

# Rules & Regulations

## *Oak Creek Subdivision Homeowners Association*

### **PREAMBLE**

These Rules and Regulations have been adopted with the intent of providing the residents of Oak Creek Homeowners Association hereinafter “Oak Creek” with a practical guide for day-to-day living at Oak Creek.

The power of the Oak Creek Subdivision Homeowners Association governing board to establish fees and to adopt rules and regulations governing the use of common areas and facilities is provided in the Oak Creek Homeowners Association By-Laws, Article V, Sec E.

These Rules and Regulations shall supersede any other Rules and Regulations for the Association.

### **VIOLATIONS**

1. For Declarations, By-Laws and Rules and Regulation (Homeowners Association governing documents) to be completely effective and enforceable, each homeowner should be in a position to report possible violations to the Board of Directors (“the Board”) or the Association’s Property manager (currently RowCal). Owners reporting possible violations must be objective in their reports.
2. Homeowners are ultimately responsible for the actions of their guests in all areas of the community as well as during pool, clubhouse or other common area rentals.
3. All reports of possible violations must be written, signed by an individual residing at Oak Creek, and delivered or mailed to the Board President. A copy of the Violation Report form is attached hereto (form POSSIBLE VIOLATION-REPORT). However, the Board will accept handwritten reports or emailed reports in the same general form as the attached form.

### **FINE PROCEDURE**

1. The Board will review each report of possible violation to determine if in fact the submission falls under the By-Laws or Covenants as a violation.
2. If the Board determines that the possible violation is not credible, enforceable or supported by the governing documents, the resident who submitted the Possible Violation Report will be notified and no further action will be taken.
3. If the Board determines that a violation has been committed, the offending owner will be notified in writing, using the attached VIOLATION-NOTICE form or any similarly formatted report. Such notice shall be sent by regular mail or hand delivered to the offending owner and shall include the date when the Board will meet with the owner to conduct a hearing on the alleged violation.
4. Should the owner wish to contest the violation he or she must attend the Board Meeting noted on the Violation Notice. The owner will be given the opportunity to present any evidence on his/her behalf.

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5. At the hearing, the Board will advise the owner of the evidence it has of the alleged violation. The offending owner will then have the right to present his/her case. the Board has the right to limit the length of the meeting.
6. At the conclusion of the hearing the Board will vote on whether or not a violation has been proven and if a monetary fine will be imposed. A majority of the Board must approve the imposition of a fine. Within five (5) days of the hearing, the Board will provide the owner with written notification of the findings. The Board's decision is deemed final.
7. If an owner fails to attend the hearing or submit a written request to reschedule the meeting, his failure to attend the hearing will result in the allegations being deemed admitted.
8. **If the Board determines that the owner and/or guest is guilty of the violation, fines will be posted to the owner's account. Fines will be applied as follows:**
  - a. **MINOR OFFENSE**

*First Offense:* Assessment of a \$25.00 fine and the owner having seven days to correct the violation.

*Second Offense of the same violation:* Assessment of a \$50.00 fine and the owner having seven days to correct the violation.

*Subsequent Offenses of the same violation:* Assessment of \$100.00 fines and/or initiate any other recourse allowed by the Declaration, Bylaws or applicable Illinois law, including but not limited to initiating legal action.
  - b. **MAJOR OFFENSE**

*First Offense:* Assessment of \$50.00 fine and the owner having seven days to correct the violation.

*Second Offense of the same violation:* Assessment of \$100.00 fine and the owner having seven days to correct the violation.

*Subsequent Offenses of the same violation:* Assessment of \$200.00 fines and/or initiate any other recourse allowed by the Declaration, Bylaws or applicable Illinois law, including but not limited to initiating legal action.
9. In all cases, fines are charged to owners, and the owner is responsible for the payment of the fines. If the owners' guest violated the Declaration, By-Laws or these Rules and Regulations, the owner is still responsible for payment of the fine.
10. Should owners delay payment of fines, they will be treated in the same manner as late assessment payments are now treated.
11. In addition to imposing a monetary fine, the Board has the right to pursue all legal or equitable remedies available to it, in addition to or instead of imposing a fine, to enforce any of the restrictions within the Rules, Declaration or By-Laws for the Association.

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12. A homeowner who violates these Rules and Regulation, or any restriction within the Associations Declaration or By-Laws, will be responsible for reimbursing the Association for the costs and attorney's fees incurred.

#### **ASSESSMENTS**

A 20% late fee shall be imposed on any property owner who is three months or more delinquent in the payment of monthly assessments. (Article VI – OCHA Bylaws)

#### **PROPERTY USE**

1. No gainful occupation or profession, or other non-residential use, shall be conducted on any lot(s) or in any building located on any lot(s). (**Major Offense**, Article III #1 Land Use and Building Type, OCHA-Declarations)
2. No noxious or offensive activity shall be carried on in or upon any premise, nor shall anything be done thereon which is or may be or become any annoyance or nuisance to the neighborhood. (**Minor Offense**, Article III #1 Land Use and Building Type, OCHA-Declarations)
3. No plants or seeds or other things or conditions, harboring or breeding infectious plants, plant diseases or noxious insects shall be introduced upon any lot or portion hereof. (**Minor Offense**, Article III #10 Plant Diseases or Noxious Insects, OCHA-Declarations)
4. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. (**Minor Offense**, Article III #11 Garbage and Refuse Disposal, OCHA-Declarations)
5. All garbage shall be kept in sanitary containers out of site from the street. (**Minor Offense**, Article III #11 Garbage and Refuse Disposal, OCHA-Declarations)
6. No dumping of refuse, dirt, etc. in drainage ditches or drainage easements shall be allowed. (**Minor Offense**, Article III #11 Garbage and Refuse Disposal, OCHA-Declarations)
7. Renting your home – No short-term rentals are allowed (Airbnb, Vrbo, Private, etc.). Only long-term rentals of 12 months or more are allowed. Property owners must submit a Tenant Information Form to the Board along with a copy of the Rental Lease Agreement no less than 30 days prior to start date.

#### **ANIMALS and PETS**

1. No livestock (including horses, poultry, and farm animals) shall be kept or maintained on any lot. (**Major Offense**, Article III #1 Land Use and Building Type, OCHA-Declarations)
2. No more than two domestic animal pets (dogs and cats shall be considered domestic animal pets for the purpose of this covenant) shall be kept or maintained on any lot. (**Minor Offense**, Article III #1 Land Use and Building Type, OCHA-Declarations)
3. Owners shall at all times secure their animals so as not to infringe upon or cause a hazard to other owners or their property. Dogs and cats must be contained on owner's premises or on a leash in other areas. (**Minor Offense**, Article III #1 Land Use and Building Type, OCHA-Declarations)

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### **BURNING**

1. No burning of refuse shall be permitted outside any dwelling, except that the burning of leaves naturally upon the premises is allowed. (**Minor Offense**, Article III #1 Land Use and Building Type, OCHA-Declarations)
2. No incineration or other equipment shall be erected for the disposal of rubbish, trash, garbage or other waste. (**Minor Offense**, Article III #11 Garbage and Refuse Disposal, OCHA-Declarations)
3. No burning shall be permitted on any street surface. (**Minor Offense**, Article III #11 Garbage and Refuse Disposal, OCHA-Declarations)
4. Note: Since the majority of the Subdivision is serviced by the Oswego Fire Dept – Oak Creek abides by the Village of Oswego Rules for open burning and bonfires. Click here for the specifics: <https://www.oswegofire.com/fire-prevention/open-burning-bonfires/>

### **VEHICLES & PARKING**

**“Habitually parked,” for purposes of these restrictions shall be defined as parked in said subdivision, not within a garage located thereon, for a period in excess of three (3) consecutive days.**

1. Commercial vehicles shall not be habitually parked in the subdivision. "Commercial vehicles" shall include all forms of transportation which bear signs or have printed on the same reference to any commercial undertaking or enterprise. (**Minor Offense**, Article III #1 Land Use and Building Type, OCHA-Declarations)
2. No trailers, mobile homes, or recreational vehicles of any kind shall be habitually parked in said subdivision unless within a garage located thereon. (**Minor Offense**, Article III #1 Land Use and Building Type, OCHA-Declarations)
3. Adequate off-street parking spaces shall be provided by the owner of each individual lot, habitual use of on-street parking is prohibited. (**Minor Offense**, Article III #8 Garages and Driveways, OCHA-Declarations)
4. No motorized vehicles or motorized cycles of any kind, except for approved work orders on community property, are allowed on any HOA community property. This includes playground, areas outside of the Clubhouse driveways and parking areas, retention pond area as well as on the walking path.
5. No third parties can be hired or utilized on any HOA Community Property areas without prior authorization and/or signed community property rental agreement from the OCS HOA Board. This is strictly due to risk and liability under our HOA Insurance Policies.

### **ARCHITECTURAL REVIEW**

*All plans and specifications and any other necessary information shall be filed with the Architectural Review Committee for approval or disapproval prior to the commencement of construction by an owner(s) or occupant(s).*

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**No construction of any kind may occur until and unless the plans and specifications therefore have been approved in writing by the Architectural Review Committee. This includes (but not limited to):**

- the erection or re-erection of any building;
- the erection or re-erection of any accessory building or structure; the installation of any garage, driveway, parking area or similar structure

No permanent accessory building or other supplemental structure shall be used as a residence, either temporarily or permanently. (**Major Offense**, Article II #2 Dwelling Quality and Size, #8 Garages and Driveways, #9 Utility or Storage Building, #12 Construction Materials)

1. No above ground pools shall be constructed or installed in the subdivision. (**Major Offense**, Article III #2 Dwelling Quality and Size, OCHA Declarations)
2. No structure of a temporary character, trailer, incomplete buildings, tent, shack, garage, barn, storage pods, basement or other outbuilding shall be used at any time as a residence, either temporarily or permanently. (**Major Offense**, Article III #7 Temporary Structures, OCHA Declarations)
3. A utility or storage building may be erected on each of the lots, providing the County of Kendall acceptance of this plat so permits. Said utility or storage building shall only be built after obtaining the approval of the Architectural Review Committee, as provided herein. (**Major Offense**, Article III #9 Utility or Storage Building, OCHA Declarations)
4. Fencing shall not be allowed. Privacy fences, pool security fences, and dog kennel fences may be constructed on lots located in said subdivision upon prior written approval of the Architectural Review Committee. (**Major Offense**, Article III #12D Construction Materials, OCHA Declarations)
5. No exterior antennas, aerials, satellite dishes (more than 1 meter in diameter), transmission and/or reception towers. (**Major Offense**, Article III #12E Construction Materials, OCHA Declarations)
6. Exterior Lighting and Security Lights: Coach lights, driveway lights and security lights may be installed by each individual lot owner subject to prior written approval by the Architectural Review Committee in order that they not be offensive to adjacent property owners. (**Major Offense**, Article III #12F Construction Materials, OCHA Declarations)
7. Homeowners may not remove any healthy tree with a diameter of more than twelve (12) inches without the approval of the Architectural Review Committee or unless it lies within the approved building pad, driveway or within twenty (20) feet of the dwelling structure. (**Major Offense**, Article III #12G Construction Materials, OCHA Declarations)
8. No sign of any kind shall be displayed to the public view on any lot except a professional sign of not more than five (5) square feet advertising the property for sale or signs used by a builder to advertise the property during the construction and sales period. (**Minor Offense**, Article III #14 Sign, OCHA Declarations)

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#### **UPKEEP**

1. Every lot and structure on the lot shall at all times be kept in a state of good repair by the owner(s) or occupant(s) thereof. (**Minor Offense**, Article III #15 Upkeep and Repair, OCHA Declarations).
2. The owner of each lot will keep his lot mowed or shall pay for having it mowed. (**Minor Offense**, Article III #15 Upkeep and Repair, OCHA Declarations)
3. All lawns must be seeded or have sod installed within one season of the completion of the construction of said residence on any lot. (**Minor Offense**, Article III #16 Landscaping, OCHA Declarations)
4. All purchasers of lots within said subdivision shall keep them mowed, and no lot shall be mowed less than five (5) times during any one year. In the event any vacant lot remains in an unmowed and unsightly condition for a period in excess of one (1) month, the Homeowner's Association reserves the right to have said lot mowed and to charge the owner of said lot for the mowing and for any legal expense incurred in the collection of said indebtedness. (**Minor Offense**, Article III #16 Landscaping, OCHA Declarations)

**The Oak Creek Subdivision Homeowners Association  
hereby adopts the foregoing Rules and Regulations**

this 10<sup>th</sup> day of November, 2025

DocuSigned by:

Linda Grahorec

President 1128C445...

11/11/2025

Dated

Signed by:

John Baur

Secretary 07F0D7042F874DD...

11/11/2025

Dated

DocuSigned by:

Randy Olson

Treasurer 100021756BDC2454...

11/11/2025

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Signed by:

John Baur

Board Member 8425E77110790450...

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Luke Martin

Board Member 04F5952441EBC...

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