



# **Emerald Green**

Villa Owners Association

P.O. Box 448, Warrenville, IL 60555

March 2004

**TO:** Emerald Green Villa Owners

**FROM:** Board of Directors

**SUBJECT:** Revisions to the Rules and Regulations.

As stated in the Declarations of Conditions, Covenants, Easements and Restrictions, the Board of Directors of the Association is responsible for adopting Rules and Regulations. The last action on the Rules and Regulations was taken by the Board in 1996.

Accordingly, the Board has reviewed the existing Rules and Regulations and has made some changes to conform to the Amendments to the Declarations as approved by the Owners. These changes include "Election of Officers" (recorded 9/06/2002) and "Dwelling Insurance" (recorded 7/02/2003). A copy of the new amended Rules and Regulations adopted by the Board as of March 2004 is attached herewith.

Please take time to review this document and retain for future reference and to forward to future owners. Please note the potential monetary fines which may be assessed for a breach of these Rules and Regulations. Also included is the itemized list of the respective responsibilities of the Owner and the Association as to repairs and maintenance and a list of use and occupancy restrictions. Most of these items were retained from the prior Rules and Regulations of 1986 and 1996.

**THE EMERALD GREEN VILLA OWNERS ASSOCIATION**

**“RULES AND REGULATIONS”**

Adopted by the Board of Directors, March 2004

RULES AND REGULATIONS  
OF  
THE EMERALD GREEN VILLA OWNERS ASSOCIATION

In accordance with Article 11,e (3) of the Declaration of Conditions, Covenants, Easements and Restrictions relating to the Emerald Green Villa Owners Association, the Villa Board of Directors (Board) is charged with the following obligation, power and duty:

"to adopt rules and regulations with written notice thereof to all Owners, governing the administration, management, maintenance, operation, use, conservation and beautification of the Property and for the health, comfort, safety and general welfare of the Owners, and to amend such rules and regulations from time to time with written notice to all Owners."

The Board of Directors hereby amends the existing Rules and Regulations as of the date on the last page hereof.

ADMINISTRATION

1. The Board of Directors shall consist of five members.
2. The following officers shall be elected by the Board from its members:
  - a. A President, who shall preside over the meetings of the Board and of the Unit Owners.
  - b. A Vice President, who shall preside when the President is absent, and who shall serve as Chairman of the Architectural Control Committee.
  - c. A Secretary, who shall keep the minutes of all meetings of the Board and of the Unit Owners Annual and Special Meetings.
  - d. A Treasurer, who shall keep the financial records and books of account.
  - e. A Vice President who shall serve as Maintenance Director, and shall be in charge of maintenance requests and shall be Chairman of the Maintenance Committee.

- f. To the extent volunteers are available, committees to be appointed to are: Maintenance, Architectural Control, Legislative, Publicity and Social.
3. The terms of membership to the Board shall follow the procedure described in the Amendment to the Declarations approved August 28, 2002 by the Emerald Green Villa Owners. "At each annual meeting of the Owners, the two members having served the last year of their terms will be up for election. The one receiving highest number of votes will be awarded the three year term. The one receiving the next highest number of votes will be awarded the two year term. The composition of the Board each year will consist of the following: One newly elected member for three years, one newly elected member for two years, one member serving the second year of a three year term, one member serving the last year of a three year term and one member serving the last year of a two year term.
  4. If someone not up for election is unable to complete their term, a volunteer may be appointed by the Board for the remainder of the term subject to confirmation by the members at the next Annual Meeting of the Association.
  5. Prior to the Annual Meeting, a Director Nominating Committee of at least 3 members shall be appointed. The Committee shall publish a slate of candidates at least 30 days prior to the Election. The Committee shall supervise the preparing and distribution of the ballots and proxies. They will also direct the balloting and report the tabulation to the Association at the Annual Meeting.

#### ASSESSMENTS, FEES, FINES, ETC.

The Board shall establish a budget on or before December 1<sup>st</sup> of each year for the succeeding year and shall notify each Owner prior to December 15 as to the prorated monthly assessments for the succeeding year. In the absence of notification, it shall be assumed that the monthly assessment has remained the same.

In the event of a breach of the Declaration of Conditions, Covenants, Easements and Restrictions or of these Rules and Regulations by an Owner, the Board shall give such Owner a written notice of the breach and a request to cure the breach within five days of the date of notice or be subject to a fine and such other action as the Board may determine. Any fine for a first offense shall not exceed \$50. In the event that a breach is deemed flagrant or continuing after written or verbal notice, at its sole option and discretion and without further notice to an Owner, the board may assess a fine of up to \$100 and take such other action as it may determine appropriate. Any expenses, including attorney fees, incurred by the Board as the result of a breach by an Owner may be assessed in addition to any fine. Appeals of any fine assessed may be presented by an Owner at the next regular Board Meeting.

Payment of all monthly assessments, fees, fines and other charges or expenses assessed shall be due on the first day of the month and if not paid by the 15<sup>th</sup> of the month (as evidenced by a post mark) shall be assessed the current late charge as determined by the Board.

All payments due shall be made to Emerald Green Villa Owner Association and mailed to:

P.O. Box 448  
Warrenville, Il. 60555

After an account is delinquent for three months, then upon a ten day written notice to an Owner, a lien may be filed at any time thereafter against the property involved. If payment has not been received, legal proceedings may be instituted to collect any unpaid balance due with all costs of collection and attorneys fees charged to the Owner.

POOL PRIVILEGES FOR DELINQUENT ACCOUNTS SHALL BE SUSPENDED UNTIL ACCOUNT IS PAID IN FULL.

### INSURANCE

The Declaration concerning building insurance was amended to change the responsibility for obtaining this insurance from the Association to the Owners. Each Owner must now include the dwelling with the insurance covering their interior and personal property. This change was approved by the Owners at the special meeting May 20, 2003 and was in force for the year of 2003. Each Owner must submit a proof or declaration of Insurance for each policy term to the Secretary of the Board

Responsibility for maintenance and repairs by the Association and the Home Owners are listed on page 4.

### MAINTENANCE

Requests for maintenance repairs must be in writing and must be delivered to a member of the Board.

IN CASE OF EMERGENCY, Call the Maintenance Director or any member of the Board of Directors.

Following are the respective responsibilities of the Association and Homeowner as to maintenance and repair.

<u>ITEM</u>	<u>ASSOCIATION</u>	<u>HOME OWNER</u>
Copings and Masonry (exterior)	XX	
Roof and roof vents	XX	
Chimney exterior	XX	
Chimney cleaning		XX
Gutters and downspouts	XX	
Gutters and downspouts (clearing of debris)	XX	XX
Window frames exterior	XX	
Window glass and patio door glass		XX
Window screens & patio door screens		XX
Exterior light fixtures	XX	
Exterior light bulbs & glass globes on Unit		XX
Patios	XX	
Garage floor		XX
Blacktop driveways and sealing	XX	
Window wells - clearing of debris		XX
Window wells - covers - steel		XX
Window wells - plastic covers		XX
Outside water faucets		XX
Overhead garage doors - painting only	XX	
Overhead garage doors - hardware		XX
Overhead garage doors - frames	XX	

<u>ITEM</u>	<u>ASSOCIATION</u>	<u>HOME OWNER</u>
Exterior entrance doors - hardware & thresholds		XX
Exterior entrance doors - painting only	XX	
Siding, fascia, soffits, window panels	XX	
Air Conditioners & support pad		XX
Caulking	XX	
Exterior painting and staining	XX	
House numbers and location	XX	
Storm doors or windows		XX
Foundation repairs or leaks		XX
Mailboxes	XX	
Landscaping	XX	
Landscaping plantings by owners		XX
Watering of lawns		XX
Main Entrance	XX	
Snow removal from driveways and walks	XX	
Snow removal from roofs & patios		XX
Streets, street lights & posts, including snow removal	(City of Warrenville)	

ARCHITECTURAL CONTROL FOR CONSERVATION & BEAUTIFICATION OF THE PROPERTY

Rules and Regulations for the common area and building exteriors.

1. No alterations of the Common Area, or any additions or improvements thereto, shall be made by any Owner without the prior written approval of the Board.
2. Any proposed exterior change must be submitted in writing to and must be approved by the Board.
3. All written proposals for additions and improvements will be voted upon by the Board and the party notified in writing within 30 days of the date of receipt of a proposal or the proposed change is automatically approved.
4. A record of all proposals, approved and unapproved changes will be kept by the Board.
5. Any exterior change, addition, or improvement for an individual unit approved by the Board shall be maintained by that Unit Owner at the Owner's expense. The Board may assess the Owner for any and all expenses to maintain any changes. These expenses will include but not be limited to, any and all repairs, upkeep and insurance costs.
6. Homeowners are encouraged to plant flowers and shrubs that enhance the beauty and value of their immediate property. All plantings require Board approval.
7. Owners shall not cause or permit anything to be placed on the outside walls of a Unit, and no sign, awning, canopy, antenna, satellite dish or any other attachment shall be affixed to or placed upon the exterior walls or roof or grounds or any part thereof, without the prior written consent of the Board.
8. No painting or staining of the exterior of the building is allowed unless approved by the Board.
9. Existing storm windows and doors must be painted to match the unit or be replaced with storms similar in color to the existing unit.
10. HEAT TAPES can be used or installed on any Villa subject to approval of the Board.

#### USE AND OCCUPANCY RESTRICTIONS

1. All Units shall be used for single family residential housing and for no other purpose.

2. No business or occupation, commercial, religious or professional service shall be maintained upon the property without the consent of the Board. Garage sale signs, signs advertising "for sale," "for rent," or "open house," or any other special or directional signs shall not be placed upon an Owner's property or the Common Area without the consent of the Board.
3. The Common Area shall not be obstructed in any manner whatsoever, including storage by any owner without the consent of the Board and no use shall be made of any Common Area without the prior written consent of the Board.
4. No garage sales shall be undertaken or trash dumpsters used except as approved by the Board.
5. No animals, rabbits, livestock, fowl or poultry of any kind, except dogs, cats and household pets, shall be raised, bred, or kept in any Unit or in the Common Area.
6. Dogs, cats, or other household pets may be kept in Units, provided they are not kept, bred or maintained for any commercial purpose, and provided further that such pet causing or creating a nuisance or unreasonable disturbance shall be permanently removed from the Property upon three days written notice from the Board.
7. Dogs and cats allowed out of a Unit are to be on a leash.
8. When walked, it is the animal owner's responsibility to make certain that the waste is IMMEDIATELY REMOVED AND DISPOSED OF IN A SANITARY MANNER.
9. No unlawful, immoral, noxious or offensive activity shall be carried on in any Unit or in the Common Area, nor shall anything be done therein, either willfully or negligently, which may be or become an annoyance or nuisance to the other Owners or Occupants.
10. Nothing shall be done in any Unit or in, on, or to the Common Area which will impair the structural integrity of any building. No owner shall overload the electric wiring in a building, or operate any machines, appliances, accessories or equipment in such manner as to cause, in the judgment of the Board, an unreasonable disturbance to others.

11. No clothes, sheets, blankets, laundry of any kind, or other articles shall be hung out or exposed on any part of the Common Area.
12. The Common Area shall be kept free and clear of rubbish, debris and other unsightly materials.
13. Trash, garbage, and other wastes shall be placed in plastic bags, securely tied, and shall be disposed of in a clean, sightly, healthy and sanitary manner.
14. Garbage pick-up is normally on Wednesday mornings. Garbage and trash must be bagged in plastic bags and twist-tied or the equivalent with attached stickers then in use. It may be placed at the street on the morning of the pick-up day.
15. There shall be no playing, lounging, parking of baby carriages or play-pens, bicycles, wagons, toys, vehicles, benches or chairs in any part of the Common Area, which may become an annoyance, nuisance, or destructive to other Units or destructive to the Common Area.
16. The covering of the interior or exterior surfaces of the windows and glass doors appurtenant to the Units whether by draperies, shades or other items visible from the exterior of the Unit shall be in good taste and not offensive.
17. All parking areas shall be used only for operative passenger motor vehicles which shall exclude all trailers, recreational and commercial vehicles and equipment of all types and description.
18. Vans are allowed to be parked in designated parking areas, only if their usage is of a passenger nature similar to an auto, or station wagon, and for only a reasonable period as determined by the Board.
19. All boats, canoes, campers, recreational vehicles and trailers are not to be parked anywhere other than in a garage. This includes all grounds, designated parking areas, including the Owner's driveway.
20. All vehicles must display current license plates and should display village stickers if required. Junk cars or junk vehicles are not allowed on the Common Area, parking areas, or Owner's driveway. No major body work or repairs are allowed to be done in the Common Areas, parking areas, or Owner's driveway.

21. Each Owner is responsible for the cleaning and maintenance of his or her garage unless otherwise mentioned.

OWNER RESPONSIBILITY

Knowledge of the Declaration of Conditions, Covenants, Easements and Restrictions and of these Rules and Regulations is the sole responsibility of an Owner and it shall not be a defense to a breach that copies thereof have not been received. Each Owner shall be responsible for any breach caused by a family member or other invited visitor while present on Owner's premise

These Rules and Regulations may be amended from time to time with written notice to all Owners.

\*\*\*\*\*

EMERALD GREEN VILLA OWNERS BOARD OF DIRECTORS

Calvin Johnson  
President

Betty A. McConkey  
Vice President

Katherine A. Newell, U.P.  
Vice President, Landscape

David M. Carroll  
Treasurer

Ju Acens  
Secretary

DATED: March 3, 2024