



# Rules and Regs.

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Last updated Oct 2004

## WHISPERING LAKE UMBRELLA ASSOCIATION

### RULES AND REGULATIONS

#### I. GENERAL PRINCIPLES

1. The recreational facilities are for the enjoyment of residents and their guests subject to the rules and regulations adopted by the Association.
2. Non-resident unit owners abdicate their recreational privileges in favor of their lessees.
3. Personal conduct within the common area must be such that the safety of oneself and others is not in jeopardy.
4. The use of firearms and explosives (including firecrackers) is prohibited at all times.
5. The community area shall be kept free and clear of unsightly material.
6. No activity shall be carried on in the common area that is annoying or a nuisance to the residents.
7. **ALL PERSONS VISIT THE POOL, WHIRLPOOL AND SAUNA AT THEIR OWN RISK. OWNERS AND MANAGEMENT ARE NOT RESPONSIBLE OR IN ANY WAY LIABLE FOR ACCIDENTS OR INJURIES.**
8. Pool privileges and Clubhouse access is open to those in good standing and not delinquent in their monthly Umbrella assessment. Delinquent is defined as when any homeowner is in arrears 30 days or more.
9. Anyone failing to comply with the Rules stated herein or in the Declaration will be subject to a fine and/or a suspension of privileges.
10. No littering is permitted.
11. Unit owners/unit residents are responsible for their own actions, the actions of their pets, their guests and their guests' pets.

## **II. COMMON AREAS**

### **A. Roads, Parking Lots and Driveways**

1. The speed limit on common area roadways is 15 m.p.h.
2. Observe ALL road signs.
3. No parking on roadways between 3:00 a.m. and 6:00 a.m.
4. No obstructive parking on the common area roadways.
5. Vehicles that have not been removed from the common area roadways when the snow depth exceeds two inches will be towed.
6. Campers and large vehicles, including limousines, boats or trailers, MUST be parked behind Building 3 (13000) or Building 4 (12900) ONLY.
7. Vehicles that are not currently licensed cannot be parked in common area parking lots.
8. Unauthorized or illegally parked vehicles will be towed at the owner's expense.
9. Car washing is prohibited in the Clubhouse parking lot.
10. Car repairs (excluding the changing of windshield wipers or light bulbs or adding wiper fluid) are prohibited on common area property.
11. No vehicles larger than an F plate classification will be allowed on townhouse driveways.
12. Unused vehicles may not be stored on Association property. Any vehicle which is parked in any of the Association parking lots for a period of 14 or more consecutive days shall be deemed an abandoned vehicle and may be towed at the owner's expense.
13. No parking on the inner side of Heiden Circle.

### **B. Ponds (FIRE PREVENTION SYSTEM AND FLOOD CONTROL)**

1. Children under 12 are to be supervised by an adult if by the pond.
2. No boating (except for models), ice skating or swimming is allowed.
3. Do not throw stones or other objects into the pond.
4. Fishing is for residents and accompanied guests and is catch and release only.

### **C. Lawn Areas**

1. Organized games and organized ball playing are permitted only in the area southwest of the pool and the Clubhouse.

2. With the exception of aids for disabilities and strollers, no wheeled vehicles are allowed on the lawn.

3. No snow mobiling is allowed.

4. Personal property shall not be left in or on the common area property overnight. The Association is not responsible for loss or damage to personal property left in or on the common area property. Further, the Association shall have the right to remove or dispose of personal property that is left in or on the common area overnight.

5. Tree climbing is not allowed.

#### **D. Wildlife**

1. Except for pond fish, the feeding and cultivation of all wildlife (including, but not limited to, geese, ducks, birds, raccoons, squirrels, deer, and stray cats or stray dogs) are prohibited.

#### **E. Signs**

1. No "FOR SALE", "FOR RENT", "GARAGE SALE" or any other sign of any kind or other form of solicitation or advertising shall be maintained or permitted on the common area property unless otherwise stipulated in the Condominium Declaration or the Townhome Rules and Regulations.

2. A total of one "OPEN HOUSE" sign is allowed Monday - Friday between 10:00 a.m. and 3:00 p.m. and at a Realtor's discretion on Sundays. No "OPEN HOUSE" signs are allowed on Saturday.

#### **F. Garage Sales**

1. The sale of personal items to the general public, including, but not limited to, garage sales and estate sales, is not allowed on common area property. An exception is granted to the sale of an individual item made by appointment with the owner.

#### **G. Motorized and Non-Motorized Wheeled Vehicles,**

1. The utilization of skate boards is prohibited anywhere on the common are property.

2. The utilization of roller blades, scooters, bicycles and other non-motorized and motorized wheeled vehicles on any common area property sidewalk is prohibited. This does not apply to children under the age of six when accompanied by an adult.

### **III. PETS**

1. Each owner shall be responsible for any damage to

landscaping or common property, which is attributable to his or her pet. The cost of repairing damage caused as a result of any owner's pet shall be assessed to the owner's assessment account.

2. All pets must be leashed and attended while on common areas of the property.

3. All owners, residents and guests thereof are responsible to immediately pick up any solid animal wastes with a plastic bag and dispose of it.

4. Pets are not allowed in the fenced pool area or in the Clubhouse, except for service animals.

5. The use of pooper scoopers is prohibited anywhere on the common areas; however, the Board will consider individual, written requests from unit owners/unit residents with special physical conditions for a waiver of this rule. Pooper scoopers cannot be left in any common area.

#### **IV. CLUBHOUSE**

The Clubhouse is open to residents on special occasions and at times that will be designated by the Board of Directors. Residents whose Umbrella assessment payments are current may rent the Clubhouse. Rental will include the use of the main floor, Clubhouse kitchen, washrooms and patio only.

**ALL OTHER AREAS ARE FORBIDDEN.**

Rental does NOT include use of the pool, whirlpool, sauna, exercise room, management offices or the second level of the Clubhouse. Outside activities, with the exceptions of parking, entering and leaving the Clubhouse, are forbidden to rental guests. Rental guests may not fish or golf during an event. Current rates are as follows:

#### **Resident Status Fees**

#### **Rent Deposit**

**Resident Owner \$100 \$100**

**Renter \$125 \$125**

**Non-Resident Owner \$125 \$125**

**Relative (Resident must attend) \$150 \$150**

**Organization (Resident must attend) \$200 \$200**

Rates include Host/Liquor liability coverage carried by the Whispering Lake Umbrella Association.

If liquor will not be served a \$50 discount will be deducted from the applicable rental rate.

1. Reservations must be made and fees paid at least 72 hours prior to use.
2. The Umbrella Association manager or other designated person must receive a signed rental agreement prior to the event. If the Clubhouse is available, renters may decorate it at 6:00 p.m. on the day before the rental.
3. Alcoholic beverages may be consumed only by those 21 years of age and over.
4. Illicit activities, foul language or improper conduct are not allowed. Persons renting are responsible to maintain proper decorum and enforce the rules and regulations.
5. Children must be under adult supervision at all times.
6. Parties must conclude by 11 p.m.
7. No parking by rental guests is allowed on common area roadways or in the circle drive in front of the Clubhouse. If the Clubhouse parking lot is full, overflow must park in the lots behind Condo Buildings 3 and 4. (13000 & 12900)
8. The rented facilities must be cleaned by noon on the following day unless otherwise stipulated by the Property Manager due to rental schedule. Security deposits will be returned within 14 days of the rental if the property is cleaned and restored back to the condition in which it was received. Otherwise, the deposit is forfeited and a \$50 per hour cleaning fee will be levied.
9. Any damage caused to the Clubhouse by a resident or a resident's guest shall be assessed to the units assessment account.
10. Failure to comply with any of the rules and regulations as outlined above and as set forth in the rental agreement, will result in the automatic forfeiture of the security deposit.

#### **V. POOL FACILITIES**

**SWIM AT YOUR OWN RISK. THERE IS NO LIFEGUARD.**

**HOURS: 7:00 AM TO SUNSET (or when the pool lights come on)**

**POOL SEASON: MEMORIAL DAY WEEKEND TO LABOR DAY WEEKEND**

**SWIMMING AFTER DARK IS PROHIBITED BY THE STATE OF ILLINOIS.**

**PLEASE DO NOT RISK HAVING THE POOL LICENSE REVOKED.**

**THE POOL IS LICENSED BY THE STATE OF ILLINOIS AND IS SUBJECT TO ANY ADDITIONAL RULES AND REGULATIONS AS PROVIDED BY LAW.**

**Use of the Pool Facilities is prohibited to residents not current in assessment payments.**

## **A. Guests**

1. Homeowners must accompany their guests to the pool or other recreational facilities, unless prior arrangement is made with the Management Office. Unaccompanied guests may be asked to leave the pool area.
2. The manager is instructed by the Board of Directors to ask anyone for identification if there is any doubt of their residency.
3. A total of four guests per unit are allowed at one time. Exceptions may be arranged for weekdays by prior arrangement with the Umbrella Management Office.

## **B. Safety**

1. SWIM AT YOUR OWN RISK. There is no lifeguard.
2. Ring buoys are to be used for rescue and emergencies only.
3. During thunder and lightning storms, swimming is prohibited and you are to leave the pool area.
4. DIVING IS AT YOUR OWN RISK AND NOT RECOMMENDED.
5. Persons under the age of sixteen must be accompanied by a parent, guardian or other responsible person at least sixteen years of age. Swimming alone is not recommended.
6. Any person unable to swim unaccompanied shall remain at the shallow ends of the pool.
7. Running, boisterous or rough play is not permitted.
8. Only non-breakable drink containers are allowed in the designated pool area.
9. No obstructions, furniture, plants or other furnishings shall be placed within four feet of the pool, including, but not limited to, chairs and baby strollers. No drink or tobacco is allowed within four feet of the pool. No tripping hazard is to be placed within four feet of the pool.

## **C. Health**

1. NO FOOD is to be brought within the fenced area of the pool.
2. All persons are required to shower before entering the pool or after applying lotions and or oils before entering the pool.
3. All persons with shoulder length hair or longer are required to wear caps or otherwise secure their hair when in the pool.
4. Admission to the pool shall be refused to all persons having any contagious disease, infectious conditions such as

colds, fever, ringworm, foot infections, skin lesions, diarrhea, vomiting, inflamed eyes, ear discharges, or any other condition which has the appearance of being infectious. Persons with excessive sunburn, abrasions which have not healed, corn plasters, bunion pads, adhesive tape, rubber bandages or bandages of any kind shall also be refused admittance. A person under the influence of alcohol or exhibiting erratic behavior shall not be permitted in the pool area.

5. Only rubber-soled deck shoes, sandals or gym shoes are permitted in the pool area.

6. Children who are not toilet trained are required to wear tightly fitting rubber or plastic swim pants and diapers specifically designed for use in the water.

7. Diaper changing is not permitted in the pool area. Facilities for this activity are available in the lower level of the Clubhouse.

#### **D. Conduct**

1. Bathrooms and saunas are not unisex facilities.

2. No nude swimming or sunbathing.

3. Wheeled items, except for strollers and aids for disabilities, are not allowed in the pool area.

4. Profane or vulgar language is not permitted.

5. Intoxicated persons will be asked to leave the pool area.

6. Only portable, battery-operated audio/video equipment may be played at low volume. Volumes must be reduced upon request.

7. Rafts, balls and large toys should not be used if the pool is crowded.

8. No animals are allowed inside the fenced pool area except for service animals.

9. Proper bathing attire is required. No cutoffs are allowed.

10. Please remove all personal belongings, including chairs, when leaving the pool area. Please empty ashtrays and place trash in the available cans.

11. Close umbrellas after use.

12. Keep pool entry gate latched at all times.

13. No gum is allowed in the pool area.

14. No squirt guns, water soakers or Frisbees are allowed in the pool area.

15. No toys that are smaller than 7 inches in diameter are allowed in the pool to prevent clogging of the skimmer line.

#### **E. Enforcement**

1. The manager and/or a member of the Umbrella Board may regulate the conduct of any person, including guests, in the pool area or in any Clubhouse facility. They shall have the authority to request any person to leave due to an infraction of any rule or regulation or due to any conduct which they deem objectionable.

2. In the event that any person is requested to leave, a report will be filed with the Board of Directors. It will provide the details and circumstances of the offense. An owner can request a review by the Board of Directors of any reported incident.

3. Failure to comply with any of the Pool Rules and Regulations will be grounds for immediate expulsion from the pool for the remainder of the day. In the event that any person is requested to leave due to a violation, **SUSPENSION** will be as follows:

##### **FIRST VIOLATION** Remainder of the day

Upon suspension the manager or a Board member will request that the violator(s) leave the area. The manager is instructed by the Board of Directors to summon the Police in the event the violator(s) refuses to comply with the request to leave.

##### **TWO OR MORE** In accordance with the Umbrella Declaration, Article 3 Section 22: Suspension of Rights

Upon the giving of written notice thereof to a Resident, the Umbrella Association Board or its authorized committee may, in addition to any remedies it may have, suspend the right of such Resident to use the Recreational Facilities located on the Community Area as follows:

a.) For so long as any assessment against such Resident's Dwelling Unit remains unpaid, plus a reasonable time thereafter as determined by the Umbrella Association Board; or

b.) For so long as such Resident shall be and shall continue to be in violation of any provision of the Declaration, the By-Laws or the Rules and Regulations hereunder; or

c.) For a reasonable period for any infraction of any provision of the Declaration, the By-laws or the Rules and Regulations

Any such notice will state the reason for the

suspension. Any resident who receives such notice may, within ten (10) days after receipt of such notice, demand a hearing before the Umbrella Association Board or its authorized committee. At such hearing a member of the Umbrella Association Board shall present to the Resident the grounds for the suspension notice and the Resident shall have the opportunity to challenge such grounds and to present any evidence on his behalf subject to such reasonable rules of procedure as may be established by the Umbrella Association Board or its authorized committee, which rules shall adhere to the generally accepted standards of due process. If the resident demands a hearing as herein provided, his suspension shall not become effective until the hearing has been held and notice of the decision of the Umbrella Association Board or its authorized committee confirming the suspension and the terms thereof has been given to the Resident. The decision of the Umbrella Association Board or its authorized committee shall be final and binding.

#### **VI. WHIRLPOOL AND SAUNAS (Whirlpool officially Closed on 6/23/03)**

**OPEN DAILY 8:00 a.m. to 10:00 p.m.**

#### **USE AT YOUR OWN RISK.**

1. Maximum length of time in sauna should not exceed 15 minutes.
2. People with diabetes, heart disease, or high blood pressure should use caution.
3. No one under eighteen years of age is allowed unless accompanied by an adult.
4. A SHOWER IS REQUIRED BEFORE USE OF THE SAUNA.
5. Swimsuits must be worn in the saunas. No nudity is allowed.
6. The use of body oils or lotions is prohibited.
7. No food, gum, tobacco or drinks in breakable containers.
8. After use, please help keep the sauna facilities maintained. Turn off all lights and sauna controls.

#### **VII. EXERCISE FACILITY**

**OPEN DAILY 7:00 a.m. to 10:00 p.m.**

**NO ATTENDANT ON DUTY, USE AT YOUR OWN RISK**

1. Owners or residents must accompany guests at all times. A parent or legal guardian must accompany persons under the age of eighteen (18) years of age.
2. No food or glass containers allowed in the fitness areas.
3. Smoking is prohibited in the fitness areas.
4. The Umbrella Association or management is not responsible for loss or damage to personal property left in the exercise room or on the clubhouse premises.

**VIII. LIMITED COMMON AREA**

**A. Townhome Brick Patios**

1. A written plan must be submitted to and approved by the Umbrella Board prior to the installation of a townhome brick patio.
2. Maximum size cannot exceed 6' by 8'.
3. Patios cannot extend beyond the outside edge of the deck or beyond the air conditioning unit.
4. Bricks must be red in color.
5. The Umbrella Association reserves the right to reverse their decision and/or request that any patio be removed at any time if it is not installed according to plan or if other landscaping plans are approved by the Board to utilize this space. Removal will be the responsibility and at the expense of the owner.
6. Maintenance, repair and replacement of patios which are approved shall be the responsibility of the owner. In the event the owner fails to maintain and repair the patio, the Association may make the repairs and charge the cost to the owner's assessment account.