



# RULES AND REGULATIONS

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## SECTION 1: Definitions

- a. **Association** - The Corporation represented by all persons holding a valid lease to Sunset Lake Association property.
- b. **Board** - The Board of Directors who is elected by the members, or appointed as per the Bylaws of the Association.
- c. **Building Permit** – An official document or Certificate issued by the Sunset Lake Association authorizing construction, alterations, additions, repair, removal and/or demolition of a structure.
- d. **Building Setback Line** – A line parallel to the street line at a distance from it, establishing the minimum open space to be provided between the building and adjacent roadway.
- e. **Certificate of Completion** – The certificate issued by the Association which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance.
- f. **Corporation** - All members, who together, lease and are responsible for Sunset Lake Association property. The name of this Corporation shall be SUNSET LAKE ASSOCIATION and its principal office shall be located at the Hanauer Hall Community Center, 30505 East Lake Drive, Girard, IL 62640.
- g. **Deck** – A level unenclosed platform serving as a floor located above finished grade, and usually directly adjoining or attached to a building.
- h. **Dog Run** – An enclosed outdoor area intended for the exercising and containment of dogs or other animals. Not to exceed 140 square feet without board permission.
- i. **Drainage Area** - The entire area of land and/or water that drains into the lake.
- j. **Dwelling** – A building having one or more rooms that are designed exclusively for residential occupancy. The structure shall meet or exceed all required Sunset Lake Association Building Codes and Regulations and must contain a minimum of 1000 square feet, containing cooking facilities, living quarters and sanitary facilities.
- k. **Easement** – A grant by the Sunset Lake Association for the use of a strip of land by the general public, a corporation, or a certain person or persons for a specific purpose or purposes.
- l. **Erosion** – The general process whereby soils are moved by flowing water or wave action.



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- m. **Floor Area** – (For determining floor square feet) The Floor Area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls. The Floor Area of a building shall include the basement floor area when more than one-half of the basement height is above the established finished lot grade level.
- n. **Garage** – An accessory building, or an accessory portion of the principal building designed or used for parking auto, boats, etc., and/or storage, of not more than 900 square feet. If over 900 square feet, the lessee must have the approval of the Board of Directors.
- o. **Leasehold** - The grounds, shoreline and any structure(s) on a leased lot(s).
- p. **Lessee** - Any person(s) holding one or more valid lease(s) to Sunset Lake Association property.
- q. **Lot** – A plot of land made up of one or more parcels, which is or may be occupied by a house, building or buildings.
- r. **Main Body of the Lake** - That portion of the reservoir that motor boats are allowed to go over six (6) mile per hour during fast hours.
- s. **Manufactured Home** – A manufactured home will have a red metal label permanently affixed to the rear of each towable unit. The federal standard refers to such a unit as a “manufactured home”, which is defined as “a structure, transportable in one or more sections, which, in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling without a permanent foundation. This type of unit is an evolution from the “trailer”, “trailer coach”, and more recently, the “mobile home/house trailer”. These units are often called HUD homes because the Department of Housing and Urban Development (HUD) establishes the construction standards.
- t. **Member** - Any person(s) holding one or more valid lease(s) to Sunset Lake Association property.
- u. **Member in Good Standing** – A lessee who does not have any past due, unpaid annual assessments, special assessments, liens, fines, penalties, or property taxes.
- v. **Modular Home** – A modular home is regulated by the Illinois Department of Public Health. This type of unit is sometimes referred to as a “manufactured housing unit”, and is defined as “a building assembly or system of building sub-assemblies, designed for habitations as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilation and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation on the building site with a permanent foundation.” This type of unit may be either panelized (floor, wall and roof panels are assembled at the final site) or



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sectional (the home is shipped as a box-like configuration). An approved modular home will have a yellow seal on the electrical panel box of the home or on the inside of the kitchen sink cabinet.

- w. **Reservoir** - The impounded water forming the lake owned by the Corporation.
- x. **Rip Rap** - Layers of stone or rock placed upon the shoreline to prevent erosion of the land into the lake. Rip rap should extend a total of three (3) feet vertically, one and a half (1 ½) feet above and one and a half (1 ½) feet below the normal waterline.
- y. **Roadway** - The paved area existing on the street right-of-way, exclusive of sidewalks, driveways, or other related uses.
- z. **Structure** – Anything that is constructed, erected or moved to or from any premises that is located above, on, or below the ground.
- aa. **Storage Structure** - A storage structure is a small outbuilding with a single story; used for storage. No storage structure shall exceed 200 square feet without written Board permission.
- bb. **Sunset Lake Association** - All members who make up the private corporation.
- cc. **Sunset Lake Association Property** - All property owned by the corporation whether leased or not leased, including the lake, may also be referred to as Sunset Lake property, Lake property or Association property.
- dd. **Wake** - A wave created by a moving boat that washes upon a shoreline or disturbs a boat at rest that is docked or anchored.
- ee. **Watercourse** - Any stream, natural or artificial channel, spring or depression of any kind, in which water flows continuously or intermittently, directly or indirectly into any part of the reservoir.

### SECTION 2: Use of Sunset Lake Association Property

- a. Only members **in good standing**, their family and guests are permitted to use Sunset Lake Association property. Guests must have written permission if unaccompanied by a member.
- b. To remain in good standing, members must pay all general assessments, special assessments, liens, fines or penalties in full on or before their respective due dates. Additional late fees may be assessed if not paid timely. The Board of Directors may, after due notice, suspend membership privileges for failure to pay invoices.



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- c. No person shall destroy, take, deface or damage any plants, personal property, signs, fences, buildings, rip rap, buoys, docks or other structures placed, built or grown on any SLA property **or members' leaseholds**.
- d. No lessee, member of lessee's household, or guest shall act in such a manner that will disturb, annoy, or harass any neighbors' peaceful enjoyment of their property. By way of example and not limitation, vulgar, profane, obscene, or threatening language and prolonged excessive noises will not be permitted.
- e. All persons are expected to abide by Illinois State and Federal laws pertaining to the use of alcohol or other substances while on Lake Association property. No one under the influence of alcohol in excess of Illinois' legal limit, or any substances prohibited by Illinois or Federal laws is allowed on common use Association property, or is allowed to operate a vehicle on any lake road or any motorized boat on the reservoir.
- f. Leaseholds may not be rented or sub-leased. Leaseholds, or the temporary use of a leasehold, may not be auctioned or donated for auction, for charity or otherwise, without the express written permission of the Board. **Violation of this rule may result in termination of the member's lease.**

### SECTION 3: Rules Enforcement and Penalties

- a. Members must inform their family and guests of these Association Rules and Regulations. Members are responsible for **their own conduct as well as the** conduct of their family and guests. **Members will be penalized for any violations they commit as well as any violations committed by their family or guests.**
- b. The Board of Directors may appoint or employ Lake Patrolmen, Special Policemen, Deputies, Sheriffs and Deputy Game Wardens as deemed necessary.
- c. Any member of the Board, or any person appointed by **or employed by** the Board, has the authority to:
  - 1. give an oral warning, send a written warning, and/or fine a person for violating any of these rules and regulations; and
  - 2. stop any dangerous or potentially dangerous practice on any Sunset Lake Association property, whether covered or not by these rules and regulations.
- d. If any lessee, lessee's family, or their guest(s) violate any of these rules or regulations, unless otherwise stipulated in specific sections, the lessee shall be penalized according to the following:
  - 1. **Oral or Written Warning – no financial penalty**
  - 2. **1st Offense** - \$25.00 fine
  - 3. **2nd Repeat Offense** - \$50.00 fine



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4. **3rd Repeat Offense** - \$100.00 fine, and with Board approval, suspension of all membership privileges for 12 months from the date of the third offense
  5. **Suspension Violation** - \$200 per offense
- e. Repeat offenses (2nd & 3rd) are those which occur within 12 months of the previous violation of the same rule or regulation.
- f. General assessments, special assessments, liens, fines or penalties will be billed by invoice with a stated due date. If an invoice is not paid by its due date, the member will receive a default notice and will be assessed a late fee equal to 10% of the total amount past due or \$10, whichever is greater.
- g. After due notice for failure of a member to pay their invoices for general assessments, special assessments, liens, fines or penalties, the Board of Directors may suspend membership privileges and/or place a lien against the leasehold.
- h. Suspension of membership privileges means the lessee, lessee's family and guests may not use any of the common property and may not use the lake for swimming, fishing, boating, etc. The lessee's boat(s) must also be removed from the lake.
- i. Any further legal enforcement actions initiated by the Board of Directors will be done in accordance with the member's Lake Shore Lease. The member will be responsible for reimbursing SLA for any reasonable collection expenses, including SLA's attorney's fees.

### SECTION 4: Access to Sunset Lake

- a. Access to the lake shall be only from a member's leasehold or from the common boat landing maintained by the Association.

### SECTION 5: Boating

- a. **Boat Registration and Safety Act:** All members are expected to read and abide by the Illinois Boat Registration and Safety Act (625 ILCS 45). The Handbook of Illinois Boating Laws and Responsibilities provides a summary of the regulation and can be found online at: <https://www2.illinois.gov/dnr/boating/Documents/BoatDigest.pdf>.
- b. **Prohibited Vessels:** Jet skis and similar water crafts are prohibited on Sunset Lake at all times.
- c. **Horsepower Limit.** No permit shall be issued for any boat being propelled by a motor or motors exceeding a total of 50HP. Any motor in excess of 50HP must be up and out of the water. ***Any person using the lake with a motor exceeding 50HP will be fined \$100.00, the permit revoked and the boat removed from the lake immediately.*** No first time warning will be given.



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- d. **Permits.** No boat of any kind may be kept or used on the lake unless it displays a current Sunset Lake Association permit. Members must complete an annual permit application each year and, if applicable, must attach evidence that the boat is actively registered to the member.
1. **Fees.** Fees for SLA Boat Permits for each calendar year are as follows:  
\$10.00 for each non-motorized boat  
\$20.00 for each motorized boat (includes trolling motor)  
For the fractional part of any calendar year, the permit fee shall be the same as a full calendar year.
  2. **Placement.** A current year SLA Permit, together with the boat owner's lot number, must be clearly visible at all times. Lot numbers must be black numbers or letters on a white background and must be at least 3 inches tall. Paddle boats must display the permit and lot number on the back of the left seat. All other boats, both motorized and non-motorized, must display the permit and lot number in the middle of each side of the boat.
- e. **Special Permits.** The Board of Directors may approve a special permit for the use of any boat deemed necessary to maintain the lake or shoreline.
- f. **Sale of Boat.** Upon the sale of any boat the existing SLA permit shall be invalid. Therefore, the SLA permit and lot numbers should be removed from the boat prior to transfer of ownership. If applicable, the new owners must apply for a new SLA permit once the Illinois title and registration transfer is complete.
- g. **Number of Boats.** Members are entitled to a maximum of six (6) boat permits. No more than two (2) of these six (6) boat permits are to be granted for motorized boats. Any exception must be approved by the Board.
- h. **Speed Limit.** No person shall operate any boat at a speed greater than 6 miles per hour (6 MPH) except during the fast hours from 12:00 P.M. noon until sunset. Boats shall proceed at idle speed, so as not to create a wake, in all coves and within areas which have been marked by buoys or other signs as "No Wake" zones.
- i. **Safety.** The Association shall at all times have the power and the authority to prohibit, restrict, limit or regulate the keeping, maintenance or operation of any or all boats on the lake should it become necessary in the interest of public health or safety, or for the protection or improvement of the reservoir or other cause.
1. Beginning on January 1, 2016, any person born on or after January 1, 1998, may operate a motorboat with over 10 horse power *only if* that person has a valid Boating Safety Certificate issued by the Department of Natural Resources.



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- a. Persons under 10 years of age may NOT operate a motorized boat.
  - b. Persons at least 10 years old but less than 12 years old may operate a motorized boat *only if* they are accompanied by and under the direct control of a parent, guardian, or a person at least 18 years old designated by the parent or guardian.\*
  - c. Persons at least 12 years old by less than 18 years old may operate a motorized boat *only if* they complete a boating safety course and possess a Boating Safety Certificate accepted by the Department of Natural Resources or they are accompanied by and under the direct control of a parent, guardian, or a person at least 18 years old designated by the parent or guardian.\*
  - d. \* Parents, guardians, or designees born on or after January 1, 1998, must have a valid boating safety certificate to supervise a person 10 to 17 years old who is operating a motorized vessel with more than 10 horse power.
2. Illinois law prohibits anyone from operating a vessel while under the influence of alcohol or drugs.
  3. No person shall operate any boat with a motor exceeding the maximum horsepower or load capacity recommended by the manufacturer.
  4. All boats shall carry a U.S. Coast Guard approved life preserver in good and serviceable condition for each person. All non-swimmers and children under thirteen (13) years of age must wear a life jacket at all times when in any boat.
  5. All persons must be seated while the boat is in operation.
  6. All motor boats must stay a minimum of 40 feet from shore when in operation above 6 miles per hour, except for docking or exiting a dock.
  7. No person shall operate any boat in a careless manner that causes danger to any person or property of others, or at a speed greater than will allow the operator to bring the boat to a stop within an assured clear distance ahead. No person shall operate any boat or manipulate any water skis or other towed devices in such a manner as to endanger life or limb, or damage property of any person.
  8. No paddle boat, rowboat, canoe, nor any other non-motorized boat may be operated more than 30 feet from the shoreline on the main body of the lake during fast hours.
  9. No Motor boat shall be operated after sunset or before sunrise unless it plainly displays a bright white light in the rear of the boat, visible from all quarters, and twin lights in the front of the boat showing a green light to starboard (right) and a red light to the port (left) side of the boat.



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10. From sunset to sunrise, rowboats, canoes, and paddle boats shall display a white light mounted on a standard pole not less than 12" in height and be bright enough to easily be seen by an approaching boat for a distance of 800 feet from all directions.
  11. No motor boat shall be used or kept on the lake unless it is equipped with at least one U.S. Coast Guard approved fire extinguisher in such condition as to be ready for use. All such boats shall be equipped with an adequate mouth or power operated whistle or horn. Use of sirens is prohibited.
  12. All boats, except paddle boats, shall be equipped with at least one paddle or oar, and one pump or bailer.
  13. No boat shall be used or operated, nor any horn or sound device sounded, so as to create a nuisance or disturb the peace and quiet of the lake.
  14. Any abandoned or adrift, unlicensed boat may be impounded, sold, or destroyed by the Association.
- j. **Navigation of Boats.** Necessary action shall be taken to avoid any collision. Special circumstances may render a departure from the below rules in order to avoid immediate danger.
1. Boats powered by a gasoline motor shall move in a counter clockwise direction at all times. Paddle boats, canoes, kayaks and fishing boats powered by a trolling motor shall move in either a clockwise or counter clockwise direction.
  2. When two boats are meeting head-on so as to involve risk of a collision; each shall alter her course to starboard (right) so each will pass on the port (left) side of the other.
  3. When two boats are crossing so as to involve risk of collision, the boat which has the other on her own starboard (right) side shall yield the right of way.
  4. When a motor boat meets, crosses the course of, or overtakes a boat propelled by oars, sail or muscular power, the motor boat shall yield the right of way.
  5. Every motor boat which is directed by these rules to yield the right of way to another boat shall on approaching her, if necessary, slacken, stop or reverse.
  6. Any boat overtaking any other shall keep out of the way of the overtaken boat.
  7. Nothing in these rules shall exonerate the owner or operator of any boat or watercraft from the consequences of any neglect to keep a proper lookout and to exercise due care and caution.





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### SECTION 6: Swimming, Rafting.

- a. Swimming is permissible in all “No Wake” areas.
- b. Children should be directly supervised by an adult at all times.
- c. Swimming or rafting on the main body of the lake more than 30 feet from the shore is prohibited.
- d. Swimming out of boats in the main body of the lake is prohibited.
- e. Scuba diving is prohibited except with permission of the Board of Directors.

### SECTION 7: Water Skiing and Towing of Riders.

- a. Water skiing or towing is permitted only during fast hours from 12:00 noon until dusk every day.
- b. All water skiers and towed riders must wear life jackets approved by the U.S. Coast Guard.
- c. Boats towing skiers/riders must run in a counter clockwise course around the lake and must at all times display a 12” x 12” bright orange at the highest point of the helm.
- d. Boats towing skiers/riders must be occupied at all times by at least two (2) persons: one driver and one spotter, 12 years of age or older. Both persons must be competent to handle the boat in an emergency.
- e. Boats towing skiers/riders, and the skiers and the riders, shall at all times conduct their activities in a prudent and cautious manner so as not to endanger the life and safety of themselves or others, or property of the lake.
- f. All towing boats, as well as their skiers or riders, must stay a minimum of 40 feet from the shoreline.
- g. Pontoon boats are not permitted to tow skiers or any flotation devices.

### SECTION 8: Fishing

- a. Fishing by other than Members, and their guests, is prohibited.
- b. State Fishing License is required. All persons shall strictly adhere to the Fish Code of the State of Illinois and the following rules.
- c. Fish Limits.



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1. **Bass** - Must be 15" or longer to be kept with a limit of two (2) per person per day. Any Bass less than 15" in length must be carefully released back into the lake.
  2. **Bluegill** – No limit on size or number to be kept.
  3. **Catfish** – No limit on size or number to be kept.
  4. **Crappie** – No limit on size or number to be kept.
  5. **Red Ear** – No limit on size or number to be kept.
  6. **Walleye** - Must be 15" or longer to be kept with a limit of three (3) per person per day. Any Walleye less than 15" in length must be carefully released back into the lake.
- d. No person shall attempt to jug fish, use trot lines or bank lines, take, catch or attempt to take or catch any fish in the lake by any method whatsoever except with a hook or lure attached to a single line.
- e. No fishing line shall be left in the water unattended at any time. Attending a fishing pole or line does not mean watching it from inside your home.
- f. Fishing from a boat during fast hours should be done in coves or within 30 feet of the shoreline on the main body of the lake when fast boat traffic is present.
- g. Any yellow bass, white bass, shad, green sunfish (sometimes called warmouth or rock bass), carp, striped bass or snakehead which are caught should NOT be returned to the lake, but should be kept for eating, used as fertilizer, or properly disposed of in the trash.

### SECTION 9: Ice Fishing and Ice Skating

- a. The Sunset Lake Association assumes no liability as to the safety or condition of the ice on the lake. It is the responsibility of the members to assure that the ice on the lake will support themselves and/or their guests.

### SECTION 10: Snowmobiling

- a. Snowmobiles can only be run on the lake. The use on any other Association property is prohibited except for ingress to and egress from the lake, which must be made via the member's property or the lake boat ramp.
- b. The Sunset Lake Association assumes no liability as to the safety or condition of the ice on the lake.
- c. It shall be the responsibility of the member to assure that the ice on the lake will support the snowmobile and its occupants safely, and the member is liable for all damages to persons or property caused by the snowmobile.
- d. Persons fifteen (15) years of age or younger are not permitted to operate a snowmobile without an accompanying adult.



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- e. Snowmobiles may be operated on all areas of the reservoir any day from 8:00AM to 8:00PM at their own risk.
- f. A distance of 50 feet or more must be maintained from persons walking, skating, or fishing on the lake.
- g. Only original factory mufflers are to be used on the snowmobile.
- h. An annual permit will be required for each member to use the lake for snowmobiling. The fee for the snowmobile permit will be \$20.00.

### SECTION 11: Picnicking and Camping

- a. Any person picnicking shall keep the premises neat and clean, picked up and free of paper, garbage, and debris, and extinguish any fire before leaving.
- b. A lessee or their guests may temporarily erect tents, use a trailer, R.V. or motor home on their leasehold for the purpose of camping for a period not exceeding two (2) consecutive week(s), and the lessee must be available during that period. Lessee must wait two (2) additional weeks before beginning another two (2) week camping period. No temporary or mobile camping unit shall be occupied for more than a total of eight (8) weeks per calendar year.
- c. For camping more than fourteen (14) nights consecutively, the lessee must receive written permission from a member of the Grounds Committee, or the President of the Board. The lessee must be available and is responsible for maintaining all sanitary conditions.
- d. At the end of the seasonal camping period, tents must be taken down and trailers, R.V.s, and motor homes must be closed up and secured in a "road-ready" and locked condition. All utilities must be properly shut off and/or disconnected before the lessee or guests vacate the premise. All such vehicles and trailers must be legally registered, licensed and plated according to state laws.
- e. Storage sheds, tool sheds, garages, or other similar buildings on the leasehold property shall not be used for camping purposes.

### SECTION 12: Maintaining a Leasehold

- a. **Deficiency Notices.** The Board has the authority to require each lessee to maintain the leasehold in a sanitary condition; decent, neat, free of weeds, leaves, unmowed grass, and debris, and attractive in appearance and in good repair. The lessee is responsible for maintaining their shoreline with adequate rip rap, and maintaining all buildings, boat docks, boat houses, and playground equipment, etc., for the safety and welfare of the lessee, guests and neighbors. On failure to do this, the Board will send a written request to correct any deficiency.



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1. If the lessee fails to do so to the satisfaction of the Board within the specified timeframe, the Board shall have the authority to order the necessary work done at the expense of the lessee, plus the appropriate fine(s) as described throughout pertinent Sections of these Rules.
  2. If the Board pays anyone to complete the required work, the lessee shall reimburse the Board within thirty (30) days of the mailing of the invoice.
  3. Should lessee fail to pay the Association on time the claim shall be a valid lien against the property of the lessee. Furthermore, the lessee shall pay interest on any balance due at the rate of 2% per month on the outstanding balance and all reasonable expenses of collection, including attorney's fees.
- b. **Mowing.** Lawns must be kept mowed under 6 inches (6").
- c. **Leaves.** All lots must be kept free of the accumulation of leaves. No one shall intentionally rake or blow leaves into the lake.
- d. **Trees.** Any trees or branches that fall into the lake from a leased lot shall be completely removed from the lake in a reasonable amount of time at the expense of the lessee of the lot from which the tree or branch came.
- e. **Vehicles.** No unlicensed and/or inoperable vehicles shall be kept on any leasehold.
- f. **Rip Rap.** All shorelines are to be rip rapped with aggregate stone or concrete 4-7 inches or larger in diameter laid 9-12 inches thick. Fabric is recommended under the rip rap. Rip rap should extend a total of three (3) feet vertically, one and a half (1 ½) feet above and one and a half (1 ½) feet below the normal waterline. No broken concrete over 16 inches or with rebar protruding, no brick, asphalt or foreign material may be used. If building a sea wall, pre-cast concrete walls, driven steel or PVC sheet pilings or other materials must have Board approval.
1. On failure to do this, the Board will send a written warning to the lessee asking that they bring the rip rap into compliance with these Rules within 90 days.
  2. Failure to do so shall result in a \$100 fine, unless the lessee has requested and the Board has approved an extension of time.

### SECTION 13: Trees

- a. No person shall cut down any live tree with a trunk diameter over 2" on any Sunset Lake Association property, including leaseholds, without obtaining permission from the Grounds Committee. Two



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board members must sign off on the permit. Penalty for failure to comply with this rule shall be a fine of \$500.00 per cut tree.

### SECTION 14: Dogs and Cats

- a. All lessees are allowed two dogs and two cats per household as of July 11, 2006.
- b. No vicious or dangerous dogs, cats or pets shall be permitted in the lake area.
- c. It shall be considered unlawful for dogs, cats or pets to be allowed to run at large. All dogs, cats or pets must be penned or restrained to the owner's property or under the owner's control at all times. Any dog found running at large may be apprehended and impounded at any public facility available in Macoupin County, and if not promptly called for, may be destroyed or otherwise disposed of, all without liability on the part of any person performing such duty or of the Association.
- d. It shall be considered unlawful for any person to maintain a public nuisance by permitting any such dog to bark, trespass, create a disturbance or destroy property, attack or injure any person. The owner is liable for all damages sustained.

### SECTION 15: Pollution

- a. No person shall throw, place, discharge or cause to be discharged any sewage, garbage, dead fish or animals, oil or oil products, industrial solids or liquids, plastic products of any kind, cartons, bottles, cans or other refuse into the lake, or a ditch, tile, pit, open ground, drain or sewer flowing directly or indirectly as to ultimately reach and pollute the waters of the reservoir.
- b. Manure, fertilizers, compost, etc. may be used for horticulture or gardening purposes, but shall not be placed, spread, or used in such quantities or in such manner as to cause or threaten any pollution of the reservoir, or bring about any public or private nuisances, whatsoever.
- c. Materials being saved for recycling may be accumulated in reasonable quantities in suitable containers, provided that no eyesore or pollution hazard is created.

### SECTION 16: Sanitation Systems

- a. **NEW STATE & FEDERAL LAWS ON SEPTICS**
  1. If you plan on a surface discharge a notice of intent will have to be filed with the US EPA.
  2. A soil test will have to be performed on all new and/or upgraded systems.



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3. Alternative systems, such as low-pressure piping systems, Illinois raised filter beds, drip irrigation, shall meet the current private sewage code and be approved by Macoupin County Public Health prior to installation.

### b. Types

1. A Sand Filter System consists of a septic tank followed by a filter bed with a chlorine tank added before out-letting to the lake. The tank and filter bed size is determined by the number of bedrooms, occupants, bathrooms, etc. The filter bed is both a natural physical and biological filter that removes fine suspended solids before being disinfected in the chlorine chamber. This system requires a minimum of maintenance. Chlorine tablets must be maintained at all times. A notice of intent will have to be filed with the US EPA.
2. An Aeration (Aerobic) System consists of a three-chambered unit. The first chamber holds the septic waste as does a septic tank. The second chamber mechanically introduces air using an electric motor, which breaks down the solids before being disinfected in the third chamber, or the Chlorine chamber. This is not an approved system for seasonal or part-time use. All aeration units must have a yearly Service Contract by July 1st and must be filed at Sunset Lake office.
3. A Lateral System consists of a septic tank with lateral lines running out from it, which disperses the effluent into lateral lines and then into the surrounding soil. There is no Chlorination Tank with this system. An existing lateral system can remain until it is in need of repair or replacement, and must be upgraded before or at transfer of a lease.

### c. Care and Maintenance

1. Introducing any waste product which will not biologically break down, such as; grease, harsh chemicals, diapers, sanitary products and other foreign objects into a septic system can create clogging problems in the pipes, tanks and filter bed requiring replacement or repair. Pumping the septic tank by a licensed State of Illinois Contractor, is necessary for continued function, when a septic tank accumulates scum and sludge that is equal to 1/3 its depth (2-3 years). This extends the life of the system and avoids costly repairs or replacement.
2. Chlorine Chambers disinfect the effluent (outflow) from sand filter and aerobic systems before being returned to the lake. All current and future Sand Filter and Aerobic septic systems must contain a chlorine inspection tube, to which chlorine tablets are deposited and maintained with sufficient chlorine tablets in the tubes at all times, lowered far enough to come in contact with the waste water effluent. Chlorine bottles must have at least two 3/8" holes in the bottom which are kept open to permit chlorination and disinfection of the waste water. The binder in chlorine tablets will plug the holes in time and must be cleaned out periodically. Regular inspections will be made at intervals determined by the Chairman of the Sanitation Committee. Lack of chlorine tablets will be subject to fines.



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3. Aeration Systems require special care. These sewage disposal treatment systems are operated and depend upon the use of sealed motors, aeration tubes, filter screens and timers. They must meet Class 1 effluent guidelines of the Illinois Dept. of Public Health and will be subject to testing of effluent to maintain Class 1 standards. Mechanical and electrical operation must coincide with the manufacturer's guidelines. They shall not be used to serve residential property that is used for seasonal, weekend or part-time use. (ILCS Section 905.100 Illinois Administrative Code). If an aerobic system has been installed for seasonal, weekend or part-time use, and will be turned off for more than 6 weeks, it must be capped before leaving, or water must be running continuously into the system to avoid discharge of untreated waste into the lake on start up. Violations of the above will be subject to corresponding fines and/or capping of effluent discharge lines. All aeration systems must be on a yearly Service Contract by July 1st, and must be filed at Sunset Lake Office.
- d. All effluent from toilets, urinals, bath tubs, showers, sinks, disposals, dishwashers and clothes washers shall be discharged only into an approved septic system. All types of septic systems, whose effluent discharges into the lake, will be subject to inspection of operation by a licensed sewage contractor as per deemed by the Board of Directors. Drains which carry only clear or rain water such as roof drains, footing drains and air conditioning cooling water drains shall not be connected to the septic system.
- e. The discharge of effluent from a septic tank onto the lessee's property, to other Sunset Lake Association property or into the lake is strictly prohibited. The lessee owning any septic system which discharges effluent in violation of this paragraph shall be fined \$1000.00 for each offense, and such lessee shall lose lake privileges for two (2) years.
- f. Construction or Repair. All existing and future septic systems must be in compliance with and meet the minimum requirements of the rules and regulations of the Illinois Department of Public Health, the Macoupin County Health Department and the Sunset Lake Association.
- g. All contractors installing, repairing, maintaining or servicing septic systems on property owned by or leased by the Sunset Lake Association must be licensed by the State of Illinois and approved by the Macoupin County Public Health Department. Permits for the construction, replacement or repair of a septic system must be obtained prior to commencing any work from the Macoupin County Public Health Department and the Sunset Lake Association, which is a \$10.00 fee.
- h. The Permit issued by the Sunset Lake Association must contain information concerning the control of erosion during construction. An erosion control plan is to accompany the application for a permit. The plan is to include the type of fence or barrier to be used. It is the responsibility of the lessee to maintain a silt fence or straw bales, until the ground has stabilized (no silt run-off). A fine up to \$200.00 may be assessed the lessee for each day that a silt barrier is not in place after work commences. The lessee is responsible for the plan and for its implementation. The Lake Superintendent can supply a silt fence.

### SECTION 17: Disposal of Garbage



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- a. Unused foods, cans, bottles, all plastic products, etc., can only be disposed of through a state licensed garbage disposal company or taken to a licensed dump. All trash containers must be brought in off the roadside within 24 hours after pick up.

### SECTION 18: Burning/Dumping

- a. Waste materials such as paper, cardboard, leaves, dried brown grass clippings, tree limbs, etc., may be burned only by members on the following sites:
  - 1. On the members leasehold OR
  - 2. At a site maintained by the Association.
- b. PROHIBITED MATERIALS: Burning or dumping of any garbage, plastics, rubber, & oil or oil products anywhere on Association property is strictly prohibited.
- c. At any burning site maintained by the Association, the following guidelines apply:
  - 1. Members are responsible for promptly burning their own waste material and tending their own fires as needed.
  - 2. Dumping of prohibited materials, or non-burnable materials (including green grass) is permitted at the burn sites. Violators will be subject to fines specified in Section 3.
  - 3. No burn barrels allowed at the end of driveways adjacent to roadway.

### SECTION 19: Storage of Boats, Boat Trailers, Campers, RVs, and Motor Homes

- a. Each member is permitted to have a total of one camper, RV, or motor home stored only on their leasehold, subject to the approval of the Board. The unit must be licensed and registered in the lessee's name.
- b. The storage of boats, boat trailers, or any type of vehicle or trailer on unleased Sunset Lake Property is prohibited unless permission is requested from and approved by the Grounds Committee or the President of the Board.

### SECTION 20: Traffic Regulations.

- a. All persons shall obey all traffic signs and signals authorized by the Association, and shall not drive a motor vehicle upon any road at a speed greater than the posted limit.
- b. The one-lane pathway connecting West Lake Drive and Coultas Drive is intended for emergency and authorized vehicles only. It is not intended for everyday, public use.





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### SECTION 21: All Terrain Vehicles (ATV's UTV's & Golf Carts)

- a. All terrain vehicles (ATV's, 4-wheelers, go-carts, dirt bikes, powered scooters, etc.) are not permitted to be used on any Sunset Lake Association property.
- b. No Utility Terrain Vehicle (UTV) or Golf Cart of any kind may be kept or used on Sunset Lake Association Property unless it is owned and registered by a member and has been issued a Sunset Lake Association sticker based upon a written application filled out in full. Such sticker, when granted, shall be placed in the middle of each side of the UTV or Golf Cart. Sticker fee is \$20.00 per year.
- c. The member's lot number must be displayed on each side of any registered UTV or golf cart. Lot numbers must be black numbers or letters on a white background and must be at least 3 inches tall.
- d. No person under 12 years of age may operate any UTV or Golf Cart. Further, no person 12 to 15 years of age may operate any UTV or Golf Cart unless they are accompanied in the UTV or Golf Cart by a person of at least 18 years of age.
- e. No person shall operate a UTV or Golf Cart in a careless manner on Sunset Lake Association property, or property of others, or at a speed greater than the posted limit.
- f. Only one UTV or Golf Cart is allowed per leasehold.
- g. All UTVs or Golf Carts must have headlights and tail lights on from dusk until dawn. If not equipped with headlights and tail lights, a white light must be mounted on top, not less than 6" in height, and bright enough to be seen 100' from all directions.

### SECTION 22: Wildlife Protection

- a. No person shall attempt to trap, catch, kill or wound any bird or animal, or take any bird egg or molest or rob any nest of any bird or animal, or cruelly treat any bird or animal on Association ground.
- b. Only the Association may authorize the use of firearms, traps or other means to destroy any predatory or undesirable animal, bird or aquatic life.

### SECTION 23: Use of Firearms

- a. No person shall fire or discharge any firearm of any description on Sunset Lake Association property except by the authority of the Board.

### SECTION 24: Businesses



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- a. Unless authorized by the Board, no on-site service or retail business, which would result in regular customer traffic to a member's leasehold, shall be operated on Sunset Lake Property.

### SECTION 25: Signage & Advertising

- a. With the exception of the temporary placement of signs for the purpose of marketing a member's home or lot, the erection or maintenance of any sign, bill, poster and the posting or placing of any advertisement, placard or card, or the distributing of any advertising matter by handbills, or otherwise, except signs posted by the Association is prohibited.
- b. Members marketing their own property are allowed a total of two signs, one on the roadside and one on the lakeside of the property for sale, and one directional sign to the property at each of the appropriate intersections of main roads leading to the property (e.g. Emerson Airline, Union Chapel Rd, Hays Rd, West Lake Drive & East Lake Drive). Such signs shall be no larger than 24" x 36" and shall not contain any moving or lighted parts.

### SECTION 26: Construction on Unleased Properties

- a. Only the Board shall have the authority to initiate any construction on unleased land.

### SECTION 27: Building and Construction Regulations

- a. All structures on a leasehold shall meet or exceed all required Sunset Lake Association Building Codes as well as all pertinent State, Federal and Local Building Codes and Regulations. No structure whether for habitation or otherwise shall be constructed, altered or replaced, unless a written permit has been granted by the Building Committee.
- b. All portions of any construction, which are visible from outside, must be completed within one year from the date of the granted permit.
  - 1. On new housing, a "Certificate of Completion" must be obtained prior to moving into the structure. (Modified June 2019)
  - 2. The Building Committee must approve any extension of time.
- c. The location of any structure must be approved by the Building Committee. All structures must be a minimum of three (3) feet from all neighboring lot lines, including any overhangs. EXAMPLE: If you have a one-foot overhang, the building itself must be four (4) feet from the lot line. No building may be closer than 15 feet from any road, drive or lane without board approval. Placement of stakes indicating location of the structure must be done prior to obtaining final approval from the Building Committee. Once this location has been approved, no change can be made without Building Committee re-



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inspection. The Sunset Lake Association Board of Directors may require a survey prior to construction if there is a question as to the location of the lot line.

- d. No mobile home or manufactured home/modular, or house trailer may be placed on any lot for any reason.
- e. No fencing of any type may be constructed without prior approval of the Board. Generally, fencing to enclose a swimming pool or to create a small dog run is allowed. However, members are not allowed to fence their entire lot.
- f. No person shall be permitted to reside in or occupy any building that does not meet the definition of a dwelling according to Section 1.j. No building that does meet that definition may be occupied without having first been granted a Certificate of Completion according to Section 1.e. The permit that was issued determines a building's usage.
- g. No more than one principal residential building (dwelling) shall be located on a single lot.
- h. The size of any house must satisfy a minimum of 1000 square feet of living area, exclusive of screened-in porches, other porches, terraces, patios, carports and/or attached garages. Garages are not to exceed 900 square feet, unless otherwise approved by the Board of Directors.
- i. Footings: the top of the footings must be a minimum of 36 inches below the final grade with poured concrete at least 16 inches wide and 8 inches high on all homes and attached garages.
  - 1. Floating mat foundations with a minimum edge thickness of 20 X 12 is acceptable for garages/homes.
- j. Foundations must be either poured concrete or cement blocks, and extend above the final grade a minimum of 8 inches when there is a crawl space or basement.
- k. House Siding must have the approval of the Building Committee. Roll paper, imitation roll brick, plywood sheathing, corrugated metal and galvanized metal are not acceptable. Each house must be equipped with glass windows of a manufactured type.
- l. Roof covering of the roll type is not permitted except for roofs with a 3 in 12 pitch or less.
- m. Brick Chimneys shall be of brick or masonry construction from ground level through the roof. Brick on edge is not acceptable. A prefabricated metal chimney is permitted if it meets minimum standards of the Underwriter's code.
- n. Wiring in any building shall comply with R.E.A. requirements and national electrical codes.
- o. Plumbing must comply with Illinois State Plumbing Codes.



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- p. Sanitation (see Section 16).
- q. Storage Structure drawing, and proposed location must be approved by the Building Committee. Two storage structures are permitted per assessment. Not to exceed 200 square feet per structure without written Board permission. Storage structures are not to be used for camping or residential occupancy, whether temporarily or permanently.
- r. Garage – No more than two (2) per assessment without Board permission.
- s. Car-Port – No more than one (1) per assessment without Board permission.
- t. Boat House Siding is to be approved by the Building Committee prior to application. The Boat House roof may be of metal but must have proper drainage. The Building Committee must also approve the size and location of boat houses. See below for dock dimensions.
- u. Docks must be properly anchored on shore and may extend into the lake a maximum of 20 feet from the normal water level line unless a variance is granted by the board, No floating docks are allowed. In no case shall a dock extend more than 1/3 (one third) of the way across a bay.
- v. Excess Excavation Dirt shall be the lessee's responsibilities to have the contractor get instructions from the Lake Superintendent as to the disposition of any excess dirt.
- w. It is always wise to get approval or advice from the Building & Construction Committee prior to purchasing materials, buildings, sheds, fencing, etc. The Sunset Lake Association is not responsible for materials that do not conform to our Building Regulations, and will not be held liable for loss or removal.
- x. Lessee is responsible for all clean up of construction debris and damage to roadways.
- y. Any lessee who intentionally or willfully violates, disobeys, omits, neglects or refuses to comply with these Building and Construction Regulations may be fined not less than \$50.00, nor more than \$250.00 for each offense per day, and may be fined starting from the date of the infraction and continuing until the infraction is corrected.

### SECTION 28: Building and Construction Permits

- a. **When a Permit is Required.** A written permit shall be obtained from Sunset Lake Association prior to beginning any construction on Sunset Lake property.
  - 1. To establish any new use of property.
  - 2. To change the use of any building, structure or land from one use to another.



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3. To erect, construct, alter, enlarge, extend, enclose or move any building or structure which would include, but not be limited to homes, garages, boat docks, boat houses, decks, porches, patios, carports or canopies, swimming pools, fences, or sheds.
4. To install or repair a septic system.
5. To demolish or remove any buildings or structures.
6. To replace an existing deck, dock or shed of same size.
7. To allow for handicap accessibility.

### b. Permit Fees

1. Empty Lot Development - \$175 for 24 Months  
NOTE: This includes permits for New Home (exterior to be completed in one year from date of permit.), Detached Garage, and Boat Dock. This will save \$25 for the bundle.
2. New Home - \$100.00
3. Garage/Boat House/Covered Boat Dock - \$70.00
4. Home Addition - \$70.00
5. Deck or Swimming Pool - \$40.00
6. Boat Dock or Car Port - \$30.00
7. Shed - \$25.00
8. Enclosure of Existing Structure - \$25.00  
NOTE: This includes any structural changes to home or garage such as screened-in porch, patio, sunroom, extension on garage, roof over deck/dock. Not to be confused with Home Addition.
9. Dog Run - \$20.00
10. Extension of Boat Dock or Deck - \$20.00
11. Septic System - \$10.00
12. Demolition - \$0.00 (no cost)
13. Replacement of existing deck, dock or shed of same size - \$0.00 (no cost)
14. Handicap Accessibility Improvements - \$0.00 (no cost)

### c. The Permit Process

1. **Submit Application.** The Permit Application requires information about the construction project. You will be asked to document who will perform the work, what work will be done, where the work will be done, when the work will be done, and how the work will be done. Sketches, drawings, plans or other documentation of the proposed work will have to be submitted for review. Leaseholder must submit the following:
  - a. Two (2) sets of building plans, specifications, and drawings showing location and dimensions of existing and proposed structures on site, including structures that are to be removed. Each building must be labeled as to its use, outline the distance from lot lines, roadways, and easements, etc., and indicate direction with a North arrow.



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- b. Specifications on the type of silt fence or barrier that will stop any silt from eroding into the lake. The approved plan must be in place during construction and held there until the affected area has reached a point of stabilization. If the Erosion Control plan is not filed with a Building Permit for approval or is not followed through as the approved filed plan indicates a fine of up to \$200.00 per day may be assessed starting from the date of the infraction and continuing until the infraction is corrected. The Lessee is responsible for the plan and its implementation. When available the Superintendent can supply silt fence for a nominal fee.
      - c. Any lot being developed for the first time must have a letter from Nilwood Water stating that water service will be available by Nilwood Water, to the residence, prior to the Building Permit being issued. (Added June 2019)
2. **Wait during the review process.** The majority of permit applications are processed with little delay. The Building & Construction Committee will determine if the proposed project is in compliance with the Building Regulations. If plans are submitted for new construction of a home or garage, then the building plans must be approved, signed and dated by a majority of the board.
3. **Receive Results of the Review Process.** If it is determined that the proposed project is in compliance with the Building Regulations, the application will be approved and the permit issued. If it is determined that the proposed project is not in compliance with the Building Regulations, the application, as submitted, will be denied. In the case of such denial, the member may correct the application to bring it into compliance, or appeal the decision.
4. **Receive a Permit.** The lessee must obtain a properly executed permit before starting any construction. The Building Permit is the document granting legal permission to start construction. You must proceed as approved in the review process.
  - a. The fee will be collected at that time the permit is granted.
  - b. Building plans, drawings, specifications and the Erosion Control plan shall be filed in the office of the Association. When approval is granted by the Building & Construction Committee, the second set of plans, drawings, specifications and the Erosion Control plan will be returned to the leaseholder, together with the Building Permit and must be available at the construction site for inspection at all times until construction is completed. If any construction is commenced prior to obtaining a permit, the lessee shall be subject to a penalty.
5. **Arrange Inspection Visits.** Each major phase of construction must be inspected by a member of the Building and Construction Committee to make certain the work conforms to the Building Regulations. The person responsible for the construction project must request each inspection, normally 24 to 48 hours in advance, by calling one of the Building Committee members. If an inspector finds that some work does not conform to approved plans, the Committee member will



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advise and provide written notice that the situation is to be remedied. If the violation is serious, a stop-work order may be posted until the problem is resolved. A re-inspection of the work will be necessary. Items to be Inspected include:

- a. Footings – after forming, but prior to pouring.
  - b. Foundation Walls – after forming, but prior to pouring or before any block work.
  - c. Septic Systems.
  - d. Completion to approved final construction on exterior of structure.
6. **Certificate of Completion.** A certificate of completion must be obtained prior to moving in any personal items (appliances are permitted), or a \$200.00 fine per day will apply.

### SECTION 39: Requirements to Transfer Property or Modify Ownership of Leasehold

- a. Prior to transferring a property lease, or adding or deleting leaseholder(s), the Association requires the lessee to adhere to and/or furnish the following:
  1. Payment of all Lease Transfer Fees, Recording Fees, Assessments and any moneys due the Association on or before the date of closing. Property transfer fee \$300.00 from buyer and from seller and Name Change or Modification of Lease \$100.00
  2. The kind and age of the septic system must be established to adhere to Section 16, Sanitation, of these Rules and Regulations, the Macoupin County Health Dept., and the State of Illinois.
    - a. An independent Septic Inspection must be completed prior to the transfer and a copy of the inspection must be submitted to the Board of Directors to remain in the lessee file.
    - b. Any decisions regarding septic system escrow (both amount of escrow and time frame) is to be resolved solely between the buyer and seller (if needed).
    - c. A review prior to the closing date and lease transfer must be completed by one or more Board Members.
  3. A survey done in the last ten years of the platted lot(s) by a registered surveyor is required to transfer the lease. A copy of the survey must be on file at the Sunset Lake office before the transfer of the property can be completed, or the funds must be escrowed from the transferor or transferee for the cost of the survey.
    - a. If at the time of the transfer, a survey of the lot(s) cannot be completed for whatever reason, the Association will require an escrow (deposit) of one hundred percent (100%) of the estimated cost for the survey.
    - b. Upon completion, any escrow will be disbursed as the transferor and transferee arranged at the time of deposit.
    - c. Should the survey not be completed within 60 days following the closing, the Board of Directors may arrange for the survey of the lot(s) to be done with the funds in the escrow, remitting any excess to the proper party(s).



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4. A Board Member will review the shoreline for protection from erosion.
  - a. Any improvements deemed necessary by the Association, to the shoreline, must be completed by the seller.
  - b. Association observation and approval of the shoreline improvements must be completed prior to closing and lease transfer.
- b. The Association makes no observations nor any representations on behalf of the transferor or transferee, and neither transferor nor transferee is entitled to rely upon any observations performed by Association employees or Board members as creating any liability by the Association should the property in fact be in a condition different than the Association's inspection would indicate. No such observations will result in any waiver of any provision of any lease. Any expense connected with such independent inspections and work is the responsibilities of the transferor and/or transferee.
- c. Should the lessee decide not to transfer the leased property, or modify ownership of a leasehold, and the observations called for hereunder disclose deficiencies, the lessee will be required to remedy any such deficiencies to the septic/sewage system and/or its connections to the wastewater plumbing system in the residence, and to the shoreline, boat dock and grounds in accordance with the Bylaws, and the Rules and Regulations of Sunset Lake Association.
- d. Prior to issuing a lease to a transferee, name change or modification, the transferee/new leaseholder must attend a new member orientation and must sign an acknowledgement that they have read and agree to abide by the Sunset Lake Association Rules and Regulations.
- e. If current leasehold is transferred to his own trust or estate, or if modification of lease is only for addition or deletion of leaseholder(s), all items in this Section 39 are applicable except for a new survey specified in 39.a. (Modified December 2018)

### SECTION 40: Complaints

- a. Complaints regarding any member's compliance with these Rules and Regulations or the Board's Enforcement of these Rules and Regulations should be submitted in writing or personally brought before the Board of Directors at its monthly meeting.
- b. The Executive Officers will acknowledge the complaint within 7 days, investigate any allegations within 30 days, and respond to the complainant within 45 days.
- c. Written complaints and the corresponding outcomes will be maintained in the respective member files in the Sunset Lake Association Office.