

# Heritage of Huntley Homeowner's Association

## Rules and Regulations

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Adopted this 10th day of December, 2004, in accordance with the authority set forth in the Declaration of Covenants, Conditions, and Restrictions for Heritage of Huntley Homeowners Association and By-Laws of Heritage of Huntley Homeowner's Association.

### PREAMBLE

These Rules and Regulations have been adopted with the intent of providing the residents at Heritage of Huntley Homeowner's Association with a practical and reasonable plan for living in our community, extracted from the technical language of the Declarations and By-Laws for Heritage of Huntley Homeowner's Association as recorded in McHenry County.

Our goals for the Rules and Regulations are to give each homeowner a vehicle to enforce the Declarations and By-Laws; maximize the property values of our homes; maintain the American Colonial aesthetics of our community to ensure maximum resale value; and promote the safety and welfare of our residents. The Rules and Regulations will provide specific information to support these goals and will be reviewed periodically by the Board of Directors based on homeowner input and experience.

However, the Board of Directors is not a police department; rather the homeowners have the responsibility of enforcing the Rules and Regulations, Declarations, and By-Laws. All homeowners are responsible for damage/violations by those residing in their home or their guests. Unless the Board of Directors is notified of rule infractions by the homeowners that witness the infraction, the rules cannot be enforced. Each homeowner's cooperation and participation is encouraged.

Respectfully Submitted,

Board of Directors  
Heritage of Huntley Homeowner's Association

# Heritage of Huntley Homeowner's Association

## Rules and Regulations

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# Heritage of Huntley Homeowner's Association

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### Accessory Buildings, Detached Structures, & Additions to Main Structure

1. Accessory buildings, detached structures (e.g., sheds, gazebos), & additions to the main structure (e.g., sunrooms, room additions, garage expansions) are allowed on the lots with appropriate approvals.
2. All accessory buildings, detached structures, & additions to the main structure require the approval of the Village of Huntley and the Association. An Alterations & Additions Application must be completed by the owner and submitted to the Association for approval. The Association will approve the plans based on the American Colonial architectural and aesthetic theme of the community. Work cannot begin until approval has been received from the Association and the Village of Huntley.
3. The Village of Huntley must complete a final inspection once the work is completed.
4. The structure shall be roofed in similar material and color to the residence and maintain the American Colonial architectural theme.
5. The structures must be made of natural wood and match the color scheme of the residence. If the homeowner is using siding, it must match the style, texture, and color of the residence.
6. The structures can only be located in the rear yard of the lot and must conform to Village of Huntley ordinances with a village permit.

### Animals

1. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept, provided they are not kept, bred, or maintained for any commercial purpose.
2. No dog kennels of any type shall be kept or maintained on any lot. Dog runs are to be maintained at all times so as to be non-offensive.
3. No household pets of any type whatsoever shall be kept, maintained, or housed anywhere on any of the lots except inside the dwelling.
4. Pets must be appropriately restrained and leashed at all times to prevent threat or nuisance to others in the area. No pets shall be allowed to run at large. Police will be notified of unleashed dogs in accordance with Huntley General Regulations point 92.01.

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### Animals (Continued)

5. Any owner or person having custody of any dog or cat shall not permit the animal to defecate on any public or private property other than the premises of the owner or person having custody of the animal.
6. Dogs are not allowed to bark continuously or excessively.
7. The homeowner is required to follow Village of Huntley ordinances.

### Annual Meeting

1. The Annual Meeting will be held in November/December of each year for the sole purpose of electing directors to the Board. Written notice will be provided to each Owner of the date, time, and location of the Annual Meeting of Owners. Elected directors will serve two-year terms as stipulated by the Declaration of Covenants, Conditions, and Restrictions for Heritage of Huntley Homeowners Association recorded in McHenry County.
2. In the event of a vacancy during the year, the remaining Board members will appoint a successor to fill the vacancy for the duration of the vacating board member's term.
3. All legal Owners will each have one ballot per home.
4. Homeowners that are delinquent in their assessments, fines, and/or other charges will not be eligible to vote in elections and other matters requiring homeowner approval. In addition, the homeowners will not be eligible for running and holding a position on the Board of Directors.

### Assessments

1. Assessments are collected annually with a bi-annual payment option. Payments are due on the first of January and the first of April. The grace period for each payment ends on January 30 and April 30 respectively. If the 30<sup>th</sup> falls on a weekend, the grace period ends on the Friday before the weekend.
2. On January 31, a fine of \$50.00 will be applied to each Owner's account that has not made a bi-annual assessment payment, as well as interest at the rate of 12% per year on the total amount assessed annually.
3. On March 1, a Notice of Intent to File, Forcible Detainer and Eviction Action & Lien will be sent to each Owner that has not made a bi-annual assessment payment.
4. On April 1, the Forcible Detainer and lien will be sent to each Owner that has not made a bi-annual assessment payment.

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### Assessments (Continued)

5. If a homeowner selects the bi-annual payment option and makes the first payment and fails to make the second payment by April 30,
  - a. On May 1, a fine of \$50.00 will be applied to each Owner's account that has not made the second bi-annual assessment payment, as well as interest at the rate of 12% per year on the remaining amount assessed annually.
  - b. On June 1, a Notice of Intent to File, Forcible Detainer and Eviction Action & Lien will be sent to each Owner that has not made the second bi-annual assessment payment.
  - c. On July 1, the Forcible Detainer and lien will be sent to each Owner that has not made the second bi-annual assessment payment.
6. Any and all legal fees incurred by the Association in an attempt to collect assessments will be billed back to the respective Owner.

### Automobiles / Commercial Vehicles

1. Valid license plates and city stickers (if applicable) are required on all vehicles.
2. No commercial vehicles, trucks, tow trucks (as defined by the Motor Vehicles Act, Chapter 625 ILCS 5/1-100, et. seq.), or any vehicles with any type of apparatus (included, but not limited to, boards, tools, pipes, construction materials, or ladders and/or signage, including any vehicle with signage or apparatus) extending from the vehicle shall be parked in any owner's driveway, except for either the purpose of (i) loading or unloading of persons and/or property, or (ii) assisting in any construction being conducted at the site. Any such vehicles may be parked in a garage provided it is safe to do so.
3. No camping trailers, boats, tractors, trucks, mobile homes, recreational vehicles, or other such vehicles of any type whatsoever are to be parked or stored on any of the lots, except in the garages. Exceptions for safety-related issues can be directed to the homeowner's association.
4. Vehicle repairs and maintenance shall not be permitted except within the confines of the garage so long as it is safe to do.

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### Automobiles / Commercial Vehicles (Continued)

5. Abandoned vehicles or illegally parked vehicles will not be allowed. All vehicles must be in operating condition. A vehicle shall be deemed abandoned if:
  - a. It is in a state of disrepair rendering it incapable of being driven in its present condition; or
  - b. It has not been used or moved for twenty (20) consecutive days or more and is apparently deserted. Note: If a validly parked vehicle will not be moved or used for more than twenty (20) days, please notify the Board of Directors; or
  - c. It does not have a current, valid vehicle license plate; or
  - d. The acts of the owner or condition of the vehicle clearly indicate it has been abandoned.
6. Temporary storage units (e.g., PODs) are only permitted on the driveway for no more than two (2) weeks. If you are using a temporary storage unit on your driveway, notify the Board of Directors with the drop off date and pick up date.

### Berms (Landscape Easements)

1. The Association is responsible for the upkeep and maintenance of the landscape easement areas. Direct any maintenance requests related to the landscape easements to the Board of Directors.
2. Homeowners are not permitted to modify the landscape easements in any manner as stipulated by the Declaration of Covenants, Conditions, and Restrictions for Heritage of Huntley Homeowners Association recorded in McHenry County. This includes, but not limited to, additional plantings, bird feeders, mulch, stone, lighting, and removal of plants.
3. There is no recreational activity allowed on the landscape easements.
4. Burial of animals in the landscape easements is not permitted.

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### Board Meetings / Members

1. All board meetings of the Board of Directors are open to all members of the Association.
2. Owners have the right to be present at all open meetings. The purpose of the board meetings is to conduct the business affairs of the Association. If time permits, Owners may address the Board of Directors during the Homeowners Forum at the end of the meeting.
3. The Board of Directors may hold a closed Executive Session to (i) discuss litigation, (ii) hire and terminate employees/contractors, and (iii) conduct disciplinary proceedings.
4. The board meeting schedule will be published through the website and to any homeowner without computer access with the date, time, and location of the board meeting.
5. Harassment of any Board members, vendor, or guest is unacceptable and will result in a violation notice and hearing (if requested). Harassment is defined by the Restrictive Covenants Article V, Section 5.2, Point C. Violations of this section carry a fine of not less than \$500.00 per incident, in addition to any fines as a result of criminal action, notwithstanding any other language to the contrary contained in these rules regarding fine amounts.

### Common Areas

1. It is the responsibility of the Association to own and maintain the Common Areas, including the storm water detention facilities and improvements, berms, wetland, entrance bridge, and landscaping.
2. The Association will provide for the maintenance of the landscaping, signs, monuments, fencing, aerators, retaining wall, water systems, lighting, and other improvements located within any easement of the community.
3. All damage to the Common Areas resulting from an Owner and/or their guest(s) will be repaired and billed back to the respective Owner.
4. The Park located on Fleetwood Street is the responsibility of the Village of Huntley Park District. Please follow all parking rules and exercise care in using the facilities. All questions related to the Park should be directed to the Park District.
5. The streets and streetlights are the responsibility of the Village of Huntley.
6. There shall be no fishing, swimming, or skating on the ponds.

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### Decks / Patios

1. Decks / patios shall be adjacent to the foundation of the residence and located in the rear yard of the lot.
2. Decks shall have concrete footings.
3. The color of the deck shall be stained, sealed, or painted to compliment the exterior of the residence as designed by Town and Country Homes and maintain the American Colonial theme of the community.
4. Owners are required to obtain approval from the Village of Huntley.
5. The Village of Huntley must complete a final inspection once the work is completed.

### Fences

1. Fences are permitted on many lots in the community. Fences are not allowed on lots 229 - 233 and lots 302 - 312 as stipulated by the Declaration of Covenants, Conditions, and Restrictions for Heritage of Huntley Homeowners Association recorded in McHenry County.
2. Fences may not be placed on any type of easement.
3. No fences shall be installed on a landscape easement. Lots showing this easement include, but are not limited to, lots 1 - 41, 151 - 161, and 329.
4. All fence installations require the approval of the Village of Huntley and the Association. An Alterations & Additions Application must be completed by the owner and submitted to the Association for approval. Work cannot begin until approval has been received from the Association and the Village of Huntley.
5. A Plat of Survey needs to be included with the application.
6. The Village of Huntley must complete a final inspection once the work is completed.
7. Fences must be constructed of cedar. Chain link fences are not permitted. No stockade fences are allowed. The pickets must be vertical.
8. Cedar fences must be maintained and will be inspected. This requires staining, sealing, or painting of the fences. The fence color must be natural, white, or complement the exterior of the home (except black). Prior to staining, sealing, or painting the fence, the homeowner must obtain approval from the Association by completing an Alterations & Additions Application.



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### Garbage

1. No person shall accumulate on his lot any derelict vehicle, litter, refuse, compost, or other unsightly materials.
2. Garbage and recycling material must be disposed of pursuant to Village of Huntley code / ordinance.
3. Garbage and recycling material must be placed out no earlier than 5:00 p.m on the day before pick-up and containers must be picked up and returned back to the home by the end of the day (midnight) of pickup. It is also the owner's responsibility to follow the holiday schedule for placing out garbage where applicable.
4. Garbage and recycling material must be properly secured so that it does not blow all over the community.
5. Trash, garbage, yard debris, or other waste shall not be kept except in sanitary containers which shall be stored, kept, or maintained within the dwelling units or the garages on each of the lots, except on such days as such trash, garbage, or other waste material is to be collected and removed. Compost piles are not allowed.

### Holiday Decorations

1. Holiday decorations are encouraged for the major holidays.
2. When using exterior lights, be sure to turn off the lights to avoid excessive lighting in windows of neighbors.
3. For the winter holiday season, lights and decorations may not be placed out prior to November 1 and must be removed by March 1.
4. Christmas trees must be disposed of in accordance with Village of Huntley regulations.
5. For other seasonal holidays, decorations may be placed out no sooner than one (1) month before the holiday and must be removed no later than one (1) month after the holiday.

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### Home Businesses

1. No property shall be used except for residential purposes nor shall any trade, business, or commercial enterprise of any type whatsoever be permitted or maintained on any of the lots. However, an owner may conduct a business from its home provided the use of the home is such that the average person (passerby) is not aware of its existence. Any home business is to be subordinate and incidental to the residential use.
2. No signs regarding the business are permitted.
3. Garage / Yard sales are considered a home business if held more than four (4) times per year. Signage regarding the garage / yard sale is only permitted on the day of the sale. One sign may be placed outside the sidewalk area (parkway side near the road) at the entrance to the Heritage of Huntley subdivision. One sign may also be posted at the property location of the garage sale. Signage must be removed immediately at the conclusion of the sale.

### Home Exteriors

1. No refuse pile, compost pile, or unsightly objects shall be allowed to be placed or maintained on any of the lots.
2. Playground equipment may only be installed in the rear yard of the lot and in a manner that does not encroach on the neighbor's yard.
3. Playground equipment must be properly maintained. This requires staining, sealing, or painting of the equipment. It must be safe and kept visually clean and aesthetically pleasing (no rust, mold, and warping).
4. The exterior of the home must be kept in good repair. The following items need to be in good repair and include, but are not limited to, exterior paint, lighting, doors and windows, vinyl siding, wood trim, gutters and downspouts, asphalt driveway, porches, patios, roofs, etc.

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### Home Exteriors (Continued)

5. Exterior aesthetics must remain with the original colors and styles of the community as purchased from the builder (Town and Country) and maintain the American Colonial theme of the community.
6. There shall be no clotheslines, equipment or tools of any kind, cars, boats, etc., or storage on or around the building exteriors. Wood piles are restricted to the Owner's backyard.
7. Outdoor fire pits and fireplaces must be aesthetically pleasing, safe, and properly maintained. No open burning allowed. Permanent fire pits must be located in the back yard.

### Landscaping and Snow Removal

1. No weeds, underbrush, other unsightly growths, or piles of dirt, mulch, and debris shall be permitted to grow or remain upon any of the lots.
2. Grass must be kept mowed and cannot exceed six inches (6") in length.
3. Owners are responsible for mowing and maintaining (weed-free) the parkway areas and the parkway trees.
4. Each homeowner shall cause the prompt removal of snow and ice from all sidewalks, driveways, and similar areas serving the lot.
5. Owners are responsible for following the watering restrictions for the Village of Huntley. The Village will issue citations for watering outside the approved times.

### Leasing / Rental of Homes

1. Leasing is permitted within Heritage of Huntley. Tenant information, homeowner contact information, and the leasing contract must be submitted to the Homeowner's Association prior to tenant occupancy.

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### Mailboxes

1. Mailboxes must be installed in compliance with the United States Postal Service requirements.
2. Mailboxes and the corresponding post must be properly maintained. The post needs to be sturdy.
3. The mailboxes may not be used for personal solicitations of any kind. Violations of this rule will be referred to the Postal Inspector for appropriate action and the Village of Huntley for solicitation violation.

### Noise

1. Be respectful of your neighbors in terms of noise.
2. Dogs' left outside barking is considered noise pollution and will be a violation of the rules.
3. Excessive loud music from the dwelling or cars is not allowed.
4. If there is an issue with noise, call the Village of Huntley Police Department.

### Pools / Hot Tubs

1. All pools and hot tubs must be properly secured by being fenced in for safety.
2. All pools and hot tubs along with the fencing require the approval of the Village of Huntley and the Association.
3. Pools and hot tubs must be properly maintained.

### Recreational Activities

1. Skate ramps shall follow all Village of Huntley ordinances. Also, the streets cannot be used for any barricaded recreational activity unless a village permit is obtained.
2. No bicycles, strollers, or other articles shall be stored on the exterior of the dwelling of any lot unless it is fenced in.
3. No gas powered or electrical engine vehicles (e.g., snowmobiles, ATVs, motorcycles, scooters, mini-bikes, go-karts, etc.) except licensed vehicles are permitted.

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### Satellite Dishes / Antennas

1. The Board of Directors recognizes that pursuant to the Telecommunications Act of 1996, a Homeowners Association may not restrict a viewer's ability to install, maintain, and use "over the air reception devices." Notwithstanding these provisions, Homeowners Associations may require that satellite dishes be installed in a safe and reasonable manner. Installations must be done by a professional installer.
2. In order to maintain the esthetic quality of the Association, no reception devices more than one meter (1 m) in diameter or which extend more than twelve feet (12') above the lowest roofline of the dwelling on the lot, may be erected without approval of the Board of Directors.
3. Satellite dishes are only permitted to be mounted on the dwelling with all wires secured and hidden from plain view.
4. No ham radio antennas are allowed.
5. Satellite dishes in disrepair must be removed.

### Signage

1. No signs of any kind (except garage/yard sale signs) shall be displayed on any Common Area or Public Area in the community. Common areas shall include, but not limited to, all entrance areas, bridge, landscape berms, wetlands, and pond.
2. Removal of political and / or announcement signage debris must be done at the end of the event.

# Heritage of Huntley Homeowner's Association

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### Enforcement Policy

#### 1. Notice of Violation

- a. If it is determined that a homeowner is in violation of any of the provisions of the Declarations, By-Laws, and Rules and Regulations, a Notice of Violation shall be issued by the management company on behalf of the Board of Directors only after the Board designee verifies the validity of the violation.
- b. It should be noted that violations may be reported by the Board of Directors and Owners. It is important that if an Owner reports a Violation, it must be put in writing to the Board of Directors via the management company. A picture of the violation with the date and time is strongly suggested.
- c. The Notice of Violation shall be sent to the homeowner via certified mail no later than thirty (30) days following the date the violation is first called to the attention of the Board or the management company. The Notice of Violation may contain demands to remedy the violation.

#### 2. Hearing

- a. The homeowner charged with the violation may challenge the Notice of Violation and request a hearing in writing before the Board. A request for a hearing must be in writing, be sent via certified mail to the attention of the Board of Directors via the management company, and occur no later than ten (10) days from receipt of the Notice of Violation. A designated board member in cooperation with the management company will set a hearing date and notify the homeowner in writing.
- b. Any failure by the homeowner to appear will result in a default ruling against the homeowner.
- c. The Board of Directors shall hear and consider arguments, evidence, or statements from the homeowner regarding the violation. After the hearing, the Board shall state its findings regarding the violation. The decision of the Board shall be final and binding on the homeowner.

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- d. The Board shall notify the homeowner of its decision in writing. Upon being found in violation, the homeowner shall remedy the violation(s) and pay all fines assessed within thirty (30) days of notification by the Board. Failure to make payment within the thirty (30) days shall subject the homeowner to all legal and equitable remedies available under the laws of the state of Illinois.
  - e. The Board reserves its right to pursue any and all legal and equitable remedies to compel enforcement.
  - f. Any and all costs and attorney's fees shall be the responsibility of the homeowner.
  - g. Any violation that implicates a Village of Huntley ordinance shall be referred to the Village for enforcement.
3. Fines
- a. Violations shall result in the imposition of the following fines. Any expense incurred by the Association resulting from a violation will be the responsibility of the homeowner, including, but not limited to, legal fees and costs.
  - b. There will be a fifty dollar (\$50.00) fine for each violation, provided the owner has not been fined for the same violation within the last six (6) months. If the owner has been fined for the same violation within the last six (6) months, the fine will be one-hundred dollars (\$100.00).
  - c. In the event of any ongoing and continuous violation, the Board reserves the right to levy a fine for each day the violation continues. The daily fine shall not exceed one-hundred dollars (\$100.00) per day.
4. Authority
- The Board of Directors has the authority to levy the aforementioned fines against a homeowner who fails to comply with the requirements of the Declarations, By-Laws, and Rules and Regulations. All fines shall be collected in a manner similar to unpaid assessments.

# Heritage of Huntley Homeowner's Association

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### HERITAGE OF HUNTLEY HOMEOWNERS ASSOCIATION HER-263 ALTERATIONS & ADDITIONS APPLICATION

HOMEOWNER: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

DESCRIPTION OF IMPROVEMENT: \_\_\_\_\_

DIMENSIONS: \_\_\_\_\_ SUPPLIER: \_\_\_\_\_

APPROXIMATE COST: \_\_\_\_\_ J.U.L.I.E. DIG #: \_\_\_\_\_

**\*\*NOTE\*\***

**PLEASE BE SURE THIS ADDITION CONFORMS WITH THE AMERICAN COLONIAL THEME OF THE COMMUNITY AND ANY REQUIREMENTS SET FORTH BY THE VILLAGE, COUNTY, STATE ETC. AND THAT ANY NECESSARY PERMITS HAVE BEEN OBTAINED PRIOR TO INSTALLATION**

A SKETCH OF ALL IMPROVEMENTS MUST BE ATTACHED TO THE APPLICATION TO SHOW LOCATION AND DIMENSION RELATIVE TO EXISTING STRUCTURES.

AS OF THE APPROVAL DATE OF THIS ALTERATION, I ACCEPT FULL RESPONSIBILITY FOR THE ALTERED AREA AND WILL MAINTAIN IT IN A SAFE AND PRESENTABLE CONDITION.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\*\*\*\*\*

FOR INTERNAL USE ONLY

DATE RECEIVED: \_\_\_\_\_ BY: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_ BY: \_\_\_\_\_

REASON FOR DISAPPROVAL: \_\_\_\_\_

FINAL INSPECTION BY: \_\_\_\_\_ DATE: \_\_\_\_\_



# Heritage of Huntley Homeowner's Association Rules and Regulations

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## HERITAGE OF HUNTLEY HOMEOWNERS ASSOCIATION

### NOTICE OF VIOLATION FORM

DATE:

TO:

A Violation Report has been filled out accusing you of violating the Association's Declarations, By-Laws, or Rules and Regulations regarding:

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The Violation carries a fine of \_\_\_\_\_.

You have the right to dispute the alleged violation. Procedures for disputing the violation are described in the section titled, "Enforcement Policy" in the Heritage of Huntley Homeowner's Association Rules and Regulations. Should you choose a hearing, you need to request a hearing in writing, send it via mail or e-mail to the Board of Directors, and this must be done within ten (10) days from receipt of this Notice of Violation Form. Failure to respond will result in a default ruling against you.

It is our goal to protect the safety, welfare, and property values of our community. Your cooperation in this matter will continue to support this goal. If you have any questions, please contact us.

Respectfully,

HERITAGE OF HUNTLEY HOMEOWNERS ASSOCIATION  
Board of Directors