

York Woods Community Association

RULES & REGULATIONS

From the Declaration of Protective Covenants

And

The Village of Oak Brook Village Code

In Addition to

York Woods Community Association Board Procedures

Preface

The following Rules and Regulations are believed to be restatements and reasonable interpretations and implementations of existing provisions of the York Woods Declaration of Protective Covenants or Village of Oak Brook Code. In the event any rule is found to be a new rule and not just a reasonable interpretation or a restatement of an existing covenant or code, the rule will not be enforceable. The intent of this document is to provide the residents of York Woods and the members of the York Woods Community Association (YWCA) with clear and practical guidance for day to day living.

Membership in the York Woods Community Association runs with the property. Each buyer of property within York Woods is bound by the governing documents of the Association that include the Declarations of Protective Covenants, effective October 4, 1962. Homeowners who oppose a particular rule or regulation are asked to keep the following points in mind:

Living in an Association means one must adhere to certain Rules and Regulations due to the necessity for architectural conformity and the demands of the Declaration and By-Laws, which exist for the benefit of our community and helps to maintain our property values.

You have the right to petition the community to change a regulation if you feel that a particular regulation no longer applies or is unduly restrictive of the majority.

If you are found in violation and are fined, remember this action is taken because the majority of homeowners in York Woods consider it to be just and proper.

Effective Rules & Regulations requires the cooperation of all residents of the Association. The best approach to resolving a difference with a neighbor is to talk to your neighbor directly. However, should this not resolve the problem, an official complaint can be filed with the Management Office. Each resident's cooperation and participation is encouraged. This is your Association and these are your rules.

Vision Statement

The vision of the York Woods Community Association for York Woods is a community of attractive and well maintained homes and landscaping, reflective of the nature and appearance of an upscale community such as Oak Brook and in keeping with Paul Butler's vision of Oak Brook as a world class community.

Mission Statement

The mission of the York Woods Community Association (YWCA) is to maintain, promote and preserve the desired character of York Woods as an upscale community of attractive and well maintained homes and yards as set forth in the vision statement and in the best interests of the homeowners.

Achievement of this mission will give to all homeowners the ability to enjoy the benefits of property ownership in a community which enjoys high and consistent standards.

Achievement of this mission will be accomplished through the administration of the governing documents, The YWCA Rules and Regulations, and the Village of Oak Brook Municipal Code.

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YORK WOODS COMMUNITY ASSOCIATION RULES & REGULATIONS

SECTION I – INTRODUCTION

- 1.1 The following Rules & Regulations are restatements, reasonable interpretations, and implementations of the Declaration of Protective Covenants dated October 4, 1962 and of Oak Brook Village Code.
- 1.2 To the extent that the provisions of applicable law (federal, state or local), the Declaration, By-Laws or the Rules & Regulations are in conflict, the provisions of applicable law shall first control followed by the provisions of the Declarations, the By-Laws and the Rules & Regulations, in that order.
- 1.3 These Rules & Regulations are binding on all Home Owners, Residents, their Families and Guests. The Home Owner is responsible for communicating the Rules & Regulations to occupants and guests and will be liable for fines incurred and/or damages caused by occupants and guests.
- 1.4 New rules & regulations can only be adopted by vote of 2/3 of the membership of the association as per Article VI of the Declaration of Protective Covenants dated October 4, 1962.

SECTION II - DEFINITIONS

- 2.1 **Association:** Refers to York Woods Community Association.
- 2.2 **Assessments:** The amount due from each owner to fund Common Expenses.
- 2.3 **Board of Directors:** Consists of seven members of the community elected by the Association. They are responsible for the direction and administration of the York Woods Community Association. Each member of the Board shall be an owner and shall reside on the property.
- 2.4 **By-Laws:** Contains regulations for the administration and management of the Association. It is recorded along with the DPCs with DuPage County against all properties within York Woods.
- 2.5 **DPC or Declaration of Protective Covenants:** Abbreviation which refers to the Declaration of Covenants, Conditions, and Restrictions that has been recorded with DuPage County against all properties within York Woods. The legal document that creates the plan for the Association provides for restriction of owner's rights, deed covenants/restrictions. It sets up the owners/association relationship and binds property owners both present and future.
- 2.6 **Common Area:** Includes the entrance ways and the retention area.
- 2.7 **Property Manager:** A professional hired by the Board of Directors to manage the day-to-day affairs of the Association.

Go to www.yorkwoods.org for the current property manager name and address.
- 2.8 **Properties:** All real property, common and private, within the York Woods Community Association as defined in the DPC.

SECTION III - GENERAL RULES

3.1 Antennas

No exterior antennas, aerials or other apparatus (except as expressly permitted by FCC regulation) for the transmission of television, radio or other signals of any kind are allowed. Where such installation is expressly permitted by FCC regulations, the installation may not encroach on common areas. (DPC Article IV sec. 11)

3.2 Basketball Hoops

Basketball hoops may be portable basketball standards or permanently installed pole standards. Standards must be properly maintained, with no visible rust, and no missing or torn nets. Prior to the installation of a basketball hoop the homeowner must verify with the Village that its placement conforms to Village Code.

3.3 Clotheslines

Laundry drying equipment shall not be erected or used outdoors, whether attached to a building or structure. (DPC Article IV sec. 11)

3.4 Contractor Working Hours

No person or entity may work on any permit subject to the regulations of this section in any residential area within the village except between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M. Monday through Friday and between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. on Saturdays. Contractor trucks, trailers and all other equipment or materials must be removed from streets each evening. All work on permit projects is prohibited on Sundays. (OB Village Code 10-1-6)

3.5 Fireworks

Fireworks as defined in 425 ILCS 35/1 are prohibited by State and Village code. (OB Village Code 6-1-18)

3.6 Fences

A building permit is required for the installation of any fence. The maximum height for most fences is 42 inches and must be at least 50 percent open. Fences around swimming pools must be a minimum of 48 inches in height. The use of chain link fencing is prohibited as are fences in front or side yards. (OB Village Code 13-3-6)

3.7 Garage Sales Signs and Nameplates

Residents must comply with the Village of Oak Brook rules regarding Garage Sales. No "Garage Sale" signs may be placed at entryways or other off-premises areas. Pennants, banners, balloons, or similar attention-getting devices are not allowed (OB Village Code 13-11-12)

There shall be no more than one nameplate on each lot. A nameplate shall be not more than 48 sq. in. in area. (DPC Article IV sec. 11)

3.8 Garbage

All rubbish, trash, and garbage shall be regularly removed from the properties and shall not be allowed to accumulate thereon. Between scheduled pick-ups, garbage cans, recycle bins, regular landscape waste and other similar items should be stored in your garage or in an area screened from view of neighboring homes, streets, and property located adjacent to the home. Seasonal tree and bush trimmings too large for landscape waste bags may be stored no longer than seven days in the rear only of your home.

No person may place any container containing solid waste, recyclable material, or landscape waste in public view for pick up prior to six o'clock (6:00) P.M. on the day prior to any scheduled pick up. In addition, all such containers shall be removed from public view after collection no later than six o'clock (6:00) A.M. the day following such collection. (OB Village Code 4-3-9)

3.9 Lighting & Holiday Decorations.

Holiday lights and decorations may be displayed and illuminated from November 1 through January 31. Outdoor holiday lights must be removed by April 1st. The take down date may be extended at the sole discretion of the Board of Directors in response to weather conditions.

Lights and decorations for holidays falling outside the above dates may be displayed from 3 weeks prior to the holiday to one week after. (DPC Article II)

3.10 Noise

It shall be unlawful for any person to make, continue to cause to be made or continue any loud, unnecessary, prolonged or unusual noise which disturbs the peace of others. (OB Village Code 6-1-1)

3.11 Nuisance

No portion of the properties shall be used, in whole or in part, for the storage of any property or thing that will cause it to appear to be in an unclean, unkempt, or dangerous condition; nor shall any substance, thing, or material be kept upon any portion of the properties that will emit foul odors or that will cause any noise or other condition that will or might disturb the peace, quiet, safety, comfort, or serenity of the occupants of surrounding property.

The front and side exterior of homes may not be used for storage. Ladders, bags of fertilizer, lawnmowers & tools, garbage cans, etc., must be stored out of sight. Normal patio/deck items such as lawn furniture and BBQ grills are allowed in the rear yard. Firewood may be neatly stacked on the side or rear of the home.

Compost centers should be screened from view and properly maintained so as not to emit foul odors. (OB Village Code 10-1-2 and DPC Article II)

3.12 Parking

Parking of certain commercial vehicles in residential zoning districts is prohibited. No motor vehicle bearing ambulance, funeral home, livery, taxi or tow truck state license plates shall be stored or parked on any lot in any residence district, unless such motor vehicle(s) is wholly enclosed in a building or such vehicle is being used in connection with a legitimate service actually being rendered for the benefit of such lot. No motor vehicle having a gross vehicle weight (including vehicle and attached equipment and maximum load) in excess of eight thousand (8,000) pounds, except vehicles registered as recreational vehicles under the Illinois motor vehicle code, and no contractor's equipment, supplies or tools, shall be stored or parked on any lot in any residence district, unless:

- a. Such vehicle, equipment, supplies or tools are wholly enclosed within a building; or
- b. Such vehicle, equipment, supplies or tools are being used in connection with a legitimate service actually being rendered for the benefit of such lot.

No unlicensed or unregistered motor vehicle shall be parked, kept or stored except in an enclosed structure and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled except in an enclosed structure. (OB Village Code 13-12-3)

On Street Parking: No parking is permitted on village streets between the hours of 2:00 a.m. and 6:00 a.m. (OB Village Code 7-1-1314)

3.13 Pets

No livestock, poultry, or more than two dogs or cats, over four months of age, shall be kept or maintained on any lot. (DPC Article IV sec. 9)

It shall be unlawful for any dog or cat not on a leash and under the control of its owner to go upon the lawn or other private property of anyone but the owner of the dog or cat, without the express or implied permission of the owner of said property or of the person in lawful possession thereof. (OB Village Code 6-2-3)

It shall be unlawful for any dog or cat to run at large. For the purposes of this subsection, any dog or cat not upon the premises of its owner or such other person having custody, possession or control over any such dog or cat which is not on a leash and under the control of a person physically able to control it shall be deemed to be running at large. Any person owning, having custody, possession or control over any dog or cat which violates any provisions of this Section shall be guilty of an unlawful act. (OB Village Code 6-2-3)

No owner shall keep, harbor, own or otherwise maintain any animal in the Village which disturbs the peace or quiet of any neighborhood by habitual or regular barking, howling, whining, meowing or other noise making or any female animal in heat which causes other animals to disturb the peace or quiet of any neighborhood by barking, howling or whining.

(OB Village Code 6-2-4)

3.14 Storage of Construction Materials and Non-Construction Materials

Construction materials, including, but not limited to, bricks, lumber, piles of dirt, stone, aggregate or other debris, shall not be stored in any exterior property area except in cases where construction is taking place. In such cases, removal of such materials or placement within an enclosed structure must be achieved within thirty (30) days of completion of the construction activity. (OB Village Code 10-1-2)

Non-construction materials, including, but not limited to machinery, discarded appliances, furniture, household items, and other similar items, shall not be stored in any exterior property area unless completely screened by view from all adjacent properties and rights of way. (OB Village Code 10-1-2)

3.15 Trees

Every owner or occupant of any house, building, lot, or premises in the village shall keep trees, shrubs, vines, and other vegetation located on his or her property trimmed and maintained so as to prevent or remove the following conditions:

1. Any tree which is dead, dangerous, or likely to fall or that is so unsafe, unhealthy, diseased, or insect infected (including, without limitation, ash trees infested with the emerald ash borer and pine trees impacted with pine wilt) as to constitute a hazard to persons, public property, private property or other vegetation;
2. The obstruction of any street, pedestrian path, or any public way to any extent which interferes or obstructs: a) the free passage of pedestrians or motorists; b) a clear view along such streets, paths and at any street or driveway intersection; or c) the reflection of any streetlights;
3. The obstruction of any sewer, drainage way, or septic field;
4. The dangerous proximity of any tree or other vegetation to public utility lines; and
5. The interference with any existing or proposed public improvement.

Said conditions are hereby declared to be nuisance greenery and any tree or other vegetation located on private property which is allowed to grow in violation of the foregoing subsections shall be deemed a weed subject to abatement by the village as provided by state statute. (Village Code 8-4-2)

The public works director shall be responsible for the control of infectious diseases and the removal of any trees on village property physically damaged to the extent that they cannot be saved.

All trees infected with an infectious disease as determined by the public works director are hereby declared to be a public nuisance. The public works director is authorized to enter onto any public or private property to remove any tree so infected when the owner of such property refuses or neglects to test and remove such tree.

If it is determined that any tree is so infected, the public works director shall notify the owner of the premises upon which the tree is located in writing to remove such tree. If the owner does not cause the same to be removed and destroyed within ten (10) days of receipt of such notification, the public works director shall enter upon such property and remove such tree. Express power to so enter upon such lands and remove such tree is hereby conferred upon such public works director. Any costs or expenses incurred by the village in removing any tree so diseased shall be charged to the owner and, if not paid within thirty (30) days after billing, become a lien upon the real estate affected, provided the village files a notice of lien in the office of recorder of deeds in the county in which the real estate is located. (OB Village Code 8-4-3)

3.16 Satellite Dishes

Per FCC guidelines, a "dish" antenna that is one meter (39.37") or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite services may be installed on your exclusive use private property without prior approval of the Association. To preserve the aesthetic look of our community, you are requested to place the dish on the rear wall of the house or on the sidewall of the house as far to the rear as possible and out of sight from curb.

If you are unable to obtain a clear signal from these locations, the dish should be placed in a location as unobtrusive as possible. Locating the dish on the front of the house or the peak of the roof is strongly discouraged.

Only one dish per type of service from the same provider is allowed and dishes must be gray in color or painted to match the field color of the house. (DPC Article II)

3.17 Trailers, Boats, and RVs

It is strongly requested that no trailer, boat, or RV shall be stored outside of a garage on any part of the properties except temporarily for no longer than two consecutive weekends. (DPC Article II)

3.18 Unsightly and Unkempt

It shall be the responsibility of each owner to prevent the development of any unclean, unhealthy, or unkempt condition of his/her home. The pursuit of hobbies or other activities including specifically, without limiting the generality of the foregoing, the assembly and disassembly of motor vehicles and other mechanical devices which might tend to cause disorderly, unsightly, or unkempt conditions, shall not be pursued or undertaken on any part of the properties.

Lawns must be regularly maintained and be reasonably free of weeds including dandelions. Trees and bushes must be trimmed of dead branches. Property must be regularly cleared of trash and debris.

Exterior of the dwelling must be kept in good repair - no peeling paint or hanging screens, shutters or gutters.

Driveways must be kept in good repair. (DPC Article II)

3.19 HOME OCCUPATIONS

In all residence districts, unless otherwise provided in the regulations of this title, any customary home occupation shall be permitted provided:

1. It is conducted entirely within the dwelling and only by members of the family, and when such home occupation is incidental and secondary to the use of the dwelling for dwelling purposes.
2. It is not conducted from a detached or attached accessory structure, requires no internal or external alterations and involves no construction features or use of equipment not customary in a dwelling, and the entrance to the space devoted to such occupation shall be from within the dwelling and not more than one-fourth ($\frac{1}{4}$) of the floor area of a story, including also a cellar of the dwelling, is devoted to such home occupation.
3. There is no display or activity that will indicate from the exterior of the dwelling that it is being used for any use other than a dwelling.
4. Stock in trade, including that which is produced on the premises, shall not require receipt or delivery of merchandise, goods or equipment other than by United States letter carrier mail, similar parcel delivery service or by private passenger automobile. (Village Code 13-6-2)

SECTION IV - VIOLATIONS AND FINE POLICY (Illinois Common Interest Community Association Act, Section 1-30(g))

4.1 Resident Cooperation

Unless the Board, through the Property Manager, is notified of rules infractions by homeowners that witness them, the rules cannot be enforced. Any infractions of the forgoing Village code will be considered a violation of a York Woods rule and regulation and is subject to fines. While the Board does not serve as a police department or referee between disputing homeowners, each resident's cooperation and participation is encouraged. It is hoped that disputes between homeowners, can be handled in an informal manner by the homeowner themselves before getting the association and its management company involved in the enforcement of a rule.

4.2 Written Warnings & Violation Notices

Written Warnings and Violation Notices are issued by the Property Manager, or persons authorized by the Board to do so, to the party allegedly committing the violation or allowing his family members, tenants, guests, invitees or pets to commit a violation when one of the following occurs:

1. The Association receives a Witness Violation Complaint from an owner or resident living with an owner. A sample Complaint form is attached as Exhibit "A" to this publication or can be obtained from the Property Manager.
2. The Association receives a letter of complaint which includes, the name, address and phone number of the complaining witness; the owner's name and/or address where the alleged violating person resides; and the specific details or description of the violation including date, time; and location where it was alleged to have occurred.

4.3 Written Warnings

Written Warnings for the first offense of a particular rule will be sent by U.S. postal service certified mail to the owner of record, within 10 business days of the report of the alleged violation. The warning will include specifics of the alleged violations as well as steps that must be taken to rectify the situation and/or the consequences for subsequent violation of that rule. Request for a hearing to protest the written warning must be made within 10 business days after receipt of the Written Warning.

4.4 Notice of Violation (N.O.V.)

If subsequent violation complaints are received in regards to the same rule within one year of a previous complaint, or if the steps outlined in the written warning to rectify the situation have not been taken, a Notice of Violation will be sent, by

U.S. postal service certified mail to the owner of record within 10 business days of the report of the alleged violation or lack of compliance. The notice will include the specifics of the alleged violation along with the amount of fine to be imposed by default unless a hearing is requested within 10 business days after receipt of the Notice of Violation.

4.5 Hearings

Provided the N.O.V. recipient has properly requested a hearing, that person will be given a written notice informing him or her of a time and place where the Board of Directors or its duly authorized committee will conduct a hearing to review the complaint. At that time, the N.O.V. recipient will have the opportunity to defend him or herself. All hearings will proceed with or without the presence of the accused owner. The person signing the Witness Statement Alleging Violation may be present. The decision of the Board or its duly authorized committee shall be rendered in writing within 5 days after the hearing and such decision shall be binding upon all parties.

4.6 Penalties / Fines

A. RULES & REGULATIONS VIOLATIONS

- | | |
|----------------------------------|--|
| 1) 1st offense - Written Warning | 4) 4th offense - \$250 fine |
| 2) 2nd offense - \$50 fine | 5) Subsequent offenses - \$500 weekly fine |
| 3) 3rd offense - \$100 fine | 6) Any above unpaid fine will become a lien on the property. |

C. COSTS

In the event of any violation of the Rules & Regulations, Declaration, or By-Laws of the Association, the Board of Directors, reserves the right to pursue any and all legal remedies to compel enforcement. Any and all costs and attorney's fees shall be assessed back to the account of the offending owner.

SECTION V - ASSESSMENTS

5.1 The Board will develop a proposed budget in the fall of each year and distribute it to the homeowners at least 30 days in advance of the meeting at which the proposed budget is approved. Homeowners will have the opportunity to comment on the proposed budget at this meeting. The budget establishes the annual assessment for that fiscal year. The due date for the assessment will be set at this meeting.

5.2 The Association will mail assessment notices to all homeowners at least 15 day prior to the due date.

5.3 Homeowners will be sent a reminder notice if their payment has not been received within 15 days of the due date.

5.4 Assessments that remain unpaid after 30 days will incur a \$25 late fee and will be sent a late notice.

5.5 Accounts that become 60 days or more past due will be forwarded to collection with the Association's attorney and incur additional legal charges.

5.6 In the event of non-payment from the owner after 120 days, the association lawyer will prepare and file a lien against the owner's property at the Recorder of Deeds of DuPage County. Once the lien is satisfied it is the property owners' responsibility to request a release of lien from the Association and record the same at the Recorder of Deeds of DuPage County.

5.7 Under appropriate circumstances, the Board shall have the authority to credit back any late or legal charges which may have been added to a Home Owner's account.

5.8 Home Owners have the right to request a hearing of the Board to protest any charges added to their account within 30 days of the charge being added. Provided a hearing has been properly requested in writing, the owner will be given a written notice informing him or her of a time and place where the Board of Directors will conduct a hearing to review the protest. All hearings will proceed with or without the presence of the owner. The decision of the Board shall be rendered in writing within 5 days after the hearing and such decision shall be final.

SECTION VI - TRANSFER OF OWNERSHIP

6.1 The Selling Owner must supply the New Owner with copies of the Declaration, By-Laws and Rules & Regulations of the Association so that they are aware of the provisions contained therein. Copies of these documents can be obtained from the Property Manager for a fee of \$20. They are also posted at www.yorkwoods.org

6.2 The Selling Owner must supply the Property Manager with the names and addresses of the new owner, as well as a forwarding address and telephone number for themselves.

6.3 With 15 days notice and upon written documentation that paragraphs 6.1 and 6.2 have been complied with, the Selling Owner may request a closing statement setting forth the amount of any unpaid assessments and other charges due and owing from said Owner from the Property Manager. Charges may apply if more than a simple paid assessment letter is required by the seller.

Appendix A

WITNESS VIOLATION COMPLAINT

WITNESS:

Name: _____

Address: _____

Telephone/Email: _____

ADDITIONAL WITNESS:

Name: _____

Address: _____

Telephone/Email: _____

ALLEGED VIOLATOR:

Name: _____

Address: _____

Telephone/Email: _____

VIOLATION DATE: _____ VIOLATION TIME: _____

SECTION OF DPC, BY-LAWS OR RULES VIOLATED: _____

WITNESS' OBSERVATIONS:

WERE ANY PHOTOGRAPHS OR RECORDINGS MADE? Yes _____ No _____


Include all tapes, photographs and details, i.e. vehicle model, color, license number with this form or forward as soon as possible. Include the name of the person who made the tape or photograph, the date it was made and the name of anyone else that was present.

I HAVE MADE THE ABOVE STATEMENTS BASED ON MY PERSONAL KNOWLEDGE AND NOT UPON WHAT HAS BEEN TOLD TO ME. I WILL COOPERATE WITH THE ASSOCIATION AND ITS ATTORNEYS TO PROVIDE ADDITIONAL STATEMENTS OR AFFIDAVITS AND, IN THE EVENT A HEARING OR TRIAL IS NECESSARY, I WILL APPEAR TO TESTIFY AS A WITNESS.

Signature: _____ Date: _____

CERTIFICATION

I, Ayse Gaddis, being the Secretary of the York Woods Community Association, an Illinois not for profit corporation, and the keeper of the books and records of said Association, hereby certify that the foregoing "York Woods Community Association Rules & Regulations" was duly adopted by at least a majority of the Directors of said Association, at a meeting duly noticed and convened on January 16, 2014, at which a quorum of directors was present throughout, and that said document has not been rescinded or modified in any respect, but remains in full force and effect.


Secretary

Date: 1-16-14