



Sawmill Creek
Homeowners Association

c/o Oak and Dale Properties
211 W. Chicago Ave., Suite 10
Hinsdale, IL 60521

**REVISED AND AMENDED RULES AND REGULATIONS
For
SAWMILL CREEK HOMEOWNERS ASSOCIATION**

NOTICE

NOW APPROVED AND ADOPTED

April 21, 2018

Please note that the Board approved and adopted the enclosed updated Revised and Amended Rules and Regulations at the Board meeting on March 27, 2018, as per the prior notification.

We are required to send you this additional copy of the REVISED AND AMENDED RULES AND REGULATIONS for SAWMILL CREEK HOMEOWNERS ASSOCIATION, **as approved and adopted. Please retain for your records. Please read to familiarize yourself/yourselfs and family of these Rules and Regulations that are now in effect.**

Sincerely,

Ellen Donovan
Managing Agent
Oak and Dale Properties

**REVISED AND AMENDED RULES AND REGULATIONS
for
SAWMILL CREEK HOMEOWNERS ASSOCIATION**

WHEREAS, the SAWMILL CREEK HOMEOWNERS ASSOCIATION (“Association”) is an Illinois Common Interest Community Association as defined by applicable law; and

WHEREAS, the Association is governed by a Board of Directors (the “Board”), comprising Association Members who are Owners of lots/premises within the Association of several different kinds; specifically, Single-Family Homes, Townhomes and Court Homes; and

WHEREAS, the Association, and the use by members and other persons of its common areas and of Lots comprising the Association, is governed by the Sawmill Creek Declaration of Covenants, Conditions and Restrictions, recorded in the office of the DuPage County Recorder of Deeds on September 4, 1973 as Document No. R73-56085, as thereafter from time to time supplemented and amended, and the By-Laws of the Sawmill Creek Homeowners Association (together, the “Instruments”); and

WHEREAS, the Association, acting through its Board and/or Members, as defined pursuant to the terms of the Instruments above-described, has the authority to adopt reasonable Rules and Regulations pertaining to the use of the common areas, to enforce applicable provisions of the Instruments, and to levy and collect reasonable fines from members for any violation of Rules and Regulations of the Association adopted by the Association’s Board pertaining to the use of certain common areas and/or of the Instruments; and

WHEREAS, the Declaration, at Part I, Section 7 thereof, provides that “[n]o noxious or offensive trade or activity shall be carried on upon any lot [comprising the Association], nor shall anything be done thereon which may be or become an annoyance to the neighborhood”; and

WHEREAS, though the Association currently has certain Rules and restrictions, including rules on parking, various disputes and conditions have arisen, particularly within the “Townhome” portion of the Association, relating to vehicle parking and clearing of snow on common element Association streets which may affect the safety of Association members, residents and their guests and their use of said streets; and

WHEREAS, the portion of Wildwood Lane in the Townhome portion of the Association is narrow, and has many driveways closely-spaced, making on-street parking there a potential concern to Townhome owners and residents, other drivers, and especially to emergency vehicles, school buses and delivery vehicles at any time, including especially times of bad weather; and

WHEREAS, the clearing of snow from Townhome driveways, or any other portion of those Lots, and deposition of same in the adjacent street creates a potential hazard to other drivers, and may cause the Association to incur additional expense for snow clearing/removal; and

WHEREAS, additional and/or revised Rules regarding to alteration and installation of exterior light fixtures in the Association have become necessary and advisable; and

WHEREAS, the Board has become aware that portions of the Rules are in certain respects not sufficiently clear and specific and additional and revised Rules are in some instances necessary for portions of the Association, including portions comprising the “Townhomes;”

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD AS FOLLOWS:

Upon their adoption, the following shall be and become the Rules and Regulations of the Sawmill Creek Homeowners Association, superseding prior versions of the Rules to the extent stated herein, providing further clarity to same, rendering them consistent with applicable law, and adding certain new Rules and Regulations in order to establish uniform guidelines for the recognition and remediation of certain noxious activity that is/has become an annoyance to the Association, including the Townhome neighborhood, but leaving the existing Pool Rules in effect:

Sawmill Creek Homeowners Association

Rules and Regulations

The Board of Directors of Sawmill Creek Homeowners Association has adopted these Rules and Regulations to enhance the living experience here and to encourage residents to take pride in their subdivisions. These Rules are intended to complement and accompany the Association's Declaration and By-Laws and are subject to enforcement by the Board. Homeowners found not to be in compliance with the Declaration, By-Laws or these Rules and Regulations are subject to fines and/or enforcement by the Association as provided.

Though these Rules and Regulations are intended to be for the benefit of all residents of Sawmill Creek Homeowners Association, as a result of differences between portions of the Association comprising Townhomes, Court Homes and Single-family Homes, certain rules may not pertain to the Single-family Homeowners (**SFH**). Rules that apply to ALL homeowners, including the Single-family homeowners, will be denoted with an "**SFH**" designation at the end of the Rule.

ARCHITECTURAL

1. All exterior and certain interior changes/alterations/replacements require written permission from the Board of Directors. The approval process is initiated by the Homeowner submitting a request/proposal in writing to the Association's Management Agent. Such requests/proposals shall include a description of the work to be done, with drawings and details showing what it will look like, and/or product information showing the finished appearance, dimensions, materials to be used, and approximate time to complete. The request should include the vendor's signed proposal. Each vendor or contractor shall be bonded and insured. The vendor must supply a certificate of insurance naming the Association on the certificate as an additional insured. The Board may approve the application, reject the application, or return the application with a request for further information. If approved, the Management Company will prepare the "Variance" forms. These forms will spell out the terms of, and any conditions upon, the approval, with time limits for completion, and will include language that may specify that the Homeowner will remain responsible for subsequent maintenance of the alterations described in the Variance. The Variance documents will not be considered complete, and no work under same shall be started, until signed by the Homeowner agreeing to all terms and conditions therein.
2. Subject only to applicable law, the location and installation of any satellite dish(es) and/or antenna requires Board approval through the Variance process indicated in Item 1 above.
3. **EXTERIOR LIGHTING.** Any changes to Coach lights (wall-mounted adjacent to sides of garage door) and front porch lights are subject to approval by the Board per paragraph 1, above. Such fixtures shall be limited to a light source equivalent to no greater than a 60-watt incandescent bulb and have a color temperature no higher than 3200°K (typically described as "warm white") and may be lit from dusk to dawn. The management agent has pictures of approved lights.

Rear patio exterior lights and/or other approved lighting elsewhere on a lot must be a shaded, or “down-facing,” light fixture, so as not to throw light on adjacent properties. The management agent has pictures of approved lights. Rear or other approved lights shall not be continuously on from dusk to dawn, but instead may be on when the area lit is in use, or for a limited time when triggered by a “motion sensor,” which must be calibrated so as to activate a light only as a result of motion on the property where the sensor is located. Such lights shall be limited to a light source equivalent to no greater than a 60-watt incandescent bulb and have a color temperature no higher than 3200°K (typically described as “warm white”).

In the event the Association receives complaints from adjacent unit owners, the Association may take steps as provided in these Rules and Regulations to enforce these provisions.

PARKING

1. All Homeowners and residents are expected to keep their vehicles in their garages and driveways whenever space is available.
2. Homeowners will be charged for repairs of asphalt damaged by fluid leaks from vehicles.
3. Guests shall park in driveways, if space is available.
4. Vehicles shall not be parked on the opposite side of the street from where a vehicle is already parked on Wildwood Lane. Emergency vehicles, school buses, and delivery vehicles are not able to pass in these situations. Violators may be subject to fines/enforcement action. **(SFH)**
5. No parking in front of mailboxes or hydrants. **(SFH)**
6. No parking or storage of recreational vehicles, campers, boats, trailers, large trucks, commercial vans, or any vehicles displaying advertisements of any kind is allowed on streets, driveways, or parking lots. **(SFH on Boulder Drive and Wildwood Lane)**
7. After one (1) inch or more of snow falls, vehicles are not allowed to park on Wildwood Lane and common parts of Boulder Drive such as the main entrance drives, the parking lot, and parking spaces by the pool/clubhouse until after snow has been plowed. If vehicles parked on the street(s) prevent their being plowed, the vehicles’ owner(s) may be charged for additional plowing expenses incurred, if any; and driveways with parked vehicles may not be plowed. **(SFH on Boulder Drive and Wildwood Lane)**
8. All guests are required to follow parking rules. The homeowner is responsible for their guests and should insure that guests follow the rules. Any violations of these rules may result in fines, after notice and an opportunity for hearing. **(SFH on Boulder Drive and Wildwood Lane)**

Additional Parking Rules for Townhome Portion of Wildwood Lane.

In addition to the Rules on Parking above that are already in effect (and as same are hereby revised), because of the narrowness of all portions of Wildwood Lane adjacent to any of the

Townhomes and the proximity of the driveways serving those Townhomes to each other (and the resulting detrimental effects upon driveway access), the following Additional Rules on Parking in sections 9 through 13, below, shall, upon adoption, apply to the above-described portions of Wildwood Lane:

9. All Townhome owners, residents and their guests shall park in their garages or on their driveways, if available.
10. Only if no space is available in the garage or driveway, and so long as it is not a regular and frequent occurrence as may be determined by the Board, an Owner, resident or their guest may park in a permitted space on the street adjacent or as near as practicable to his/her own driveway, subject to the following additional restrictions: the following are not 'permitted parking spaces:' parking (a) in front of a fire hydrant or mailbox or (b) on the opposite side of the street from where a vehicle is already parked.
11. In the event that no space is available in an Owner's garage or driveway on a regular and/or frequent basis, it is the Board's preference that the Owner, resident or their guest park in a parking space on Lakeview Drive, or only if necessary and with the manager's prior approval, in the Association's small parking lot at the Association's pool/recreation facility, when those facilities are not open for use by Association members and their guests.
12. At no time shall any vehicle be parked on referenced portions of Wildwood Lane or Lakeview Drive overnight, which is defined for these purposes as parking between the hours of 2:00 A.M. and 6:00 A.M.
13. Notwithstanding the foregoing provisions, any Owner or resident who parks a vehicle with such frequency or in such manner as to be a nuisance or annoyance to the owner(s) and/or residents of another Townhome or Townhomes shall be subject to fines, which may be imposed upon notice and an opportunity for hearing.

CLEARING SNOW

1. All Owners or Residents of the Association clearing snow from any driveway or walkway on a Lot within the Association, or other persons clearing snow on behalf of an Owner or Resident, shall clear the snow to the side of the walkway or driveway, and shall in no event clear snow by pushing, shoveling, or otherwise depositing same in any Association street. In addition to being subject to fines upon notice and an opportunity for hearing, clearing snow into the street may result in the Owner being charged for any additional plowing expense the Association may incur as a result.

FINES/ENFORCEMENT (Applies to Townhome/Court Home Rules and Regulations excluding Pool Rules)

1. If after notice and an opportunity for hearing, the Board determines that violation(s) of any rules and regulations of the Association charged are proven, or if the violation is deemed admitted where no hearing is requested by the Owner within fourteen (14) days after the sending of notice, the Board may thereupon impose a fine against the Owner responsible for the violation in an amount not less than ten dollars (\$10.00), nor more than one-hundred dollars (\$100.00) for a first violation, as the Board shall deem appropriate taking into

account the circumstances and consequences of the violation. Fines for subsequent similar violations may be higher.

In the event of a violation of a continuing nature, a fine may be set by the Board in an amount not to exceed twenty-five dollars (\$25.00) per day that the violation existed, or until cured if still existing as of the date of hearing.

2. Fines imposed hereunder are the result of estimated harm/damage to the Association and/or its Members resulting from the violation charged which are difficult to ascertain, and such fines are, and are intended to be, a reasonable approximation of that harm. Moreover, in the event the Association incurs expenses for legal fees and/or costs as a result of the involvement of the Association's attorney in addressing any violation, then in addition to any fines imposed, such fees and costs shall be an additional charge against the Owner's account with the Association, collectible as any delinquent charge or common expense under the Instruments.
3. In the event of multiple or repeated violations of the same or a similar nature, the Association reserves the right to proceed via any of the remedies provided under the Declaration and/or By-Laws, including instituting an action in Court for any and all claims the Association may have, in law or in equity, and in such event, the Association shall have the right to recover its reasonable attorneys' fees and all costs incurred.

NOISE

1. Homeowners, residents and their guests shall at all times exercise reasonable care to avoid making or permitting loud, disturbing, objectionable and/or excessive noise. Particular care should be exercised between the hours of 10:00 pm and 8:00 am. **(SFH while at pool/clubhouse; on Boulder Drive, Wildwood Lane and at Lake/Park).**

PETS

1. Dogs and cats (and any other pet) must be leashed when outside its owner's fenced yard, if any. Owners shall clean up after their pets. **(SFH while at pool/clubhouse; on Boulder Drive, Wildwood Lane).**

TRASH

1. Trash shall not be put out earlier than 6:00 pm on the evening before the pickup date. All trash shall be placed entirely within receptacles and secured so as not to blow around.

SPEED LIMIT

1. The speed limit on Wildwood Lane and Boulder Drive is 10 MPH. **(SFH)**

LATE PAYMENTS AND LATE CHARGES

1. Assessments are due on the first of every month. There is a grace period through the fifteenth of each month. Any Homeowner making an assessment payment on the sixteenth or after will be charged a late charge of ten dollars (\$10.00).

LAKE AND PARK

1. Park and lake access is open to residents of Sawmill Creek and Devonshire Homeowner Associations only. All guests using the lake and park area must be accompanied by a resident at all times. **(SFH)**
2. Fishing is allowed by residents and their guests only. All fishing is 'catch and release' only.
3. Pets shall be kept on a leash. Pet owners shall pick up waste from their animal and dispose of same properly. **(SFH)**
4. No swimming is permitted in the lake. **(SFH)**
5. No gas-powered boats allowed. **(SFH)**
6. No ice skating or sledding allowed. **(SFH)**
7. No camping and/or campfires allowed. **(SFH)**