

Creekside of Wheaton
Homeowners Association

Homeowner Handbook
Revised November 1, 2022

Table of Contents

	Page
Introduction	3
Useful Information	4
General Homeowner Responsibilities	5
Buildings	
Exterior Changes	
Room Additions	6
Patios	6
Decks	7
Front Doors	7
Garage Doors	7
Windows	7-8
Other Exterior Items	
Snow Removal	9
Trash Collection	9
Mailboxes	9
Parking	10
Temporary Outside Storage	10
Animals	11
Noise	11
Grounds	
Lawns	12
Shrubs and Foundation Plantings	12
Trees	12
General Maintenance and Replacement Responsibility Chart & Notes	13-15
Home Sales	16-17

Introduction

Creekside of Wheaton Homeowners Association was established in 1984 and consists of 52 units (26 buildings) on Stonebridge Trail and Creekside Drive. In 2015 the Declaration of the Association was revised to meet changes in State and Federal laws. This document is filed with the DuPage County Recorder #R2015-126047. **The Creekside of Wheaton 2015 Amended and Restated Declaration of Covenants, Conditions and Restrictions and Association Bylaws are our governing document.**

This Homeowner Handbook has been created as a more user-friendly way to find information related to living in our community and maintaining the high quality of our homes. This Handbook is a compilation of our updated Declaration and Amendments that have been made over time to the original Declaration. This Handbook is not legally binding, on the Association or the Board of Directors, and should not be considered legal advice to the reader.

Since inception, our Association has been self-governed. This means that we do not pay a management company to manage our properties. The Board of our Association consists of five individuals who volunteer their time, and coordinate the various vendors used to maintain our properties. This has allowed us to operate at reduced expense levels and keep Homeowner Assessments at or below those of other Homeowners Associations in our area. This is not to say that a relationship with a management company cannot or will not be established in the future, as our Declaration does allow this type of management relationship.

All homeowners are encouraged to take an active part in our community. Please consider volunteering to serve on the Board of Directors or a committee that may be established to help maintain the high quality of our community.

Creekside of Wheaton Homeowners Association holds an annual business meeting in the fall quarter of each year. It is important that homeowners attend this meeting, as there will be a review of the current budget and expenses, and homeowners will vote to approve the budget for the coming year. In addition, the Board members will be elected for the coming year. You will receive electronic notice (unless otherwise arranged) thirty days prior to the meeting date. After the annual business meeting, you will receive contact information for each Board member as well as their area of responsibility. The Board members meet periodically throughout the year. Please consult a current Board member to find out about these meeting dates.

Unlike single family living, we live in very close proximity to one another. We share walls and many of us share driveways, therefore we must be respectful of one another.

Useful Information

City of Wheaton 1-630-260-2000

www.wheaton.il.us

Police (non-emergency) 1-630-260-2131

Water 1-630-260-2024

Sanitary District 1-630-668-1515

Power Outage reporting 1-800-334-7661

(1-800-Edison1)

Natural Gas 1-888-642-6748

Trash Pickup Every Tuesday

(See City of Wheaton website for details and changes.)

Parking prohibited

- East side (odd numbered) of Stonebridge Trail
- 2AM to 6AM all Wheaton streets
- After 2-inch snowfall (until street is plowed)
- Overnight street parking call 1-888-642-6748

Other Restrictions As noted in 1997 Amendment

- No fencing is allowed in the complex
- No external TV antennas (small roof-top satellite dishes are permitted)
- No swing sets, sandboxes, or basketball backboards

General Homeowner Responsibilities

1. Vote, in person or by proxy at the Annual meeting of Creekside of Wheaton Homeowners Association
2. Timely payment of assessments
3. Abide by the laws and regulations of the City of Wheaton and the Creekside of Wheaton Homeowners Association Declaration of Covenants, Conditions and Restrictions and Association Bylaws.
4. Purchase adequate replacement-value Homeowners Insurance and provide the Association with a current insurance certificate.
5. Make sure your e-mail and phone contact information are up to date and on file with the Secretary of the Association.
6. Consider volunteering your time to serve as a Board member.

Buildings

The Association is responsible for maintenance and repair of exterior walls, siding, soffit, trim, roof and roof decking, brickwork, chimney exteriors, gutters and downspouts, and exterior entry door painting.

The Homeowner is responsible for maintenance, repair and replacement of garage doors, windows, skylights and adjoining flashing, coach lights, decks, railings, patios, screen porches and seasonal rooms. In addition, homeowners are responsible for foundation repairs, sanitary sewers, foundation drains and sump pumps, interior fireplace flues, and exterior water spigots.

Pest control, including the removal of insects or animals, prevention and repair is the responsibility of each homeowner.

Exterior Changes

Any exterior changes are at the expense of the homeowner and must receive Association approval before implementation.

The following building projects will also require approval from the City of Wheaton in the form of a building permit:

ROOM ADDITIONS

For room additions, the city will generally want to see:

- A permit application
- Architectural Plans
- Contractor Registration
- Grading Plans
- Combustion Air Calculation Worksheet (needed only if adding a new furnace or water heater)
- Water service line sizing
- A letter from the Association Board stating that they have reviewed and Approved the plan

PATIOS

For patios, the city will generally want to see:

- A permit application
- Architectural Plans
- A Plat of Survey
- A letter from the Association Board stating that they have reviewed and approved the plan

DECKS

For decks, the city will generally want to see:

- A permit application
- Architectural Plans
- A Plat of Survey
- A letter from the Association Board stating that they have reviewed and approved the plan

ALL BUILDING AND LANDSCAPE IMPROVEMENT PROJECTS MUST ALSO RECEIVE THE APPROVAL OF THE CREEKSIDE OF WHEATON ASSOCIATION BOARD

FOR SPECIFIC PERMITTING REQUIREMENTS PLEASE VISIT THE FOLLOWING WEBSITE FOR DETAILS

<https://www.wheaton.il.us/165/Building-Projects-Permits>

Front Doors

Front entry doors to each residence must be six panel and dark brown in color. All replacement doors must receive Association approval prior to replacement.

The Association shall pay one-half the cost (up to \$350) for steel or fiberglass replacement front doors. Prior notification and approval must be received before the authorization of any reimbursement.

Garage Doors

All replacement doors must receive Association approval prior to replacement. Replacement is at the homeowner's expense.

Windows

All replacement windows must receive Association approval prior to replacement. Replacement is at the homeowner's expense.

In 2019 the Association updated the policy for window replacements.

The following is an additional update and clarification to the previous policy effective **November 1, 2022**.

- 1) Any and all costs for window replacements are the responsibility of the individual homeowner.
- 2) Vinyl, fiberglass, or clad wood windows are to be installed, with beige as the color of the exterior frame and sash of the windows to match the existing color scheme. (Maintenance costs are reduced significantly using vinyl, fiberglass or aluminum-clad wood windows.)

- 3) Grids shall be installed in the same configurations as today. Our current windows have grids with 12 Lights, 15 Lights or 18 Lights. The exterior color of the Grid shall be beige, matching the color of the exterior or the window frames and sashes. Grids can be installed between the panes, or on the glass and can be removable or permanent.
- 4) Exterior casing around windows shall be clad in beige colored aluminum matching the color of the exterior window frames, sashes, and grids.
- 5) When replacing windows, the project must be completed top to bottom for the entire side of the home. For example, if you are replacing the windows on the front of your home, you must replace all upper and lower windows at the same time. The first floor cannot be done one year and the second floor another year. All windows on the same side of the home must be replaced at the same time. The back of the home may be replaced at a later date but will also require upper and lower replacement at the same time. Garage window replacements are optional.
- 6) Homeowners can select any qualified window vendor they wish as long as the replacement windows meet the guidelines for color matching to the current scheme.
- 7) Prior to any installation, the vendor, color, and style must be approved by the Board of Directors of the Association.
- 8) The approval also stipulates that the cost of any siding, trim, roofing, gutter, or flashing requiring repair or replacement as a result of window installation will be the responsibility of the property owner.

Other Exterior Items

The Association is responsible for the maintenance and repair of exterior garage and entry lights, general maintenance of mailboxes, and the maintenance, repair, and replacement of driveways.

Snow Removal

The Association is responsible for snow removal when we receive an accumulation of 2 inches or more. The contractor will be on site removing the snow no more than two hours after the snow stops, or when 6" has accumulated; whichever occurs first. Snow will be removed from driveways and walkways. If vehicles are parked in driveways, snow removal will stop before the car bumper closest to the street. Our contractor does not hand shovel around parked vehicles.

Homeowners are responsible for snow removal that cannot be completed by our contractor due to parked vehicles.

If a garage door is damaged during snow removal, it is the Homeowner's responsibility to report the damage to the Director of Buildings as soon as possible, but no later than April 30.

Trash Collection

Trash containers, bags and recycling containers may be placed at the curb **after** 6PM on the evening prior to collection and must be returned to inside the Unit Owners Garage on the evening following collection. (City of Wheaton Refuse Guidelines).

Mailboxes

All replacement mailbox posts and mailboxes will conform to the program that was approved at the Annual Homeowners Meeting held on November 12, 2011. The replacement cost for posts and mailboxes will be the responsibility of each homeowner affected. The installation and replacement of posts and mailboxes will be handled by the association, along with the cost of installation.

In the event that your mailbox is damaged by a City of Wheaton snowplow, contact the Director of Forestry at 630-260-2122. The city will reimburse the homeowner \$35 (or current City allowance) for damage due to snow removal operations.

Parking

Unit Owners have a “non-exclusive easement” over common driveways and common driveway approaches in order to gain access to their Units. A Unit Owner is allowed to park personal, non-commercial automobiles, sport utility vehicles or personal, non-commercial pick-up trucks upon their own driveway. No Illinois “Class B” business vehicles are allowed.

City ordinance always prohibits parking on the entire East Side of Stonebridge Trail (odd number addresses). This is because Stonebridge Trail is a major North/South thoroughfare and school buses, trucks, and city vehicles must be able to always get through. Police will ticket illegally parked vehicles.

City ordinance prohibits parking on the street between 2AM and 6AM. Residents who wish to park on a City street during this time must either submit a request online (www.wheaton.il.us/parking/) at least one hour before the 2AM deadline, or call the Police Department at 630-260-2161 to report their vehicle on the street. Vehicles that have not been reported will be ticketed.

At other times vehicles may be parked on the West side of the street. During daytime hours, Monday through Saturday, do not block access to mailboxes.

On shared driveways, parking is limited to a distance of no more than one car length immediately adjacent to a Unit Owners own garage door so long as it does not block common egress by neighboring Unit Owners.

Parked vehicles may not obstruct the public way (sidewalk). Vehicles blocking or overhanging the sidewalks will be ticketed.

Temporary Outside Storage

Temporary outdoor storage, such as PODS units can only be placed on driveways (and not block access by other homeowners); and may not remain on property for more than 15 consecutive days or a total of 15 days in a calendar year.

If you are doing some remodeling and need a dumpster, one may be parked on your driveway (but may not block access by other homeowners). Please notify the Association prior to placement of the dumpster. A dumpster may remain in place a maximum of 30 days.

Animals

All animals kept as domestic pets must comply with the Municipal Ordinances of the City of Wheaton and the laws of the State of Illinois. They must be licensed accordingly. Damage to property by any animal shall be the responsibility of the Unit Owner who owns the animal. No commercial pet breeding, pet boarding, pet day care or pet grooming operation is allowed. No animal may be staked unattended on the property or left unattended on decks. Pet excrement must be immediately removed from the lawns, mulch areas and general grounds and owner decks and properly placed in a sealed container for City garbage pickup.

Please be advised that there is an active coyote population in our area. Additional information is available at www.wheaton.il.us . Coyote sightings should be reported at www.wheaton.il.us/coyotereport/ .

Noise

Be a good neighbor. We all share a common wall with a neighbor. In addition, some of our units are closer to the facing unit than others. Just because you can't hear your neighbor, that doesn't mean that they can't hear you. Our units were constructed in the early 1980's, well before the popularity of surround sound and home theater systems.

The City of Wheaton code includes a noise ordinance setting maximum noise levels between the hours of 7 AM and 9 PM, and lower maximum noise levels between 9 PM and 7 AM. Contact the City for further details.

Pet owners are advised that a portion of the ordinance includes disturbances caused by animals defined as follows:

10 minutes or more in any one-hour interval between 7 AM and 11 PM.

5 minutes or more in any one-hour interval between 11:01 PM and 6:59 AM

Grounds

The Association is responsible for maintenance of front, side and rear lawns, and landscape foundation plants located on the front and side (but not rear) yards. The Association is also responsible for snow removal.

Lawns

The Association is responsible for mowing, fertilization, and grub control of front, side, and back lawns.

The Homeowner is responsible for watering their lawn and shrubbery at least once weekly between May 1 and November 30, and for proper disposal of any yard waste they have created (weeds, expired annual plants, etc.). Our landscaper will collect yard waste each week on the same day that they cut the lawns. Please place your yard waste at the curb the day the grass is cut. You can place the waste in a small garbage container that can easily be dumped by hand, paper lawn bags, or bundles of large branches. For additional disposal, consult the City of Wheaton for proper disposal methods.

Shrubs and Foundation Plantings

The Association is responsible for the maintenance, removal, and replacement of foundation plantings on the front and side (but not rear) yards of all units. The Association has spending limits regarding the cost of replacement plantings. When any foundation plantings are removed and replaced by the Association, the Homeowner will be consulted, and may elect to pay additional costs associated with purchasing larger or more expensive plants.

The Homeowner is responsible for watering all shrubs and foundation plants, and for the maintenance, removal, and replacement of foundation plantings in rear yards,

Trees

The Association is responsible for removal of dead trees and branches, seasonal trimming of trees, and removal of dead leaves in the fall. When merited, the Association is responsible for treatment of diseased trees.

Homeowners may not trim or remove trees without prior Association approval.

Homeowners may plant additional trees after receiving Association approval.

General Maintenance & Replacement Responsibility Chart

Components & Elements	Assoc.	Home Owners	Shared Cost	Notes
Exterior walls, siding, soffit & trim	X			
Roofs & roof decking	X			
Chimney Exteriors	X			
Gutters & downspouts			X	Replacement of gutters and downspouts with like kind will be paid for by Association. Upgrading to larger gutters and downspouts will be a 50% shared cost between CHOA and homeowner. Association approval must be received prior to any installation.
Exterior entry door painting	X			Entry doors must be dark brown in color.
Garage door replacement		X		Replacement doors must receive Association approval prior to installation.
Front exterior door replacement			X	Upgrades from wood to steel or fiberglass must be Association approved prior to installation, and Homeowner may be eligible for partial reimbursement.,
Coach lights (garage & front entry)		X		
Driveways	X			Sealcoating will be done every two years. Driveway replacement is as needed and determined by the Association.
Stoop & sidewalks	X			The Association pays for damaged or seriously sinking stoops and sidewalks only, but homeowners may elect to have additional work at their own expense. Association approval must be received prior to installation.
Stoop & sidewalk cleaning		X		Power washing to remove dirt and mildew
Windows		X		Replacements must be Association approved. When replacing windows, the project must be completed top to bottom for the entire side of the home.
Skylights		X		Including adjoining flashing
Decks, railings & patios		X		Additions and/or changes must be Association approved. Homeowner will be responsible for damage to siding and exterior of unit resulting from improper deck installation.

Components & Elements	Assoc.	Home Owners	Shared Cost	Notes
Screen porches & seasonal room additions		X		Plans for additions of screen porches or seasonal rooms must be submitted to the Association for approval. After initial construction, the Association shall be responsible for repainting and re-roofing of any approved additions during the Association-wide painting and roofing cycle, however, the Unit Owner must address any trim, window or siding decay or replacement at their own expense.
Foundations		X		Cracks or settling
Sanitary sewer or foundation drains		X		Including sump pump lines
Water damage		X		Water damage caused by foundation, roof, flashing or window leaks are repaired at Unit Owner's expense.
Interior fireplace flues		X		
Insects, pests or animals		X		Removal, prevention and/or damage caused
Exterior water spigots		X		Including hoses
General grounds maintenance	X			Front, side and rear lawns. General grounds maintenance includes mowing, fertilization, and pest control of lawns; removal of dead trees and branches; treatment for diseased trees when merited; seasonal trimming of shrubs and trees and removal of leaves in fall. Consult current EXTERIOR GROUNDS POLICY (a separate document) which changes periodically with Board approval.
Exterior rear yard plantings		X		
Exterior watering		X		Homeowners are responsible for exterior watering as required to maintain plant, tree and lawn health on the front, sides and, if applicable, rear yards
Foundation plantings located on fronts & sides	X			Does not include rear plantings; replaced if dead or clearly dying; see additional notes (1)
Tree removal	X			Dead or dying trees; homeowners may not trim or remove trees without Board approval
Tree replacements	X			As with shrubs, homeowners may pay additional cost for upgraded plantings; see notes (1)
Snow Removal	X			
Mailboxes		X		See additional notes (2)

NOTES:

(1) The Association covers the labor costs for removing dead and dying trees and shrubs, plus the labor expense for planting replacement shrubs or trees. The Association's cost for shrub or tree replacements is subject to a maximum, however, Unit Owners may elect to pay additional costs associated with purchasing larger or more expensive varieties. The Association may occasionally offer shared-cost landscaping projects, for instance, the replacing of overgrown and unsightly healthy shrubs. For further clarification on shared cost projects, see CREEKSIDE OF WHEATON-2015 AMENDED COVENANTS, CONDITIONS AND RESTRICTIONS AND ASSOCIATION BYLAWS, ARTICLE VIII GENERAL COVENANTS, SECTION 1. Exterior Maintenance, page 21.

(2) Mailboxes are to be maintained by the Association in a uniform manner and the Unit Owner is required to reimburse the Association for the cost of replacement or repairs. In some cases (for instance, if an automobile hit an Owner's box), you may be able to file a claim with your insurance company.

Home Sales

When your home is listed for sale, the Association will require a list of “transfer information” to address the change of ownership.

Illinois law requires that the Seller(s) and the Association furnish the Buyer(s) the “governing documents” of the Association. This information is usually provided during the “Attorney Review Period” (within ten business days following contract signing).

The governing documents include the Bylaws, the budget, a year of our past meeting minutes and a statement by the Association regarding whether any “special assessment” is pending or contemplated. Together this information is commonly referred to as “Section 22.1 Information” which is the Illinois Statute.

Please note that CHOA is not a “condominium” but is legally designated as a “Common Interest Community.” Homes are not insured by the Association. Each homeowner must carry their own property and casualty insurance (a “HO3 or HO5 property insurance policy is required - NOT a HO2 “Condominium” policy). The Association must be named as an “Interested Party” in the insurance policy, so we are annually informed regarding coverage. This information protects all of our neighbors in the event of a fire or other loss.

During a sale, the Association also requires the name(s) of the new owners, their email addresses and payment information for the monthly assessment (the “ACH” information). A copy of Homeowner Handbook is also provided. A transfer fee of \$250.00 is payable to the Association by the new owners and is collected by the title company at closing. The Seller(s) should alert their attorney and Realtor to this requirement, and you should contact the Association Secretary.

A “Paid Assessment Letter” (“PAL”) will be required by the title company at closing and the Association will provide that upon full payment of the final month’s assessment. Sellers should also contact the City of Wheaton for a final water reading and Lakeside Trash for transfer of the garbage and recycling collection information. The Wheaton Sanitary District also requires a final statement and will provide a letter for closing. Please note you cannot close at a title company without the Wheaton Sanitary District letter and that must be obtained approximately 14 days prior to closing.

Assessment charges are prorated at closing and the new “ACH” automatic monthly assessment payment for the new owner begins the month following closing. The monthly “debit date” is selected by the new owner(s) on the ACH payment form.

Please also note: All Association governing documents automatically apply to new owners. The “Covenants, Conditions and Restrictions” apply to all owners in a

“Common Interest Community” pursuant to Illinois law. The new owners do not have to “agree to” or sign any document. We are all automatically governed by the recorded documents and the Rules and Regulations of the Association as amended from time to time by the Board of Directors of the Association. This is a function of Illinois law.