided the Consumer Fireworks **are transported directly out of state by the seller or purchaser.** (Title 35, Chapter 13A, Section 1275) *(Note: this means that while an out-of-state resident may purchase such fireworks, they cannot be used in PA without a display permit from the Borough).*

Q: How do I get a permit for a fireworks display?

A: The Commonwealth does not issue permits for firework displays and does not oversee the issuance of permits by the municipalities. **A permit for a fireworks display must be obtained from the municipality where the display will take place.** The municipality is the only governing body with authority to issue this permit under reasonable rules and regulations adopted by them. Upon inspection of the display site by the fire chief, or other designated officer, and the posting of a bond of at least \$500 for any possible damages, the municipality may issue a permit to a person they deem competent. *(Note: Indian Lake traditionally requires an insurance bond that lists Indian Lake Borough as an additional insured and only permits the annual display from the breast of the dam, which is performed with on-premise supervision of the Shanksville Fire Department).*

If you are hiring someone to perform the display, that person or corporation must be registered with the Pennsylvania Office of Attorney General. **If you are not hiring someone, you can attempt to obtain the status of “competent operator” from the municipality where the display will take place.** Questions concerning display permits should be directed to the appropriate municipality.

Any business entity that performs, provides or supervises fireworks displays or exhibitions for profit must register annually with the Office of Attorney General. For more information, contact the Office of Attorney General, Criminal Law Division, at (717) 787-3391. (Title 35, Chapter 13A, Sections 1273, 1274, 1275.2 & 1276.2)

Q: Who enforces the Fireworks Law?

A: Any Law Enforcement Officer having jurisdiction may make an arrest and confiscate fireworks under the Fireworks Law. To report a violation of the Fireworks Law contact the Police Department servicing your area as would to report any other crime. (Title 35, Chapter 13A, Section 1278)

<http://www.psp.pa.gov/public-safety/Pages/fireworks-safety.aspx#>

The italicized "Note" comments were added to the information obtained from the State Police Website.

FISHING ORDINANCE:

As a correction to the information in my May newsletter, the guest fishing permits are FREE. It is a replacement permit that costs \$5.00. Sorry for any confusion.

GOLF CARTS AND ATVs

Despite the detailed attention placed on this issue in the last newsletter, we are still having a problem with ATVs on the roadways. We have had complaints of ATVs traveling on the road, some at high speed. Not only is this dangerous to the operators, but given the pedestrian and vehicle traffic, there is high potential for injury. There is an excellent ATV park where you can enjoy the use of your ATV within a mile of the Borough and where you can operate legally. Therefore, I give you fair warning – if you get caught by police or are reported to police for illegal operation on the roadways, you will be cited. No warnings will be given.

HOLIDAY WEEKEND BOATING

Fourth of July weekend is soon upon us and all can expect it to be busy on the lake. Let's all be mindful of safety first. Here are a few tips that will hopefully make the lake safe and enjoyable for all.

- **No wake traffic – stay out of the middle of the lake during peak traffic times!** - If you are traveling at no wake speed, you can help ease the pressure on the lake by traveling closer to shore. The 100' restriction applies at above wake speeds. To avoid swimmers, stay 50' away from the shore and/or docks.
- **There is a speed limit!** There is a 40 mph speed limit on the lake. Most frequent violators are jet skis. Faster than that, you lose the ability to react to an emergent situation.
- **Traffic Pattern is Counter-Clockwise!** While this should be well-known by all it is surprising to see the number of people that travel on the wrong side of the lake. The closer shoreline should be on the right side of the boat.
- **No S-Turns in the Narrows:** The "narrows" is relatively short section of the lake on the northern side. It is only approximately 450' wide, which leaves 200' of navigable width when traveling above wake speed. Traffic gets congested here and gets positively dangerous when the lake is busy and boats towing tubes are performing "S" curves in this area.
- **Be on the Lookout for Swimmers and Downed Skiers:** Boaters need to be vigilant for downed skiers/tubers/wakeboarders etc. If your skier is down, be watchful for other traffic before turning to recover your downed skier. If there is traffic – stop and then turn. A high speed turn at speed doesn't get you back to the skier any faster, and will only likely put you in someone else's way. If you are down, be sure to hold your arms up and over your head not only to signal your boat that you are okay, but so that other boats can see you.

Let's all be responsible so that everyone can enjoy the holiday weekend and the rest of the summer safely.

/s/

Michael Miscoe

Mayor, Indian Lake Borough