

***LAKWOOD CREEK WEST***  
***HOMEOWNERS ASSOCIATION***

**RULES AND REGULATIONS**

PROPOSED: OCTOBER 2010

# PREFACE

All homeowners are responsible to their fellow homeowners, to be knowledgeable of the “Declarations of Rights, Covenants, Conditions and Restrictions and the By-laws for the Lakewood Creek West West Homeowners Association

The following rules and regulations are designed to make living in the Lakewood Creek West HOA pleasant and comfortable for the members of the Association. Lakewood Creek West HOA is governed by the Homeowners Association with an elected Board of Directors. The Rules & Regulations which the Board may adopt from time to time are for the mutual benefit of all. The cooperation and consideration of each member is vital.

The Rules and Regulations are provided as a guideline and are subordinate to the Declarations of Rights and Covenants and the By-Laws of the Lakewood Creek West HOA, which is a legal document.

## SECTION 1 – INTRODUCTION

- 1.1 The following Rules and Regulations flow from and supplement provisions of the Declaration of Covenants, Conditions and Restrictions for the Lakewood Creek West HOA. It is not the intent of these Rules and Regulations to be a substitute for the Declaration or By-Laws.
- 1.2 Unless specifically defined in these Rules and Regulations, all terms shall have the same definitions as provided in the Declaration of Covenants, Conditions and Restrictions and By-Laws for the Lakewood Creek West HOA.
- 1.3 The headings in these Rules and Regulations are for reference and clarity only and are not intended to modify the language of the specific Rule provisions.

## SECTION 2 - GENERAL RULES and REGULATIONS

- 2.1 **Satellite Dish/Antennae** – Homeowner may install two (2) satellite dish and/or internet antenna, not to exceed 39” (thirty-nine inches) in diameter (in accordance with the current FCC ruling\*). Satellite dish should be placed behind the home or on the rear roof, out of public view. If signal reception mandates that the satellite dish be placed in public view, the dish should be placed at the closest point to the home (where adequate signal can be received). This dish should be hidden as much as possible by flowering plants or foliage. Limit one (1) satellite dish per household unless prior approval by the Architectural Review Committee.

(\*As directed by Congress in Section 207 of the Telecommunications Act of 1996, the Federal Communications Commission adopted the Over-the-Air Reception Device Rule concerning governmental and nongovernmental restrictions on viewers' ability to receive video programming signals from direct broadcast satellites ("DBS"), multichannel multipoint distribution (wireless cable) providers ("MMDS"), and television broadcast stations ("TVBS").

The rule is cited as 47 C.F.R. Section 1.4000 and has been in effect since October 14, 1996. It prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas.

The rule allows local governments, community associations and landlords to enforce restrictions that do not impair, as well as restrictions needed for safety or historic preservation. In addition, the rule does not apply to common areas that are owned by a landlord, a community association, or jointly by condominium or cooperative owners. Therefore, restrictions on antennas installed in common areas are enforceable.)

- 2.2 **Noise** – Being thoughtful of one’s neighbors is important within the Lakewood Creek West HOA. Loud noises from television, stereo equipment, musical instruments, annoying pets and other disturbances should be avoided at all times, especially between the hours of 11 p.m. and 8 a.m. If a homeowner is disturbed by a loud noise, s/he should first attempt to notify the disturbing party. If the disturbing party is uncooperative and the problem is severe, then the local law enforcement agency should be contacted.
- 2.3 **Hazardous Activities** – Activities considered to be of hazardous nature shall not be conducted in any part of the Property, and no improvements shall be constructed thereon which are or might be unsafe or hazardous. No firearms shall be discharged, (including paint guns, pellet or any/all projectile expelling devices) no fireworks discharged, no open fires shall be lighted or permitted

except in a contained barbeque or commercial fire pit or within a safe and well designed interior fireplace.

2.4 **Lights, and Sounds** – No exterior lighting shall be installed on any part of a lot which is unreasonably bright or causes unreasonable glare. Each owner may install exterior lighting which is indirect or has a controlled focus and intensity so that it doesn't disturb residences in adjoining lots. Exterior lighting is subject to regulation of the Association. No sounds shall be emitted which are unreasonably loud and annoying (e.g. excessive or continual "home or car alarms")

2.5 **Trash/Recyclables** – Trash and recycle containers and yard waste, should not be placed at the curb before Dusk or 7:00 pm, whichever is earlier, on the day prior to pick up. All containers must be stored inside the garage by the end of trash collection day.

2.6 **Unsightly Conditions** –

- a. Resident/Owner must keep their lawns mowed no higher than 3 inches and free of weeds and dead plant material. This applies to the entire property; front, rear and side lawn.
- b. Resident/Owner must keep their house in good condition including but not limited to the siding, doors, windows, screens, roof, and mailboxes.
- c. Resident/Owners who have wood burning fireplaces must keep their firewood either on the back half of the Unit on the garage side or in the rear of the unit and stacked no more than 48" high.
- d. Owners may not use the side of the house for storage of any kind (except for Item 2.6.c).
- e. Yard waste bags are not to be visible from the front of the house until dusk or 7PM, whichever is earlier, on day prior to pick up.
- f. Portable basketball equipment must be stored *indoors or in the rear of the unit* between November 1 and April 1. Hoops are not permitted to be lying down in front or side of house. Hoops are not permitted in the parkway and must be upright at all times and must not be grounded with any type of sandbags or other unsightly items.

2.7 **Pets** –

- a. Pets must remain within the owner's enclosed property except when in the presence of the owner and on a leash. Pets must not be left tethered and/or unattended so as to put the pet or people in danger.
- b. Pets shall not be allowed to make an unreasonable amount of noise or become a nuisance to others.
- c. Animals may not be kept, bred or maintained for any commercial purposes.
- d. Pet owners must clean up the excrement of their pets on their own property as well as when walking their pets (this includes common areas).
- e. Livestock, swine or poultry of any kind shall not be raised, bred or kept in any household.
- f. Pets must be properly tethered and may not come closer than 3 feet from any property line or sidewalk. Only tethering stakes intended and designed for pets are permitted.

2.8 **Signs** –

- a. Only one "for sale" sign of not more than five (5) square feet is allowed on the property and only one sign per home is permitted. Signs cannot be located between the sidewalk and street. Signs cannot be affixed to any part of the unit; must be in the yard.

- b. No vehicles may be parked in the cabana lot with “for sale” signs.
- c. Political signs may be posted 30 days prior to Election Day and removed within 24 hours after Election Day and must meet voting/polling guidelines.
- d. No signs of any kind shall be placed on Common Area.

2.9 **Holiday Decorations** - Exterior items of a primarily decorative nature visible from the public right of way and associated with the celebration of minor events or holidays shall be displayed no earlier than two weeks prior to and removed no later than one week after (Valentine’s Day, St. Patrick’s Day, Easter, etc.). Halloween decorations may be displayed from October 1 and removed by November 8. Major holiday decorative items may be displayed the day after Thanksgiving and removed by the second week of January (weather permitting). Gutter light hooks (**not lights**) may be left attached to gutters and are not in violation.

2.10 **Parking/Vehicles –**

- a. Commercial vehicles **not larger** than a panel van are required to be parked in driveway (not on the street).
- b. Recreational vehicles including boats, trailers, recreational vehicles or similar vehicles shall be stored off-site or garaged. A maximum of 48 hours is permitted to allow for loading, etc.
- c. No repair work or bodywork of any motorized vehicle shall be permitted except within the confines of the garage.
- d. Vehicles of any type in non-operative condition shall not be parked anywhere on the property, including driveways, except in garages.
- e. Parking on streets that have been dedicated to the County or Township is subject to County and Township ordinance and enforcement.

2.11 **Architectural Review** – Plans for any modification to the exterior of any home must be submitted to the Architectural Review Committee for approval prior to the modification being made. For the purpose of this article “modifications” shall include: 1) additions, 2) changes to the façade of the home, including color. Changes shall be consistent with the original requirements of the Developer.; 3) fencing and/or garden walls; 4) patios and/or decks; 5) driveways; 6) sidewalks; 7) impactful landscape and hardscape changes; 8) pools and/or hot-tubs; 9) recreational equipment of either permanent or temporary nature; 10) other changes which materially change the exterior appearance of the home and/or landscape.

Portable recreational and play equipment do not require architectural review, including inflatable wading pools for children, if the recreational and play equipment are removed and stored indoors after use.

2.12 **Cabana/Pool Use** – Homeowners who are not current with their assessments will forfeit their pool privileges. Any homeowner who is currently in violation of the Declarations or Rules will also forfeit their privileges until the violation is brought into compliance. Vehicles may not be left overnight in cabana parking lot.

2.13 **Above Ground Pools –**

- a. Any pool exceeding 18” is considered a swimming pool and must adhere to above ground pool rules. All permanent above-ground pools must be decked and skirted. All installations must be granted prior approval by the ARC and follow all village ordinances.

- b. Temporary/seasonal pools with filters must be no taller than four feet and placed in rear yard. The yard in which it is in must be fenced and may not be set up earlier than one week before Memorial Day and must be removed one week after Labor Day. These pools do not need to be decked or skirted and must follow the village rules and regulations.
  
- 2.14 **Staining of Decks/Fences** – Staining is not required. No white or colored paints are permitted.
  
- 2.15 **ATV's, Go-carts, Snow Mobiles and Motorized/Battery Vehicles** – ATV's, go carts, snow mobiles motor or battery powered bikes, scooters, etc. **may not** be driven on any part of the Lakewood Creek West HOA common area including the pond area.
  
- 2.16 **Sheds** – Wooden sheds need prior approval from the ARC before construction begins. Sheds must be built on a concrete base with common frame construction and must match the exterior of the home and meet village code. A permit from the village must be obtained. Only one storage unit per home is permitted.
  
- 2.17 **Pond/Common Area** – Homeowners who border the pond area are prohibited from mowing two feet beyond your property line. Anyone mowing into the prairie area will be fined \$100 per occurrence. No structure of any kind is permitted on pond property.