

# Oakwood Homeowner's Association

## Rules for Common Areas

Lake Charles, Westman Beach, the Eastern Shoreline and the other common areas are private property and under the direction of the OHA Board of Directors.

Lake Charles, Westman Beach and Eastern Shoreline are for use by Oakwood residents and their guests only. Boating and swimming in Lake Charles is at your own risk. Swimming is not allowed at Westman Beach, or Eastern Shoreline per DuPage County Health Department regulations.

Article V, Section 1. (f) And Article IX of the Declaration of Covenants, Conditions and Restrictions as amended provide that the Association may establish uniform rules and regulations pertaining to the use of the common areas and recreational facilities. These rules have been established to reflect the consensus of Oakwood homeowners in the interest of preserving the common areas for the benefit of all members.

### **RULES and REGULATIONS**

#### **1. Identification and Trespassing**

- a. Association members using Lake Charles, Westman Beach or the Eastern Shoreline must provide upon request proof of residency in Oakwood. An Illinois driver's license or other identification card with a street address is sufficient.
- b. Access to Lake Charles, other than from Westman Beach or Eastern Shoreline, involves trespassing on private property and is not allowed unless approved by the property owner. All driveways to the homes on Lake Charles are private property.

#### **2. Alcohol**

- a. Alcohol is not allowed on Lake Charles, in the Westman Beach area or Eastern Shoreline.

#### **3. Boats and Watercraft**

Definitions:

“Boats” shall mean Sail Boats, Row Boats, Canoes, Paddle Boats, and Kayaks.

“Watercraft” shall mean Boats and all floating conveyances on the water including but not limited to paddle boards, floats, and swim float pads.

Residents and guests who desire to use Boats or other Watercraft on Lake Charles must comply with the following requirements:

- a. All Boats shall be registered and display an OHA Boat identification tag. (see section 8)
- b. Maintain Watercraft in safe operating condition.
- c. The owner of the Watercraft is responsible for the safe operation of the Watercraft.
- d. Life jackets for Boaters are required.
- e. Keep Watercraft on owner's property unless other homeowner grants permission.
- f. Watercraft cannot be anchored in the lake unattended.
- g. When not in use, Boats adjacent to the lake must be tied, chained, or secured to the shoreline to ensure the Boat does not float off in high water conditions.

- h. Promptly retrieve Boats that may have drifted off.
- i. Residents / owners are responsible for the safety of their family and guests while in/on Lake Charles or any other Common Area of the Association.

#### **4. Pets**

- a. Pets are permitted on the Eastern Shoreline and Westman Beach, but must be leashed and any pet waste must be immediately cleaned up.

#### **5. Littering and Dumping**

Littering of Lake Charles, Westman Beach and the Eastern Shoreline with such things as paper, food, bottles, cans, cigarette/cigar butts, bait boxes, plastic, etc. is not permitted.

- a. Waste must be either carried from the site or placed in the proper trash receptacles.
- b. Dumping of grass, leaves, sod, cement, concrete, bricks, oil, gasoline, soapy liquid, or any type of debris into Lake Charles, sewers, or common areas is prohibited.
- c. The placement of broken cement pieces, concrete pieces, tires, bricks or similar items not designed for erosion control along the shoreline or in the water of Lake Charles is not permitted.

#### **6. General Use of Lake, Beach, and Eastern Shoreline**

- a. Westman Beach and the Eastern Shoreline are closed from dusk to dawn.
- b. Use of profanity, creating a disturbance or nuisance or in any way placing another person in danger is not permitted.
- c. Cans and bottles are not permitted on the sand.
- d. Rock, mud, or sand throwing is not permitted on Westman Beach or the Eastern Shoreline.
- e. Only small sand shovels and toys are permitted on sanded area of Westman Beach. Digging trenches and holes in the sand is not permitted. After use, the sand area should be restored to an essentially level condition.

#### **7. Dock and Lock Program**

The Dock and Lock Area has been established on the southern end of the Eastern Shoreline to provide off-lake residents (Oakwood Residents whose property does not have a common border with the lake) with similar Boat accessibility convenience as on-lake residents. The following rules are applicable to the use of this area:

- a. Boats in the Dock and Lock Area must have an annual "Lake Charles Dock and Lock Space Request Form" (Attachment 1) approved and on record with the OHA. This form must be provided to and approved by the Chairman of the Lake Management Committee. Space in the Dock and Lock Area will be allocated on a first come first serve basis or in a manner that provides fair access to the spaces available. The allocation process shall be published each year in the December issue of the Oak leaf.
- b. A one hundred dollar (\$100) refundable registration deposit is required to be submitted to the OHA with the "Lake Charles Dock and Lock Space Request Form" (Attachment 1). The deposit will be returned at the end of the season or when the Boat is removed from the Dock and Lock Area, provided that the owner has followed the OHA Common Area Rules

that apply to the Dock and Lock program, per CC&R Article V, Section 1 (c).

- c. All Boats in the Dock and Lock Area (or anywhere else on the lake) must be registered and tagged with an OHA Boat Identification Tag per Section 8 below.
- d. Boats are to be launched onto Lake Charles from the designated launch area on the east side of Westman Beach.
- e. Boats must be secured to the OHA provided locking rings with a marine grade lock (to avoid lock jams/failures due to water, corrosion or rust in the mechanism) with a secure cable or chain. Please note this is a safety requirement more than a security requirement, as we would not want someone's mischief to turn into tragedy.
- f. Boats are to be positioned on the shore to avoid damage to other Boats. Boats must be positioned no closer than three feet from each other.
- g. The owner is responsible for keeping the Watercraft in safe operating condition. Any Boat not completely seaworthy or in disrepair will not be allowed to participate in this program. In addition, Watercraft that becomes a hazard will not be allowed to participate in this program. It will be the decision of the Lake Management Committee to determine if a Boat is in safe operating condition.
- h. Boats shall be stored in such a manner that water is not permitted to collect in any cavity of the Watercraft that will allow for breeding of mosquitoes. Water that collects in the Boat is to be removed by the owner each week. If notified by the LMC of water in the owner's Boat, the owner will be given three days to empty the water or forfeit the registration deposit.
- i. All Boats must be removed from the Dock and Lock Area no later than October 31.
- j. **After acceptance** into the Dock and Lock Program, Boats may begin using the area after March 31.
- k. The OHA accepts no responsibility or liability for Boats moored in this area. Boat owners are fully responsible and liable for their Boats or incidents involving their Boats when in this area or on Lake Charles.
- l. Failure of the owner of the Watercraft to comply with the rules for this program will result in the owner having his Dock and Lock privileges revoked and forfeiture of the registration deposit. In addition, the owner will be required to remove the Watercraft from the Dock and Lock Area within 15 days of notification. Submittal of the "Lake Charles Dock and Lock Space Request Form" and use of the Dock and Lock Area signifies agreement with these rules. Failure to remove a Boat from the Dock and Lock Area after October 31, or after fifteen days after notification that privileges have been suspended, will result in the Boat being disposed of per Section 9 below.
- m. The OHA Board of Directors directs the Lake Management Committee to act in their behalf in administrating the Dock and Lock rules.

## **8. Boat Registration**

- a. In order to allow the identification of Boats on Lake Charles all Boats used on Lake Charles must be registered with the Lake Management Committee. New Boats must be registered prior to use on Lake Charles.
- b. By registering the Boat for use on Lake Charles, the owner/resident is assenting that the rules regarding Boats will be followed.

- c. Boat Identification Tags may be obtained from the Chairperson of the Lake Management Committee and will be provided at no cost to the homeowner.
- d. The Red and White tag must be displayed on the Boat in an easy to see area.
- e. The LMC will keep records of all registered Boats.
- f. The "Lake Charles Boat Registration Form" is attached (Attachment 2). This form either be mailed to the OHA or can be hand delivered to the Chairman of the Lake Management Committee.

#### **9. Abandoned Boat Policy**

- a. Boats will be considered Abandoned when they meet the following criteria.
  - i. The Boat is adrift or on OHA Property for more than three days.
  - ii. When the owner's use of the common areas or the Dock and Lock areas have been suspended by the OHA Board of Directors, and the Boat is not removed within thirty days after the owner has been notified to remove the Watercraft.
  - iii. The Boat has been left in the Dock and Lock area more than 30 days past the October 31 removal date.
- b. Processing of Abandoned Boats
  - i. Boats considered Abandoned will be disposed of at the owner's expense.

#### **10. Fishing**

- a. Fishing is permitted on the common shoreline of Westman Beach east and west of the sandy beach areas and along the Eastern Shoreline or from a Boat on the lake. Due to possible dangers to people playing in the sand, fishing is not permitted directly on the sandy beach area.
- b. Only fishing rods can be used. Spearing or netting is specifically not permitted.
- c. Except for "catch & release" fishing, the release of any fish, especially goldfish, into Lake Charles is not permitted. Such releases introduce non-native species that endanger the delicate balance in Lake Charles, introduce disease, and increase the maintenance costs.
- d. Fishing lines are not to be left unattended, nor are fishing line and hooks to be left behind on the common areas.

#### **11. Plants and Wildlife**

- a. The Migratory Bird Treaty Act protects ducks and geese from being intentionally hurt or abused. This federal law is enforceable and may lead to prosecution.
- b. The feeding of wildlife is not permitted. Such feeding is harmful to wildlife and disturbs the natural winter migration of migratory birds.
- c. The introduction of animals, fish (including bait), or plants from another water source (lake, stream, etc.) or vendor (including aquatic suppliers) into Lake Charles is prohibited, unless with the express permission of the Board of Directors or their designee.

#### **12. Motorized Vehicles**

- a. Except as provided in 12.b below, motorized vehicles of any kind (electric or gas) are not permitted on Lake Charles. This includes but is not limited to (inboard) motorboats, outboard

motors, snowmobiles, dune buggies, jet skis, etc.

- b. Electric trolling motors may be used on the lake.
- c. A gas engine motorized Boat may only be used in/on Lake Charles with the express permission of the Board of Directors or their designee for the purpose of maintaining Association Common Area property.

### **13. Ice Skating and Ice Fishing**

- a. Residents are responsible for the safety of their family and guests while in/on Lake Charles or any other common area.
- b. Ice-skating and ice fishing after dusk is an extremely dangerous practice and is not permitted.
- c. No person may ice skate or ice fish alone in/on Lake Charles.
- d. Extreme caution on the ice must be taken. Ice near inlets and outlets are particularly susceptible to break through underweight that could be sustainable in other areas of Lake Charles.

### **14. Shoreline Maintenance**

- a. Each resident of a lake lot is responsible for removing debris from the shoreline adjacent to his or her property.
- b. Each lake lot must be adequately protected from erosion per Village ordinance.
- c. Retaining walls must be properly maintained per Village ordinance. The long-term solution to erosion is through the use of "bioengineering" techniques. Contact the Lake Management Chairperson for further information.

### **15. Structures**

- a. Structures, including but not limited to piers, docks, floats, decks, pools, fences, or other structures, whether permanent or temporary, are not allowed to be built on or anchored on or to Association Common Area property.
- b. Several lots on Lake Charles contain recorded maintenance easements. Consult your plat of survey and the Oakwood Homeowners Association easements before building any structure or planting trees or any vegetation, particularly along the shoreline. This applies to the following lots: 172, 173, 178, 179, 182, 183, 185, 196, 197, 199, 200.
- c. Structures such as decks, fences, bushes, vegetation, or walls adjacent to the Association Common Area property shall be properly maintained to preserve the appearance of the Association Common Area property.
- d. Encroachment violations and violation of any of the above will result in enforcement.

### **16. Enforcement**

- a. Failure of an OHA member to comply with the above Rules for Common Areas shall, at the discretion of the OHA Board, in the suspension of the OHA member's voting rights or use of the OHA common areas per CC&R Article V, Section 1. The OHA Board may also turn over enforcement to the appropriate Village or State enforcement agency.
- b. Call the Westmont Police in the event of anything serious or 911 for emergencies in which time is of the essence.

- c. Any resident who observes activity on Westman Beach, the Eastern Shoreline, or Lake Charles which is potentially detrimental to Association property **or** constitutes a violation of these rules is asked to contact the Chair of the Lake Management Committee or a member of the OHA Board.

Approved by the OHA Board of Directors on 9/1/2020



## LAKE CHARLES DOCK AND LOCK SPACE REQUEST FORM

Resident's Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

OHA Boat Tag Number: \_\_\_\_\_

Registration Period: From: April 1, \_\_\_\_\_ To: October 31, \_\_\_\_\_

I request a docking space in the OHA Lake Charles Dock and Lock Area for the above Boat.

- 1.) I have read, understand and agree to follow the OHA Rules for Common Areas.
- 2.) I have attached the required refundable registration deposit for one hundred dollars. I understand that this deposit is refundable provided that I comply with the rules pertaining to the Dock and Lock Program.
- 3.) I understand that my Boat must be removed from OHA property between October 31 and March 31 of each year or it will be considered Abandoned, in which case the deposit will be forfeited, and the Boat will be disposed of at the owner's expense.
- 4.) I understand that the OHA accepts no responsibility or liability for Boats moored in this area. Boat owners are fully responsible and liable for their Boats or incidents involving their Boats when in the Dock and Lock area or on Lake Charles.
- 5.) I understand that failure to comply with the rules of this program will result in my having my Dock and Lock privileges revoked and that I will have to remove my Watercraft from the Dock and Lock area. Failure to do so will constitute abandonment of the Watercraft. At the discretion of the OHA board, the OHA member's voting rights or use of the OHA common area can also be suspended. *CC&R Article V Sec. 1 (c) and Article X Sec. 1 07; Bylaws Article XIV Section 2.*

\_\_\_\_\_  
Requester's Signature and Date

\_\_\_\_\_  
Approved and Dock and Lock Space Assigned.

LMC Chairman and Date



## LAKE CHARLES BOAT REGISTRATION FORM

Resident's Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

I request permission to use the below Boat on Lake Charles. I have read, understand and agree to follow all rules as identified in the OHA Rules for Common Areas.

Type of Boat:  Sail,  Paddle,  Row,  Canoe,  Kayak,  Other

Color: \_\_\_\_\_

Manufacturer: \_\_\_\_\_

Serial Number: \_\_\_\_\_

Other Identification: \_\_\_\_\_

\_\_\_\_\_  
(Property Owner Signature and Date)

Boat Tag Number: \_\_\_\_\_

(To be supplied by the Chairman of the LMC)