

OAKWOOD HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

Updated September 9, 2020

Architectural Review Committee (ARC)	2
ARC Guidelines.....	2
ARC Review Process.....	2
Assessments.....	3
Awnings.....	3
Basketball Hoops.....	4
Deed Restricted Property.....	4
Exterior Color Choices.....	4
Feeding Animals.....	4
Fences.....	4
Fences in Deed Restricted Open Space.....	5
Fences That Back Up to Washington Street.....	5
Garage Sales.....	5
Garbage Cans, Landscape Containers, & Firewood.....	5
General Storage.....	5
Holiday Decorations.....	6
Hot Tubs/Spas.....	6
Livestock/Pets.....	6
Outdoor Sports Equipment.....	7
Parking.....	7
Permanent Pools/Temporary Pools.....	7
Sheds.....	9
Signs.....	9
Sump Pump Discharge.....	9
OAKWOOD HOMEOWNER’S ASSOCIATION FINE PROCEDURE.....	10

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Architectural Review Committee (ARC)

The ARC is a Standing Committee that is in place to fulfill the requirements specified by the Oakwood Declarations, Article 3.05 Architectural Controls.

Article 3.05 states: No additions, alterations or improvements (including without limitation, changes in the landscaping or exterior color of a Home or construction of a fence, shed, outbuilding, antenna, satellite dish or similar changes) shall be made to any part of a Lot or the Home thereon which is visible from outside the Home without the prior written consent of the Board.

As elected Directors and Officers, the Board has a legal responsibility to apply the Declarations, Bylaws and Rules, fairly. For any Owner not to comply with the Declarations, Bylaws and Rules is unfair to the community of Oakwood Owners.

The ARC committee makes a best effort to be responsive and reasonable in ARC Review requests. We encourage Owners to consider the community and comply with the Declarations, Bylaws and Rules. To help us with ARC request expediency, please complete the ARC request for complete with the required information.

The following Guidelines are a summary and clarification of the Declarations, Bylaws and Rules provided for your convenience. The complete documentation of Declarations and Bylaws can be found at www.oakwoodhoa.org. Alternatively, contact Fox Management for copies.

Guidelines

ARC requests are to be sent by fax, mail or email to the property management firm.

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Fox Management will notify the Owner within ~2 business days of incomplete information.

ARC Review Process

The ARC does an initial review of complete requests within ~2- 3 business days of receipt. Since approval may require research and follow-up it is difficult to provide a specific estimate. The ARC makes every effort to respond to requests as quickly as possible.

Below are the guidelines for ARC requests:

ARC requests are **not** required for maintenance, repairs, or seasonal decorations.

Examples of when ARC requests are **NOT** needed:

- Painting the house or trim with the **SAME** color
- Replacing a garage door with the **SAME** door style and color
- Repaving a driveway with the **SAME** paving materials

- Replacing a door/storm door with the **SAME** door style and color
- Removal or planting seasonal shrubs/flowers within existing landscaping beds
- Replacement of light fixtures
- American Flags
- Seasonal, decorative flags and yard decorations
- Holiday decorations
- Signs as described in the Sign section in the Rules

Examples of when ARC requests **ARE** needed:

- Any action that requires a Lake County permit
- Replacement or alteration in style or color of roof, siding, trim, doors, windows (except as noted above)
 - Roofs: In general, approved colors will be "neutral earth tones" such as: tans, browns, grays, blues, greens
 - Siding: In general, approved colors will be "neutral earth tones" such as: white, creams, tans, browns, grays, blues, greens, and pale yellow
 - Trim: In general, approved colors will be white, cream, tan, brown, grays
 - Doors: In general, approved colors will be "neutral earth tones" as noted for siding above or additional "earth tones", allowable in slightly more vibrant hues such as: red, teal, orange, etc.
 - Windows: In general, approved colors for window panes will be white, cream, or tan, to match the house. Windows must also include a style of grid pattern on all windows visible from the front of the house.
 - Overall: All requests will be handled on a case by case basis
- Alteration to size, shape, or position of existing landscaping beds (to ensure proper plat of survey/property placement)
- Creation of new landscape beds
- Installation of a pool, hot tub, porch, patio, deck, pergola, awning, permanent basketball hoop, swing set (with installed footings), or shed
- Any structural modification/alteration to the existing blueprint of the house/structure
- Repaving of driveway, walkway, patio, porch, or deck with different materials than existing
- Installation of a visible, above ground fence

Assessments

- Annual assessments will be billed and mailed in December.
- Payment of annual assessment is due by January 15.
- A \$25.00 monthly late fee will be assessed starting February 15.

Awnings

Awnings are allowed on the backside of your house. They are not allowed on front or side windows. All styles and colors must be approved by the ARC. Generally, the color of the awning must match or complement the color of your house.

Basketball Hoops

ARC approval is required to permanently install a basketball hoop. ARC approval is not required for portable basketball hoops. Basketball hoops are not permitted attached to the house or garage.

Deed Restricted Property

If your property's plat of survey has Deed Restricted land, there are restrictions as to what you can do with that part of your property.

Deed restricted property may not be used for:

- Any permanent structures
- Sheds (temporary and permanent)
- Fences – exceptions apply – see Fences in Deed Restricted Open Space.
- Swing Sets--installed with footings

Exterior Color Choices

A change in the color of your house and fixtures (siding, trim, door, shingles, etc.) needs to be approved if you are changing the color or materials from the current products and colors.

Feeding Animals

Due to the nature of the Oakwood HOA and the large wooded areas around the property, homeowners must follow all guidance, rules, and ordinances as set forth by Lake County as it pertains to the feeding of wild animals. Homeowners are not allowed to leave food out for animals overnight (with the exception of bird feeders). Pet food, such as canned or dry dog/cat/rabbit/etc. food is not to be left outside at any time. Animals such as skunks, racoons and possums are attracted to the food and can be dangerous to residents and pets. Any homeowner who has been found to be feeding wild animals and therefore caused a disturbance, damage, and/or nuisance to a neighbor's property, the common areas, or the community overall, may be help responsible for the costs of removing the pests from the area.

Fences

Fences Regulations:

- Fences are allowed on side and backyard property that is not Deed Restricted.
- Fences are not allowed in front yards. No front yard property line may be fenced at any time for any reason in Oakwood.
- Fences must comply with:
 - Lake County regulations/ordinances
 - Local Codes
 - Declarations, Bylaws and Rules

General Guidelines:

- All fences must receive Lake County Permit AND ARC approval prior to installation. Fences requested on corner lots may need additional time for ARC review.
- All fences must adhere to Lake County guidelines.
- All fences must be between 4 feet and 6 feet in height.

- No fence can be extended beyond the home's Building Line, marked on the Plat of Survey. Therefore, no front yard fencing is permitted.
- Fences crossing the utility easement must have a gate to allow access through the fence for the utility companies.
- Fencing may not be placed on Deed Restricted portion of the homeowner's property without a proper variance permit approved by Lake County.
- Other variances will be reviewed on a case by case basis as requested by owners.
- All owners must submit an Architectural Review application prior to installing ANY above-ground fence.
- Based on your property's plat of survey, there may be additional restrictions such as drainage requirements, utility easements, and pond or wooded location specifications.

Fencing Materials:

- All fences, whether on the side or rear lot lines, must be one of the following materials:
 - 1"x6" or 1"x4" natural cedar or white painted cedar
 - Black ornamental aluminum
 - PVC materials may be allowed

Fences in Deed Restricted Open Space

Due to amendments to the Lake County Unified Development Ordinance (UDO) that permit fences on Deed Restricted Open Space subject to the application meeting certain conditions that include no more than 10% opacity, fencing of Deed Restricted Open Spaces throughout Oakwood may be done upon proper procurement of a Lake County variance permit. This permit must be secured and submitted with the ARC request for review.

Fences That Back Up to Washington Street — Uniformity Code

A uniformity fence code is in affect regarding any new fences built after May 2006 for homes whose rear Lot line fences border the Common Open Space along Washington Street. They must be installed and properly maintained as 6-foot board-on-board natural cedar.

Garage Sales

In conjunction with county ordinances, no homeowner may have more than two garage sales in a calendar year.

Garbage Cans, Landscape Containers, & Firewood

- Trash and garbage cans should not be at the curb more than 24 hours before or after the scheduled pickup.
- Garbage cans and landscape containers should be stored in the garage or somewhere not visible from the front of the property. Such containers are not permitted stored anywhere in the front of the garage or front yard of the home.
- Containers stored on the side of the home should be screened from view of the street.
- It is preferred that firewood should be neatly racked in the back yard or on the side of the house.
- Firewood on porches must be concealed from view of the street.
- Firewood storage is not permitted on any part of the front yard.
- Firewood racks cannot be placed on any adjoining Wooded or other Common Area.

General Storage

At no time may any of the following be stored on the exterior of the Owner's property:

- Garden and property maintenance equipment (includes but not limited to lawn mowers, snow blowers, ladders, chain saws, portable generators).
- Boats, canoes, kayaks or similar water recreational items.
- Unused building materials.
- Trailers of any kind.

Holiday Decorations

With the many new styles of holiday decorations, homeowners must be aware how their decorations might affect another home. If projection decorations are installed and they affect another home, then the decoration must be turned off or set up so it will not trouble other owners.

Hot Tubs/Spas

A. Hot Tubs/Spas require that homeowners apply for and obtain an approved Lake County Permit.

B. Homeowners must submit an HOA Arc Request prior to any installation of any hot tub/spa.

Homeowners should submit the following with their Arc Request:

1. Full description of the hot tub/spa to be installed, including dimensions;
2. Contractor's information for the contractor installing the hot tub/spa;
3. A plat of survey showing exactly where the hot tub/spa will be installed;
4. Their approved Lake County permit.

C. Homeowners must comply with all Lake County and hot tub/spa electrical requirements.

D. Homeowners must meet the following: Hot tub/spa's manufacturers specifications for the base (gravel or concrete slab) for the hot tub.

E. If the hot tub/spa is to be installed on an elevated deck, homeowners must use an architect/engineer to verify framing and load requirements for the deck. In some cases an existing elevated deck may be required by an architect/engineer to be reinforced to handle the weight/load of a filled hot tub/spa.

F. Hot tub/Spa integral parts must be bonded and a GFCI receptacle must be provided for electrical.

G. Homeowner must provide a hot tub/spa cover that meets ASTM F1346 requirements.

*It is recommended that Homeowners installing a hot tub provide a locking mechanism for their hot tub/spa cover. A Google search using the words "hot tub locking" will produce many options.

Livestock/Pets

Homeowners and residents on any lot or on any Common Space shall not be allowed to keep, house, raise, maintain and/or breed any wildlife animal, livestock, poultry/fowl, reptile or primate (including, but not limited to: cows, pigs, goats, sheep, chickens, roosters, ducks, turkeys, emu, monkeys) for any purpose. No such animals shall be allowed on the exterior of any Homeowner's property.

Common household pets such as dogs/cats may be kept/maintained, but cannot be exclusively kept or housed on the exterior of the homeowner's property and shall be subject to any HOA or County Rules regarding pets, and any HOA or County Nuisance rules/ordinances. Any questions or interpretations of allowable animals under this Rule shall be addressed to, and decided by, the Oakwood HOA Board of Directors.

Outdoor Sports Equipment

With the exception of portable basketball hoops, all outdoor sport equipment should be stored or placed in the backyard of the property, not visible from the front of the house, when not in use.

Parking

In general, the following vehicles are not permitted anywhere outside (on the street or in driveways) in the development overnight:

- Commercial vehicles that are panel truck size or larger.
- Trailers and recreational vehicles (such as ATVs, golf carts, boats).
- Inoperable vehicles (Vehicles that appear immovable, non-functional or irreparably damaged).
- Parking and vehicle storage is not permitted on any portion of the homeowner's yard.
- Vehicles in the driveway may not be covered with a fabric cover.

Exceptions to parking rules:

At times, the Board may make exceptions to the parking rules. To be considered for an exception, please contact the property manager.

RVs/Campers:

- If an RV or Camper is needed to be parked in the driveway for longer than 72 hours, please notify the board and request an exception at least one week before desired timing. These situations will be reviewed and approved on a case by case basis, and approval is not guaranteed.
- Generally, RVs and Campers will not be permitted to be parked in a driveway longer than 14 days.

The following parking exceptions are allowed without Board approval:

- If vehicles are needed for several days for a home improvement project or moving furnishings.
- Equipment and vehicles used by movers or contractors making repairs or improvements to a home.

Permanent Pools/Temporary Pools

A. A "permanent pool" shall be considered any pool more than 2 ft in height and/or more than 12 ft in diameter (or more than 12 feet across in any one direction) and/or is permanently erected/constructed/installed on a homeowner's property. That is, a pool which is not "seasonal" or taken down for lengthy periods of time. Such permanent pools shall be allowed in a homeowner's back yard only. Any such permanent pool shall be required to have a "barrier" to the pool for safety reasons. Homeowners may select from the following "barrier" options for their pool:

FOR IN-GROUND PERMANENT POOLS:

1. Homeowner may construct a fence around their full back yard property as allowed by HOA fence rules; OR
2. Homeowner may construct a fence around the pool area itself; OR
3. Homeowner may use a pool safety cover that meets ASTM F1346-91 requirements

FOR ABOVE-GROUND PERMANENT POOLS:

If the pool height is 48" or more above ground level, the homeowner MUST either provide a retractable and lockable ladder, OR a lockable gated access to the pool area.

If the pool height is less than 48" above ground level, the homeowner must:

1. Construct a fence around their full back yard property (as allowed by HOA fence rules; OR
2. Construct a fence around the pool area itself
3. Such pool area fence may be combined with a pool deck surround. Such decking shall require submission of an ARC request for the deck. The ARC request for this decking must include a Plat of Survey showing exactly where the deck will be constructed, its dimensions, and specific materials to be used. Such deck must receive a separate, approved Lake County Permit, which needs to be submitted with homeowner's ARC request.

B. A "temporary pool" shall be anything that is 2 ft or less in height and/or 12 ft or less in diameter (or 12 feet or less across in any one direction). Such temporary pools shall be allowed in back yards only during the dates of Memorial Day weekend through Labor Day weekend each calendar year. If a homeowner's back yard property has an existing fence around it, any gates will need a lock to prevent unauthorized access to the filled temporary pool. If the homeowner does not have a fenced back yard property, they will be required to have a cover for the temporary pool that is in place whenever the pool is filled and not in use. Such cover needs to be anchored-down to hold it in place.

C. Any "temporary pool" 12 inches or less in depth, or 6 ft or less across in any direction shall be exempt from submitting an ARC request for approval and will not be subject to the security/safety provisions required in Section B (above). These pools may also be used during the dates of Memorial Day weekend through Labor Day weekend each calendar year.

- Please note: *Any "seasonal" pool that exceeds the 24" height restriction falls under Lake County's requirements to obtain a Lake County permit.* Such pools will be required to submit an ARC Request for HOA approval as well. Homeowners must submit their Lake County Permit for such over-height "seasonal/temporary" pools with their HOA ARC Request.

D. All permanent pools (in-ground and above-ground) must obtain an approved Lake County Permit prior to beginning any construction. Homeowners must comply with Lake County regulations regarding pools as well as HOA rules. To apply for a Lake County pool permit, homeowners can submit an application with the appropriate permit documents by emailing to: LCpermits@lakecountyil.gov or dropping paperwork off at 500 W. Winchester Rd., during normal operating hours.

E. All permanent pools (in-ground and above-ground) must be approved by the HOA ARC Committee. Prior to any work being started, homeowners must submit a completed HOA ARC Request form and must include the following:

1. A plat of survey showing exactly where the pool is to be constructed (include specific measurements showing distance from house/deck and any property/building lines or easements;
2. Exact pool dimensions;
3. All documentation/contracts from the pool contractor doing the pool construction; and
4. Their approved Lake County Pool Permit

F. All permanent pools (in-ground and above-ground) must comply with all Lake County Electrical Requirements for Pools, Spas and Hot Tubs.

G. If a homeowner installs/constructs an above-ground permanent pool (or erects an oversized "seasonal" pool, the outside/underside of the pool frame/form itself must either be completely covered/framed-in by decking materials (or similar material), and/or completely concealed by landscaping/plantings so that neighbors do not have to view the unsightly exterior of an above-ground pool frame/form. This must be done on all sides of the pool that are visible by any neighbor(s).

H. Pool Fences: Any fence which will be erected either around the homeowner's entire back property, or any fence to be erected around the pool area itself (as specified in Section A) must be

approved by the ARC as well as obtaining a Lake County Permit. When submitting the ARC request for the pool fencing, a plat of survey is required to be submitted showing where the intended fence will be placed, including dimensions and materials being used for fencing. Materials must comply with HOA approved fencing materials. Homeowners must submit their Lake County Fence Permit with their HOA ARC request for pool fencing.

Draining All Types of Pools:

- Due to the fact that pools are initially filled with treated hose water and because many pools are further treated with chemicals, the draining/emptying of your pool is suggested to adhere to the following procedures:
 - Pools should be drained using a pump or siphon system which transfers the water from the pool, to the SEWER drain system, NOT into the Lake County Storm Water system.
 - Draining water can also be directed into a drain like a bathtub or laundry sink.
- Per the advisement of Lake County Storm Water Management, it is advised that treated pool water NOT be drained directly into Lake County Storm Water drainage paths, or drained directly or indirectly into the subdivision's ponds or wetlands.

Sheds

All sheds must be approved by the ARC. Sheds are not allowed in front yards.

Signs

Signs (including but not limited to: industry, business, trade, occupation, political, announcement, professional or advertisement) may not be posted anywhere in the Common Open Space, Deed Restricted Space or Monument Sign Areas.

Temporary signs may be posted on the homeowner's property. The permitted posting duration varies depending on the sign function.

Examples:

- For Sale – While property is for sale
- Garage Sales or Open House – posted shortly before. To be removed as soon as the event ends
- Celebratory – Several Days
- Holiday related – 30 days before and after the holiday
- Vendor/construction advertising – For the duration the work is being done and the vendor is on-site

Sump Pump Discharge

- Sump pump discharge piping should end at least 5 feet from the property line to dissipate on the homeowner's property.
- Sump pumps may not discharge directly into ANY Common Areas.
- For homes bordering on ponds, sump pump hoses should not extend farther than the house-side edge of the wetlands buffer (approximately 10 feet from the edge of the pond water) to filter discharge and prevent erosion at the water's edge of the pond.
- Sump pump discharge may not be located as to cause erosion of any common space or adjacent homeowners' property.

OAKWOOD HOMEOWNER'S ASSOCIATION FINE PROCEDURE

Board's Justification For Fining Members & Collect Associated Costs and Expenses

Declarations, Article VII titled "Collection of Charges And Remedies For Breach Or Violation", Section 7.06 titled "Other Remedies Of The Board" which states the following:

"In addition to or in conjunction with the remedies set forth above (referring to the preceding Sections of Article VII), to enforce any of the provisions contained in this Declaration or any rules and regulations adopted hereunder the Board may levy a fine or the Board may bring an action at law or in equity by the Association against any person or persons violating or attempting to violate any such provision, either to restrain such violation, require performance thereof, to recover sums due or payable or to recover damages or fines, and against the land to enforce any lien created hereunder; and failure by the Association or any Owner to enforce any provision shall in no event be deemed a waiver of the right to do so thereafter."

Declarations, Article VII titled "Collection of Charges And Remedies For Breach Or Violation", paragraph 7.07 titled "Costs And Expenses" which states the following:

"All costs and expenses incurred by the Board in connection with any action, proceedings or self-help in connection with the exercise of its rights and remedies under this Article, including, without limitation, court costs, attorney's fees and all other fees and expenses, and all damages, liquidated or otherwise, together with interest thereon at the rate of eighteen percent (18%) per annum or the maximum rate permitted by law, whichever is less, until paid, shall be charged to and assessed against the defaulting Owner, and the Association shall have a lien for all the same, upon his Lot as provided in Section 7.01."

Fine Schedule Approval

The initial Fine Schedule was approved at the Annual Meeting held on May 31, 2000. It was recently revised at the Working Board Meeting held on July 26, 2005 (Revision 1.0) and subsequently revised at the Special Board Meeting held on May 16, 2006 (Revision 2.0). This version supersedes all previous versions.

Violation Notices

First Notice of Violation

After investigating a reported violation, either the Board of Directors or the Property Manager will communicate the problem to the homeowner. This will be done verbally or through a written notice of violation or both. Any written notice sent to a Member will detail the problem, necessary remedy, the fine levied (if applicable), deadline for compliance, and consequences of noncompliance or repetition of the violation (intent to fine). If a Member wishes to respond, it must be within 14 days of receipt of the violation notification and may be by letter to the Property Manager. If you have questions, call the Property Manager immediately.

If the violation is ARC related, any requested ARC documents must be received within the 14-day response period. If special circumstances occur affecting the deadline compliance, call the Property Manager to discuss it.

Second Notice of Violation – 14 Days

If no response or documents are received by the Property Manager within 14 days, a second notice will be sent and an initial fine will be attached to the Member's Assessment Account. For simple violations that include a fine, no response to the Property Manager is necessary other than payment of the fine. If the fine is not paid within 30 days of the Violation Notice, it will be attached to the Assessment Account and billed until paid.

Third Notice of Violation – No Response – 30 Days

If no response is received for violations, a third letter will be sent advising the Member of immediate action the Board will take to bring the violation into compliance. If applicable, a daily fine non-compliance will begin accumulating until the improvement/item is brought into compliance. The violation will be reviewed for turnover to our Legal Representatives at the next Board Meeting.

Member (Homeowner) Remedies

Within 30 days from the date of notification of a violation, if the homeowners are not satisfied with the resolution process, they may submit a written request to schedule a hearing at the next Board Meeting. Witnesses to the violation will also be notified to appear. A ruling on the violation will be made at that Board Meeting, even if the Member and/or witnesses are not in attendance. Decisions made by the Board are final. If the Member desires to bring Legal Counsel to the hearing, it must be noted in the Hearing Request, thus giving the Board time to arrange for its Legal Representative to be present. Legal Counsel won't be recognized at the hearing unless prior notification is given.

Lot Appearance, Property Code, & Common Space Area Violations

First Violation	\$25.00
Second Same Violation	\$50.00
Third Same Violation	\$100.00
Subsequent Same Violation	\$100.00
Daily Accumulating Fine	\$5.00 (per day)
If the Board requested actions are not completed within the deadline specified in the Notice, a \$5.00 per day fine will be levied until brought into compliance.	
Dumping Landscape Waste in Common Space Areas	\$100.00
Plus any other administrative, Legal, and removal expenses.	
Damaging Common Space Areas	\$200.00
Plus any other administrative, legal, and repair expenses. This includes, but is not limited to, unauthorized tree cutting or any other type of habitat removal in Common Space Areas.	
Unauthorized Use Of Common Space Areas	\$100.00
Plus a \$5.00 per day accumulating fine until the unauthorized use is terminated. This is in addition to any other administrative and legal expenses. This includes the placement of any kind of personal property in the Common Space Areas, for example but not limited to play equipment, sump/down spout drainage lines, firewood, garbage cans, and yard waste containers. Includes unauthorized maintenance of Common Space Areas.	

Architectural Review Violations

Non-submission of ARC Request Form	\$50.00
If the Member homeowner completes an exterior improvement without first having the project reviewed and approved by the ARC Committee, an initial fine of \$50.00 will be charged to the Member's Assessment Account. If after 30 days following notification the Member has still failed to respond with the appropriate documentation for ARC Committee review, a \$5.00 per day accumulating fine will be charged until the appropriate documentation is received by the ARC Committee.	
Non-compliance of ARC Request	\$5.00 (per day)
For projects "not approved" until brought into compliance. If after the ARC Committee does not approve a project that has already been completed, the Member will be given a deadline to bring the improvement into compliance. If the deadline passes without the improvement being brought into compliance, the fine of \$5.00 per day will begin until the project is brought into compliance. Also, at that time, the case will be reviewed by the Board of Directors for potential turnover to our Legal Representative(s).	

Deed Restriction Violations

Misuse of Deed Restricted Portion of a Lot	\$100.00
Only applies to those Member homeowners who have any portion of their Lot designated as "Deed Restricted for Natural Purposes Only". Misuse as determined in accordance with the Declarations and Bylaws which dictates that these areas are to be maintained in a natural state. An initial fine of \$100 will be charged to the Member's Assessment Account for failure to comply within 30-days of being notified of a noncompliance. If after 30 days following notification the Member has still failed to respond with the appropriate corrective actions, a \$5.00 per day accumulating fine will be charged until the appropriate corrective actions are taken.	
Non-compliance of Corrective Actions	\$5.00 (per day)
For ongoing misuse of any portion of a Lot designated as "Deed Restricted for Natural Purposes Only" until brought into compliance.	