

RULES AND REGULATIONS  
SUMMARY  
FOR  
FAIRWAY RIDGE UMBRELLA ASSOCIATION  
FAIRWAY RIDGE HOMEOWNERS ASSOCIATION

**Revised October 2021**

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# RULES AND REGULATIONS SUMMARY

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## **RULES AND REGULATIONS**

The Fairway Ridge Homeowners Umbrella Association ("Association") consists of residential units governed by the Association. Each Unit Owner (Owner) has both an equal interest in the common facilities and an obligation to ensure the rights of other owners. These Rules and Regulations are supplemental to the Umbrella Declaration and By-laws of the Association and are neither a waiver nor an amendment to the Declaration.

### **I. MANAGEMENT**

In May 1997 the Association became a "self-managed" association, having an on-site manager on a part-time basis in the office at the Clubhouse. At the time of the adoption of these Rules and Regulations all assessment payments are processed by First Midwest Bank. The property manager's responsibilities include responding to Owners' inquiries and concerns, assisting the Board in preparing an annual budget, obtaining bids for various projects, e.g., painting, landscaping, snow removal, etc. and ensuring that contractors fulfill their requirements. (A complete description of the job responsibilities of the property manager is available for review by any Owner.) Should any Owner have any questions or need help in any matter, please contact the property manager first at 847/816-8447 or frhoa@comcast.net. If not satisfied with the property manager's response, please contact the Board of Directors, in writing, which will present your questions or concerns at the next Board meeting.

### **II. ASSESSMENTS**

#### **A. Monthly Assessment:**

Owners are required to pay a monthly operating and maintenance assessment ("assessment") as approved annually by the Fairway Ridge Board of Directors and presented in the Fairway Ridge Homeowners Association budget. All assessments and any special assessments or other lawful charges of the Association are due and payable on the first (1st) day of the month for which they are being assessed. Any payment of the foregoing which is not received by the sixteenth (16th) day of the month shall be considered late. All payments received will be applied in such manner as determined by the Board. Any payment of less than the full amount of all assessments and other charges which are due in any given month or any payment which is made late shall cause the Owner to be subject to a Late Charge of Twenty-Five and No/100 Dollars (\$25.00) which shall be added to and deemed a part of the Owner's Community and Neighborhood Assessments. Late charges will be added cumulatively every month thereafter.

#### **B. Assessment Payments are due as follows:**

1. Monthly pay via Auto-Debit – Funds will be debited on the 1<sup>st</sup> business day of the month in which they are due.
2. Quarterly Payers: 3 months assessment is due the 1<sup>st</sup> of Jan, Apr, Jul an Oct. Late fees and NSF fees as below.
3. Annual Payers: 12 months assessment is due the 1<sup>st</sup> of January. Late fees and NSF as below.

*Debits/Checks returned for any reason (NSF, Account Closed) will be subject to a \$25 bank fee AND if payment is not received by the 16<sup>th</sup> a late fee (\$25/month) will be applied if any amount is past due and is due immediately.*



### C. Past Due Accounts:

1. Outstanding Accounts Receivable are reviewed by the Board Monthly
2. Pool/Fitness Room privileges will be suspended immediately on all past due accounts and will not be reinstated until account is brought current and paid at least one month ahead
3. Accounts more than 6 months past due will be referred to the association's attorney for collection. In this case the following will apply:
  - a. Legal fees and court costs are added to the amount due and late fees. These fees will run into the hundreds of dollars. Illinois law requires the delinquent owner to reimburse the association for these expenses.
  - b. The court will force payment by one of the following methods:
    - i. Wage Garnishment
    - ii. Forcible Entry Detainer Action. The HOA has the right to evict homeowners for non-payment of assessments and rent the property to recover past due assessments/fees. Lake County has a special court for these matters and this process is typically completed in 3-6 months. Abandoned properties in foreclosure will also be handled with this method.
  - c. Homeowners with a history of delinquency will be required to pre-pay future assessments annually.

GREENS OWNERS: Services will be suspended immediately on all past due accounts and will not be reinstated until account is brought current and paid at least one month ahead.

**Statements: When an account becomes past due, property manager will send a statement to inform you of the status. We will send a second/final notice when we turn your account over to collection. At that time attorney's fees will start being applied to the account. We will not continue to send statements, we will simply follow the procedure outlined above and status will be communicated by the association's attorney and the court.**

### ***III. ARCHITECTURAL CONTROL***

Per the governing documents of the Association, in order to maintain the appropriate and consistent appearance of the common elements of Fairway Ridge, no Owner may alter the exterior of his home without specific written approval of the Board as provided for in these Rules and Regulations. For purposes herein, "alter" means changing exterior surfaces with any color or adding or removing anything to or from the exterior surfaces. "Exterior" for purposes herein means the exterior surface of a dwelling including decks, patios and any common ground outside the dwelling.

1. **Homeowners desiring a change to the exterior of the property must submit an "Architectural Improvement" form (copy Attached) to the property manager each time approval for exterior modification is requested.** The property manager shall log the request in and forward it to the members of the Board of Directors for consideration. While most requests are reviewed via email, more complex requests may wait until the monthly board meeting. It is the homeowner's responsibility to contact The Village of Gurnee to determine if a permit is required.

2. In the event Owner's request is denied, the Owner may submit a written appeal to the Board of Directors to be considered at the next regularly scheduled Board meeting, or a special meeting called for that purpose.
3. Upon construction of an improvement, Owner does indemnify and hold harmless the Board, Association, its agent and Unit Owners from any and all claims, controversies, or causes of action resulting from said improvement, including the payment of any and all costs of litigation and attorney's fees resulting there from.

As provided in the Umbrella Declaration, if an addition, alteration or improvement is made to the exterior of a residence for which written consent was required but not obtained, in order to force compliance with the order for removal or restoration, the Association Board of Directors may take any of the following actions:

1. Failure to obtain approval for project before beginning a project may result in fines being assessed at the discretion of the Board of Directors.
2. Require the Owner to remove the addition, alteration or improvement and restore the exterior of the residence to its original condition, all at the Owner's expense; or
3. If the Owner refuses or fails to properly perform the work required under (1) the Association Board may cause such work to be done and may charge the Owner for the cost thereof as determined by the Association Board; or
4. Seek any remedy or take any action provided for in the Umbrella Declaration or permitted at law or in equity, including but not limited to placing a lien on the Owner's home until the alteration is restored to its original condition and the cost of effecting restoration is paid in full.

#### A. Basketball Hoops (permanent requires approval)

Removable, or portable, basketball hoops may be placed in a resident's driveway area provided it does not violate the Village of Gurnee Ordinance (46-153(b)7): It is illegal to place such items in streets or near the public right of way, which includes the areas between the sidewalk and the street, as well as within 15 feet of the street where no sidewalk exists. Portable basketball hoop bases must be filled with water or sand to secure them, or they can be staked to the ground. Bags of sand or other items cannot be placed on top of the base to prevent it from tipping.

When a portable structure supporting a basketball hoop requires additional weight at the base (to improve/maintain stability). Homeowner may add weight to the portable structure base in the following manner...

- Material: 12x12x2 Patio Square finished on all sides – no cinder blocks
- Placement: blocks to be placed on top of the structure base
- Color: blocks must closely match the color of the structure base  
for color compliance, painting may be required (use a high quality paint such as Rust-oleum Ultra Cover spray paint)

Installation of permanent basketball hoops requires approval by the Architectural Committee. A Village permit is required for the concrete work.

#### B. Decks (requires approval)

1. Approval for new decks or design modifications to existing deck is required by the the Board.
2. Permit must be obtained from the Village of Gurnee.
3. STRUCTURAL MATERIALS: pressure treated lumber.
4. DECKING MATERIALS: pressure treated lumber, cedar or synthetic decking.
5. COLOR: natural stain/sealant or *stain* to match house; *may not be painted*.



### C. Fences (requires approval)

The following are the standards for fences for Fairway Ridge subdivision:

#### General:

1. All fences require approval by the Board.
2. Permit must be obtained by the homeowner from the Village of Gurnee.
3. Homes adjoining the golf course may not construct fences.
4. Front yard fencing is prohibited.
5. All fences bordering Leonard Drive must follow the continuity in design previously set forth -48" high scalloped down to 42".
6. Dog runs are not to be visible from street and must be approved.
7. Fence may extend no more than 4' from the rear of house and may not extend to front of house. Specific approval for exceptions has been granted in limited situations.
8. Interior fences are not to exceed a height of 48" (within the subdivision boundaries).
9. Properties located along the perimeter of the subdivision boundaries are allowed to have fences in excess of 48" to conforming to existing fence height along subdivision boundaries.
10. Properties whose fences were built prior to the rules being put in place may replace their existing fence with the same specifications of the current fence.
11. Invisible electronic underground dog fences will be allowed if the dog(s) being fenced obeys the signal (According to Gurnee Village Ordinance animals must be leashed). No Architectural request is required for an invisible fence.

#### Construction:

1. Materials: pressure treated cedar, pressure treated pine or composite
2. Colors: natural or stain to match house; sample must be provided to the Board for approval, paint is not acceptable
3. Specs: 48" maximum height; scallop, inverted scallop, or straight across design
4. 1" x 4" pickets - spaced 2" apart
5. Upper and lower 2" x 4" support beams
6. 4" x 4" posts, set 32" deep in concrete (per Gurnee Building Code)
7. Gates should complement fence construction with a 36" - 48" width

### D. Unattached, or Attached, Accessory Buildings

1. Plastic storage Units: (requires approval)  
Portable plastic storage units may be considered on a case by case basis by the Board of Directors. The size (must not exceed 6 feet tall, by 6 feet wide by 3 feet deep) as well as the placement must be indicated on the plat of survey
2. Attached accessory buildings/rooms: (requires approval)  
Screened porches, sun rooms, enclosures under decks, attached gazebos, hot tubs & enclosures need Board approval as well as permits from the Village of Gurnee.
3. Unattached Accessory buildings: (not allowed)  
Outbuildings such as sheds and free-standing gazebos, are not permitted in Fairway Ridge.

### E. Flag Poles (permanent requires approval)

All permanently installed flag poles must be approved by the Board prior to placement. It is proper etiquette to have a permanent flag lighted or removed every night. A Village permit is required for the concrete work.

F. Satellite Dishes (requires approval)

Per the 1996 revisions to the FCC Code, satellite dishes less than 39 inches in diameter will be allowed at Fairway Ridge. Placement other than on the roof or along the roof line requires an Architectural Change Request. Dishes larger than 18 inches require a Permit from the Village of Gurnee.

G. Swing Sets and Play Equipment (requires approval)

Swing sets and play systems may be placed in rear yards and require approval from the Architectural Committee. Play equipment must be kept at least ten (10) feet from the lot line to protect the neighbors' property. Owners assume all risk, including risk of installing and using play equipment on property adjoining golf course.

H. Garbage Carts and Refuse Containers (requires approval)

Garbage carts and any refuse containers must be kept in the Owner's garage, or alternatively in a "corral" or enclosure approved by the Architectural Committee. Planting screens are acceptable provided the cans are placed against the side of the building, and the bush(es) are tall and wide enough and are situated directly in front of and next to the cans such as to provide an effective screen **so the cans cannot be seen from the street year-round**. Gurnee ordinance states: cans may be out 24 hours before pick up and must be removed by noon the day after pickup.

1. Wood corrals:

- a. Wood corrals to be of "L" shape design (exceptions may be granted when lot size/location does not allow for this type of structure.)
- b. Constructed of wood pickets with 1" spacing and painted or stained to blend with home
- c. Framed lattice construction *may* be acceptable
- d. Front dimensions not to exceed 36" and side lot return not to exceed 64"; the side lot return includes space for garbage and recycle – may end at 48" if only enclosing one can
- e. All heights not to exceed 54" but not less than 48"

2. Plantings:

- a. Plantings must be of type and size to hide the cans at the time of planting and year-round and are subject to approval of the Architectural Committee.
- b. Corrals and plantings must be on the side of the house and may not extend beyond the front elevation of the house – AC approval is required.

I. Landscaping (new planting beds require approval)

1. Planting:

- a. The addition of planting beds requires Board approval. Additions or removal of trees and bushes within existing beds does not need approval.
- b. Annual or Perennial flowers do not need approval.

2. Architectural Landscaping:

The Board must approve retaining walls, ponds, patios, walkways, or other permanent landscaping structures.

J. Pools (not allowed)

Above Ground and In-ground pools are prohibited.

K. Solar Panels: (requires approval)



Installation of solar panels requires approval by the Board, and only installations on the roof will be considered.

#### L. Replacement Windows: (requires approval)

Windows must be white. Village permit is required on all replacement windows. Board approval is not required for window replacement when there is no change to the size, location or appearance of the window. Board approval is required if you wish to install a new window where there was no window before, OR if you wish to change the size, location or appearance of an existing window.

#### M. Changes to Driveways: (requires approval)

Changes to Driveway and Driveway Expansions Concrete or Brick Driveways will be considered. Brick Driveway Border will be considered on a case by case basis to a maximum 24 inches on each side of driveway.

#### N. Radon Mitigation Systems

Radon Mitigation Systems do not require approval; however they must conform to usual standards and be inconspicuous. They must be installed on the rear side or back of the home.

#### O. Additional Items Requiring Approval

- Awnings
- Deck Screenings
- Garage Door Changes
- Re-siding the house (swatches available to color match at office)
- Skylights
- Garage Expansions
- Home additions
- Pergolas/Arbor
- Sun Rooms
- Roof replacements with color change (swatches available to color match at office)

### ***IV. RESIDENTIAL MAINTENANCE***

Each Owner is responsible for the maintenance, repair and replacement of his home, including upkeep of driveways, sidewalks, lawns and landscaping. It is the responsibility of the Owners to maintain the lawn, trees and any landscaping, including sod, in the easement surrounding the unit. If the Board determines that a particular unit is not being properly maintained, then the Board may cause the maintenance to be done and charge the Owner of the unit for the cost of such work. Each Owner is responsible for picking up his/her animal's waste in his/her yard or waste deposited elsewhere in the subdivision while the animal is being walked. The Board may cause the animal waste on an owner's property to be picked up and removed and charge the Owner for the cost of such work. **The following work is considered maintenance and does not need approval of the Board.** It is still the responsibility for the owner to obtain proper permits where applicable.

#### A. Landscaping

1. Edging and expanding existing planting beds to cover the growth of plants.
2. Removal of trees and shrubs that have become too big for the location.



3. Replacement of dead trees and bushes with similar landscaping.
4. Planting of flowers in existing beds.

#### B. Driveways (changes to size or material require approval)

1. Seal coating
2. Asphalt replacement without changing the size, layout or material of the driveway (Village Permit required)
3. The standard width of driveways is 16 feet for 1 car garages, 18 feet for 2 car garages. Any variation from this norm must get approval.

#### C. Roofing

Replacement of the roof with the **same color asphalt shingles** (Village Permit required)

#### D. Mailboxes

Replacement of mailboxes must conform to Post Office requirements.

The front of the mail box must be set back from the edge of the curb 6-8". (The edge of the curbs is where the curb meets the grass)

The bottom of the mailbox must be 46" above the level of the street.

#### E. Exterior House Trim

House trim may be painted or stained. House & trim colors including doors and shutters must conform to original colors established by the builder for this planned unit development.

The following colors are approved for trim. (Colors are Maxum Exterior, but you may color match any brand you choose to use. For color match with Pittsburgh Paint (Menards) and Behr (Home Depot) contact property manager:

- |                          |                        |
|--------------------------|------------------------|
| 1. Super White 003 *     | 7. Cape Code Gray 007  |
| 2. Outside White 002     | 8. Colonial Blue 046   |
| 3. Pebble 047            | 9. Mourning Dove 076 * |
| 4. Navajo White 044      | 10. Cedar 031 *        |
| 5. Sand Dollar 078 *     | 11. Pewter 071 *       |
| 6. Hawthorne Beige 098 * |                        |

If one of the above colors is used, approval of the Board is **not** required; all other changes must have approval

#### F. Decks and Fences

Decks and Fences must be properly maintained and stained, NOT painted.

### **V. RESTRICTIONS:**

#### A. Rental Property

Pursuant to Public Act 096-1400:

Homeowners must immediately notify the property manager if the home is used as rental property. The homeowner must provide:

1. Copy of the Rules and Regulations to their Tenants. It is the homeowner's responsibility to be sure the tenant follows the Rules and Regulations, as the owner would ultimately be responsible for any fines that result from violations.
2. Renter's name and phone number so they can be reached if necessary.
3. Property owner's address and phone number(s) so they can be reached if issues arise that must be handled by the owner.

4. This information must be submitted to the property manager using the "rental property information sheet" provided by Fairway Ridge.
5. Failure to submit proper paperwork is a rule violation and will be handled as outlined in Section VI.

*Public Act 096-1400 SB3180 Enrolled Section 1-35. Unit owner powers, duties, and obligations. (a) The provisions of this Act, the declaration, bylaws, other community instruments, and rules and regulations that relate to the use of an individual unit or the common areas shall be applicable to any person leasing a unit and shall be deemed to be incorporated in any lease executed or renewed on or after the effective date of this Act. With regard to any lease entered into subsequent to the effective date of this Act, the unit owner leasing the unit shall deliver a copy of the signed lease to the association or if the lease is oral, a memorandum of the lease, not later than the date of occupancy or 10 days after the lease is signed, whichever occurs first*

#### **B. Garbage Carts and Refuse Containers**

Gurnee ordinance states cans may be out 24 hours before pick up and must be removed by noon the day after pickup. Owners with garbage cans left in view beyond these limits will be subject to written notification leading up to fines as outlined in section VI of this document.

#### **C. Commercial and/or Recreational Vehicles (including but not limited to Boats, Motor Homes, Trailers, Campers, Trucks, etc.)**

1. Boats, trailers, recreational vehicles, motor homes, campers, trailer homes, motorcycles, trucks (other than pickup trucks), non-passenger vehicles and any vehicle required to display a Class B vehicle registration pursuant to the Illinois Vehicle Code Section 5/3-813 and 5/3-815 (625 ILCS 5/3-813 and 625 ILCS 5/3-815) may not be parked on a regular basis or for more than 48 hours on Owners' driveway or on the common property areas. Pickup trucks and vans used exclusively for personal use, which do not carry the above-referenced vehicle registration, and which do not have any signs or commercial demarcations, are the only exception. Snowmobiles may not be operated in the community. Any other exceptions to these rules governing vehicles must be approved in writing by the Board of Directors. The decision of the Board with regard to permitting Class B vehicles to park on the common property areas or on driveways shall be final. Vehicles in violation will be subject to written notification leading up to fines as outlined in section VI of this document.
2. Commercial vehicles are defined as vehicles operated for the transportation of persons or property in furtherance of any commercial or industrial enterprise which are designed, equipped and used for carrying commercial freight, goods, wares, merchandise or equipment and any vehicle displaying commercial advertising on the body thereof. All of the above vehicles must be parked inside a garage with the garage door closed. Other service or commercial vehicles may be parked on the common property only for the period of time needed to provide such commercial service to a resident or to the Association.
3. Vehicles without current license plates, abandoned vehicles or vehicles with flat tires, and vehicles on jacks will be towed, and may be stored or impounded, at the Unit Owner's expense. Village Ordinance (46-153(b)3) states that abandoned, inoperable or unregistered motor vehicles are considered a nuisance and may not be kept or stored in plain sight on public or private property.
4. No major vehicle repairs are to be performed in the unit driveways or parking lot at the Clubhouse.



5. Vehicles are not to be parked across the public sidewalk. This is a violation of a Village of Gurnee ordinance.

#### D. Clubhouse Parking Lot

1. The parking lot at the Clubhouse is to be used by Owners using the Pool, Fitness Room, visiting the office, or for guests at Owner-sponsored events at the Clubhouse. Vehicles are not to be parked overnight in the Clubhouse parking lot. Violators will be towed, and the vehicle may be stored or impounded, at the vehicle owner's expense.
3. The Board has the right and will exercise the right to tow vehicles off the property that are in violation. All towing fees and storage fees are the responsibility of the vehicle owner and not the Association.

#### E. Signs

"Home for Sale" signs may only be posted in the yard of the residence for sale, and may not be posted in or on any entrance area or common area. Open House, Garage Sale, Yard Sale, Rummage Sale, etc. signs must be removed the day following the sale event.

#### F. Garage Sales

The Village of Gurnee limits the number of garage sales a homeowner may to 2 per year. Garage Sales may not last more than 4 days. The Village requires that the homeowner obtain a permit to have a garage sale.

#### G. Storage of personal items on Fairway Ridge property is not permitted under any circumstances

### ***VI. RULES REGARDING FINES FOR VIOLATIONS OF THE DECLARATION, BYLAWS, RULES AND REGULATIONS OR ANY AMENDMENTS THERETO***

In accordance with Article 8 Collection of Charges, and Paragraphs 8.01 and 8.02 of the Declaration for Fairway Ridge Homeowners Association any violation following the first written demand to cease and desist from an alleged violation will cause a fine. The fine will be added to and deemed a part of Owner's Community and Neighborhood Assessments.

The Board will follow these guidelines:

1. Documentation is maintained on each property where violations have been noted.
2. Every Spring the Board will do a Walk – thru to assess properties for compliance and will follow up on those properties throughout the year.
3. Properties found to be in violation will receive one of 3 letters depending on the duration and severity of the violation.
  - a. notice to correct issue without a specific due date.
  - b. notice to correct with a specific due date.
  - c. final notice with intent to fine starting on a specific date.
4. If a homeowner disagrees with the violation, they will have a right to a hearing before the Board
5. Failure to correct a violation or request an appeal by the deadline in a letter, will result in the following:
  - a. Fine – 1<sup>st</sup> week \$35, Subsequent weeks \$50.

- b. Fines will continue to accrue to a maximum of \$1000.
- c. Continued failure to correct the violation may result in the association hiring an outside contractor to do whatever is necessary to resolve violation. 10 days notice will be provided prior to anyone entering your property

At any time during this process, at their discretion, the Board may refer your account to the association's attorney for collection of the fines or court order forcing homeowner to make corrections. In this case the homeowner will be responsible for legal fees and court costs as above.

The Village of Gurnee has ordinances regarding the following matters that are often brought before the board. The association will work closely with the village to ensure enforcement of the following:

- 1. Animals – Waste, Noise, Leash requirements – Chapter 14
- 2. Noise Ordinance – Chapter 46 - Article VIII - Section 46-211
- 3. Fire Pits Must be located at least 25 feet away from any combustible structure (per International Fire Code)
- 4. Blocking sidewalks with parked cars. Chapter 66 Section 66-137

### RESOLUTION

WHEREAS, the Board of Directors ("Board") of Fairway Ridge Home Owners Association ("Association") is charged with the enforcement of the Umbrella Declaration ("Declaration") for the Association and the Bylaws and all amendments thereto; and

WHEREAS, the Board has deemed it appropriate and has the power to establish and promulgate Rules and Regulations for the administration of the property as per the Declaration.

NOW, THEREFORE, the Board of Directors states as follows:

BE IT RESOLVED that the Board has reviewed and approved the attached Rules and Regulations for the Association and has directed the property manager to distribute to the homeowners copies of the changes and amendments to these Rules and Regulations, and post the full version on the FRHOA website for reference.

BE IT FURTHER RESOLVED, that the above Rules and Regulations are hereby adopted this to be effective immediately. The Rules and Regulations apply to all areas of Fairway Ridge Subdivision. The property manager is directed to enforce said Rules and Regulations in accordance with the Declaration, Bylaws any amendments thereto and all applicable federal, state and municipal laws.

This resolution was adopted by the Board of Directors on October 25, 2021

By Michael Feder, President



Hazel Gayheart, Vice President

