

## PART ONE

### AUTHORITY AND RESPONSIBILITIES

#### I. AUTHORITY

Authority for the creation and activities of the Architectural Control Committee is contained in the:

##### A. By-Laws of Ventura 21, Inc., Article IX

"The Association shall appoint an Architectural Control Committee as provided in the Declaration, and a Nominating Committee, as provided in these By-Laws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose."

##### B. Ventura 21 Declaration of Covenants, Conditions and Restrictions, Article VIII - Architectural Control

"No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or alteration thereof be made (including, without limitation, exterior materials and color scheme) until the plans and specifications showing the nature, kind, shape, height, materials, color scheme and location of the same and the approximate cost thereof and the landscape and grading plan in relation thereto shall have been submitted to and approved in writing by the Board of Directors of the Association, or by an Architectural Committee composed of three (3) or more representatives appointed by the Board. The Board or its appointed Architectural Committee shall have the right to refuse to approve any such plans and specifications deemed not to be suitable or desirable, for aesthetic or other reasons, and shall have the right to take into consideration the suitability of the proposed improvements in relation to the surroundings and their effect on the outlook from adjacent or neighboring Lots. In the event said Board, or its appointed Architectural Committee, fails to approve or disapprove such plans and specifications in writing within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with."

#### II. APPLICATION FOR IMPROVEMENT

Approval for the construction or installation of any improvement(s) requires the completion of an Application for Improvement ("Application") form, available at the Clubhouse or on the Ventura 21 website. In most cases, a Building Permit from the Village of Roselle will be required before such construction or installation: Individual improvements that may affect underground utilities require that JULIE be contacted.

#### Definitions:

**Covenants:** When a regulation originates in the Declaration of Covenants, Conditions and Restrictions of Ventura 21, Inc., the applicable Article and Section shall be noted within the rule.

**Plat:** Particular improvements require a copy of the owner's Plat of Survey and/or an accurate drawing of the improvement. For such improvements, the word(s) Plat and/or Drawing will be noted within the rule.

**Drawing:** An accurate drawing of the improvement.

- A.** The ACC Application for Improvement form shall be completed and submitted as specified herein and in the By-Laws and Declaration of Covenants, Conditions and Restrictions.
- B.** Applications for Improvement submitted after the current monthly ACC meeting will be considered submitted the following month.
- C.** A separate Application is required for each improvement.
- D.** Incomplete Applications failing to provide necessary information (e.g., copy of Plat of Survey, accurate drawing, date) shall not be approved and will be returned to the homeowner, who is then responsible for resubmitting the Application with required information.
- E.** Approvals for construction or installations which require a Building Permit from the Village of Roselle are contingent upon such Permit being obtained without zoning variance.
- F.** Approved Applications for Improvement are valid for a period not to exceed ninety (90) days from the date of approval (except for room additions), after which time approval is rescinded and the Application must be resubmitted in full. Applications for room additions must include an estimated completion date, which will become the expiration date of the approval.
- G.** Any improvement constructed or installed before approval of an Application for Improvement shall be considered rejected and the homeowner may be subject to violation fines.
- H.** Maintenance of improvements installed by a homeowner become and shall remain the responsibility of the homeowner unless the cost of maintaining that improvement is added to the Association's maintenance schedule and increases the property's maintenance assessment.

- I. An Application submitted by a member of the Committee must also be approved by a majority vote of the Ventura 21 Board of Directors.

### **III. DUTIES OF COMMITTEE MEMBERS**

- A. Attend Committee meetings or notify Committee officer of inability to attend;
- B. Participate in inspection tours and sub-committee activities as assigned;
- C. Perform inspection of approved homeowner improvements as assigned, complete and return Applications for Improvement for homeowner and Committee files;
- D. Report violations of ACC Guidelines, on authorized form, to the Committee and the Association Manager.

### **IV. RESPONSIBILITY AND AMENDMENTS**

- A. Architectural Control Committee Guidelines, Rules and Regulations are subordinate to the Declaration of Covenants, Conditions and Restrictions and By-Laws of Ventura 21, Inc., and to ordinances and codes enacted by the Village of Roselle, all of which may be subject to change from time to time.
- B. Homeowners must submit an ACC Application for Improvement to the ACC and such Application must be approved by the ACC before construction or installation of any improvement requiring an Application, as specified within these Guidelines.

Construction or installation in violation of ACC Guidelines, Rules and Regulations or Village of Roselle ordinances and Codes is subject to removal or replacement, at homeowner expense.

- C. The Board of Directors of Ventura 21, Inc. or its appointed Architectural Control Committee shall have the right to disapprove an Application for Improvement deemed unsuitable, taking the effect of the proposed improvement on the home's immediate surroundings as well as the outlook from adjacent or neighboring homes, lots and common areas. All external modifications shall be in keeping with the design and character of Ventura 21.
- D. Homeowners are solely responsible for the maintenance, repair, replacement and any subsequent damages incurred as the result of any improvement, except as otherwise provided in these Guidelines.
- E. This body of Rules and Regulations and Organization may be amended by a two-thirds vote of ACC membership, subject to final approval by the Board of Directors.

## **V. VIOLATION NOTIFICATION AND DUE PROCESS**

- A.** A homeowner in violation of the ACC Guidelines shall be notified by letter, at the direction of the ACC or the Board of Directors, by the Association Manager. The notice of violation shall identify the violation(s) and a time period within which the violation(s) must be corrected,
- B.** If the violation(s) is(are) not corrected within the specified time period, and there has been no written appeal or request for extension filed with the ACC, the Association Manager will mail a second notice of violation to the homeowner or resident, restating the violation(s) and time period allowed for correction of the violations). The homeowner will be assessed administrative expenses of \$50.00 (Fifty dollars) for the second letter and notified of subsequent fines which may be assessed.
- C.** If the violation(s) is(are) still not corrected within the specified time period, the ACC is authorized to recommend to the Board of Directors that the violation be submitted to the Association Attorney for legal action and, upon approval of the Board of Directors, the Association Manager will forward the file to the Association Attorney. The homeowner shall be assessed for administrative and legal expenses a minimum of \$50.00 (Fifty dollars) plus any additional costs incurred by the Association.

## **VI. APPEALS AND EXTENSIONS**

A homeowner or resident who receives a notice of violation letter has the following rights of appeal and extension. Failure to file a written appeal or request for extension within the appropriate time frames itemized below will result in further action by Ventura 21, Inc.:

- A.** The homeowner notified of a violation of these Guidelines may appear in person before the Architectural Control Committee or the Board of Directors at their regular meeting(s) to appeal the Notice of Violation. Such appearance must be within forty-five (45) days of the date of the first violation notification letter. Association privileges will not be suspended during the appeal process, unless dangerous or unhealthy conditions exist, as determined by the ACC/Board of Directors.
- B.** The homeowner or resident in violation of these Guidelines may request, with good cause, a reasonable extension to correct any violation(s) by submitting an extension request to the ACC, either mailed or delivered to the ACC in care of the Association Manager at the Clubhouse, within seven (7) days of the first notice of violation letter. All requests for extension will be considered on an individual basis but will not be granted when dangerous or unhealthy conditions exist. Extensions granted will be annotated on the violation letter and a copy retained in the Association lot file.

## **PART TWO RULES AND REGULATIONS**

### **A. AIR CONDITIONING UNITS AND ATTIC FANS**

1. Window and wall air conditioning units are not allowed.
2. Applications for installation of attic (roof) and gable fans will be considered on an individual basis.
3. Townhomes may have one (1) attic ventilator fan; single family homes may have two (2).
4. Dimensions of attic fans may not exceed thirty-two inches (32") in width, length or diameter. The height above the roof line must be included in the Application, not to exceed twelve inches (12").
5. The maintenance, repair and/or replacement of an attic fan is the responsibility of the homeowner(s).
6. Attic fans must be installed on the backside of the roof; no supporting joists may be removed.
7. Any damage resulting from the installation, operation and existence of an attic fan is the responsibility of the homeowner(s).

### **B. ALUMINUM SIDING – PAINTING**

Painting of aluminum siding will be considered on an individual basis by ACC, provided considerations of maintenance costs and long-term appearance are included in the Application to paint aluminum siding.

### **C. ALUMINUM OR VINYL SIDING – REPLACEMENT**

Replacement of existing siding requires ACC approval and:

1. Must be installed over one inch by three inch (1" x 3") furring strips fastened horizontally at a minimum of sixteen inches (16") on center.
2. Must have a textured, not smooth, finish.
3. A moisture barrier must be installed.
4. All windows and doors must have a three-quarter inch (3/4") "J" channel.
5. Caulking must be applied between window and door frames and "J" channels.

6. a. Single family home vinyl/aluminum siding must be double five inch (5") in approved color, to coordinate with existing trim. If trim does not coordinate, homeowner is responsible for painting trim with an approved color within thirty (30) days after siding installation, weather permitting. Thereafter, the Association will maintain the trim in the new color.
- b. Replacement of townhome siding in Phase III will be considered on an individual basis and must be approved by the ACC and the Board of Directors.
7. All siding replacements must be approved by ACC before installation. Homeowners will have thirty (30) days to correct a siding replacement violation.

#### **D. ANTENNAS AND SATELLITE DISHES**

1. No radio or television receiving or transmitting antenna shall be installed on any roof or attached to the side of any home.
2. Installation of a satellite dish requires an approved ACC application and each will be considered on an individual basis. Any installation on the roof or siding of a home may incur additional maintenance expenses which shall be the responsibility of the homeowner(s).
3. It is the responsibility of the homeowner(s) to remove satellite dishes to allow for building maintenance. Any damage caused by such removal is also the responsibility of the homeowner(s).

#### **E. AWNINGS AND SUN SHADES**

1. Typical fixed awnings are prohibited.
2. Approval of an ACC Application for sun shades or retractable awnings on the rear of houses, for seasonal use only, will be considered on an individual basis. The Application should include any photographs, literature or drawings available.
3. Sun shades and retractable awnings must be maintained in good condition by homeowners and must be removed for Association exterior maintenance as necessary.

#### **F. BALCONIES, FRONT AND REAR PORCHES AND PORCHES OVER GARAGES**

1. Carpeting (including but not limited to "indoor/outdoor" carpeting) and other types of floor covering are not allowed on any wooden balcony or porch surfaces. Non-compliance which causes damage and/or results in accelerated wear and maintenance shall be the responsibility of the homeowner(s).

2. Trash containers and other refuse, as well as toys, bicycles, garden tools and supplies, brooms, shovels and similar items may not be stored in front or side yards, on porches (including porches above garages), balconies or under front porches. These items may be stored in backyards if kept neat and orderly.
3. Extension or other alteration of existing balconies must be approved by the Village of Roselle (acquisition of a building permit) and the ACC and will be considered on an individual basis; the extension must be three feet (3') or less and must also be approved in writing by homeowners in all adjacent units.
4. Any damage caused by the alteration or extension of an existing balcony or porch shall be the responsibility of the homeowner.
5. The increased maintenance expense of an extended balcony shall be calculated and added to the unit's monthly maintenance assessment.
6. Per Village of Roselle safety recommendations, grills should be kept at least three feet (3') away from any fence, building or opening (doors, windows, vents).

**G. CHIMNEYS** (Refer also to Fireplace, Section M)

1. Homeowners may install a fireplace with an external chimney when approved by the Village of Roselle (acquisition of a building permit) and the ACC. Applications for external chimneys will be considered on an individual basis.
2. The external chimney shall be boxed with siding identical to the existing house siding and of a similar size and same color as the existing chimney.
3. The fireplace venting system shall not protrude above the chimney box more than twelve inches (12"), unless Village codes reduce that limit. The top of the chimney box must have a rain-tight sheet metal cover around the flue pipe, with a one- or two-inch (1" or 2") lip over the base of the chimney.

**H. CLOTHESLINES**

Permanent clotheslines of all types are not allowed in unfenced areas. Portable or temporary clotheslines must be removed and stored out of sight when not in use. Clotheslines within fenced areas must not extend or be visible above the fence line.

**I. COMMON AREAS**

1. Private use of common areas is restricted. Trash containers, trash/rubbish, pools and clotheslines are prohibited.

2. No temporary structure or object of any type may be placed in common areas for more than 48 hours including, but not limited to, picnic tables, play equipment and grills.
3. Homeowners are responsible for the repair and/or replacement of soil and grass in common areas and adjacent properties damaged by themselves or their guests.

## J. DECKS

1. The Village of Roselle has instituted restrictions as to the square feet of total yard space that may be covered by a deck; homeowners should contact the Clubhouse for information regarding these restrictions before proceeding with plans for adding or remodeling a deck.
2. A Village of Roselle Building Permit and an approved ACC Application for Improvement are required prior to the construction or installation of a new deck or ornamental structure and for the remodeling or alteration of an existing deck or ornamental structure. The Village of Roselle will not issue a Building Permit without an approved ACC Application. ACC Applications will be considered on an individual basis.
3. The ACC Application for Improvement must include:
  - a. A detailed, accurate drawing of planned deck dimensions (including pictures, if available) and construction materials.
  - b. The finished color of deck. Deck must be left unpainted or painted to coordinate with the home, trim or fence and approved by ACC.
4. Lattice material may be used to cover an opening from the bottom of the deck to ground level, not exceeding twenty-four inches (24") in height and the opening from deck hand rail to deck floor not exceeding thirty-six inches (36") in height. Lattice material must match or blend with color of deck.
5. Ornamental structures attached to or part of a deck require ACC approval and will be considered on an individual basis. In some cases, written approval of neighboring homeowners may be required.
6. Homeowners are responsible for the repair of any damage to their home or common areas, including grading and landscaping, caused by the installation or construction of a deck. Homeowners are also responsible for clean-up and removal of building materials and other trash during and after deck construction.
7. Homeowners are solely responsible for deck and ornamental structure maintenance, repair and replacement.



## **K. DOORS – Entrance, Patio and Storm**

1. Replacement of any exterior door (entrance, patio or balcony) requires ACC approval. The ACC application must include a drawing or picture and the finished door color.
2. Frames of new or replacement patio and/or storm doors on townhouses must match the color of existing window frames. Wooden storm doors are prohibited.
3. Maintenance of storm and patio doors is the responsibility of the homeowner(s). Painting of front doors in Phase III is also the responsibility of the homeowner(s).
4. Repair of any damage caused by or resulting from the installation of a new or replacement exterior door is the responsibility of the homeowner(s).

## **L. FENCING**

1. Shared townhouse privacy fences must remain in place and be maintained by the homeowner(s).
2. Front yard fencing of all kinds is prohibited, excluding short fences surrounding flower beds. Side and some front fencing, may be allowed but will be considered by ACC on an individual basis.
3. Homeowners may be granted approval to build a full or partial fence and/or to extend a privacy fence to the rear lot line.
  - a. All fence construction (including replacement of an existing fence) requires approval of the ACC and a Village of Roselle building permit. The ACC application must include materials and construction plans.
  - b. Fence material must be pressure-treated wood or cedar unless otherwise approved by the ACC.
  - c. New and replacement fences are to be a height of six feet (6') unless otherwise approved by the ACC.
  - d. Approved fence styles are traditional, board-on-board and vertical-angle louvered fence. Fence-board tops must be flat or dog-eared.
  - e. At least one gate must be included in a totally-fenced yard; the gate should be kept closed at all times.
4. Fences shall be left unpainted (natural), clear sealed, stained or painted the approved Ventura brown. Should Ventura 21 change the current color scheme(s), new guidelines for fence colors will be published.

5. Fence maintenance is the responsibility of the homeowner(s) and includes repair and/or replacement of any loose or damaged boards, posts and/or gates, straightening, leveling, and staining or painting,
6. Replaced boards and posts must be stained or painted to match the existing fence
7. Any fence which is unsightly and not repairable must be removed or replaced in entirety by the homeowner(s).
8. Lawn maintenance within a fenced yard is the responsibility of the homeowner(s).

**M. FIREPLACES** (Refer also to "CHIMNEY", Section G)

1. Homeowners may receive approval to install a free-standing or constructed fireplace, limited to one fireplace in a townhome. Approval to install a fireplace requires an ACC application and a Village of Roselle building permit.
2. Installation of a constructed fireplace which requires exterior alterations requires, in addition, full plans and a review of these plans to consider the possibility of a modification of the home's maintenance assessment.
3. Although gas fireplaces are recommended, wood-burning fireplaces may be approved. Firewood must be stored in the home's back yard and hidden from view (refer to Section JJ, Storage Sheds).

**N. FLAGPOLES**

Flagpoles of a reasonable height may be approved; each will be considered on an individual basis.

**O. FLOWER BOXES, HANGING FLOWER POTS, BASKETS, LATTICE AND TRELLISES**

1. Flower boxes must be independent of and not permanently attached to railings. Flower boxes attached to homes may not be wider than three inches (3") beyond the window edge, may not extend more than eight inches (8") from the home and may not be more than eight inches (8") deep. They must be constructed of or covered with the same material as the home and painted a color to match or coordinate with the home. Approval of an ACC Application is required for all attached flower boxes.
2. Hanging flower pots or baskets may be hung from soffits or decks and porches as long as plants are growing and/or in bloom from Spring through Fall, and must be

removed during Winter months. Homeowners are responsible for maintenance of such items and for any damage caused by their use.

3. Flower or vegetable trellis may be permitted, provided the trellis is painted to match the color of the home or fence; white trellis is prohibited. Flower or vegetable trellis or lattice may be allowed if painted the same color as the home or fence, not extending above the fence line and not exceeding two feet by six feet in size (2' x 6"). An approved ACC Application is required.
4. Flowerbed landscape border trim or landscape ties of one foot (1') or less in height may be allowed, provided they are not used to fence in grass areas or interfere with maintenance of common areas. An approved ACC Application is required and will be considered on an individual basis.

#### **P. GAME EQUIPMENT**

No hockey, soccer, tennis, basketball or other game apparatus or nets shall be erected or installed on or near any garage, driveway, parking or common area. Portable game equipment must be put away when not in use unless neighboring homeowners grant written approval annually for extended placement.

#### **Q. GARAGE DOORS (Installation and Replacement)**

1. Maintenance of garage doors is the responsibility of the homeowner(s). Damaged or dented doors must be repaired or replaced at homeowner expense. An approved ACC Application for Improvement is required for all replacement garage doors.
2. The color, style and material of replacement doors must be compatible with existing construction. The Association Manager and ACC Committee can assist homeowners by providing information regarding approved styles.
3. New garage doors must be painted within thirty (30) days after installation, weather permitting. Garage doors on wood-sided homes must be painted the same color as existing siding and the same color as existing trim on aluminum-sided homes.
4. Decals, pictures, wood cut-outs and decorative paint schemes are prohibited.

#### **R. GREENHOUSES**

1. Greenhouses of all types require an approved ACC Application for Improvement and will be considered on an individual basis.
2. Attached greenhouses will be evaluated in accordance with the guidelines for room additions.
3. Detached greenhouses will be evaluated in accordance with the guidelines for storage sheds.

4. Greenhouse/arbor windows (refer to Windows, Section MM).

## **S. GUTTERS AND DOWNSPOUTS**

1. Maintenance, including cleaning and painting, of gutters and downspouts is the responsibility of the homeowner(s). Gutters, downspouts and attachments must match the color scheme of the home.
2. Gutters and downspouts which were part of original construction in Phase III and require replacement because of normal wear and tear will be replaced by the Association.
3. Installation or removal of gutters and/or downspouts requires an approved ACC Application for Improvement.
4. Homeowners are responsible for any damage caused by removal of existing or installation of downspouts and/or gutters, including painting of siding or trim.
5. Partial gutters and downspouts are prohibited; splash pans and roll-outs must be placed under each downspout to prevent run-off over walkways and common areas.

## **T. LANDSCAPING**

1. Installation, maintenance and replacement of ACC-approved homeowner-installed trees and/or shrubbery on homeowner property, including front yards, and within fenced areas, is the responsibility of the homeowner(s).
2. Maintenance and replacement of landscaping in common areas is the responsibility and at the discretion of the Association.
3. Vines or other plantings which may attach themselves to bricks or siding are prohibited.
4. Plantings on adjoining property lines may not be installed or altered without joint approval of adjacent homeowners and an approved ACC Application for Improvement.
5. Displays of annuals and other seasonal, temporary flowers and plants, in good taste, are allowed without ACC approval.

## **U. LIGHTS AND ELECTRICAL FIXTURES**

1. Homeowners are responsible for the maintenance of outdoor electric fixtures, including the replacement of lamps and globes.
2. New or replacement fixtures, if not identical in size, style and placement of existing fixtures, require approval of an ACC Application for Improvement. A picture or accurate drawing of the new or replacement fixture must accompany the Application for Improvement; the fixture must be UL approved and of a size and style similar to or compatible with fixtures on neighboring homes.
3. Approval to install floodlights of any kind requires written approval of neighboring homeowners, which must accompany the ACC Application.
4. Installation of electric bug killers ("zappers") requires an approved ACC application, subject to proposed location, height, size and wattage.
5. Homeowners are responsible for the repair or replacement of any damage caused by the installation of a new or replacement lighting fixture.
6. Homeowners are prohibited from installing lamps or lighting fixtures in common areas without ACC approval and such installation may require written approval of neighboring homeowners.
7. Seasonal lights and other decorations may be displayed thirty (30) days before and must be removed within thirty (30) days after the holiday.

#### **V. MAIL BOXES AND HOUSE NUMBERS**

1. Missing address numbers must be replaced by the homeowner(s) in a style, color, size and location compatible with neighboring homes.
2. Mailboxes for single family homes must be installed within four feet (4<sup>1</sup>) of the home. Rural-style mailboxes are allowed.
3. Mailboxes for townhomes may be attached to the top railing or side of front porch. Rural-style mailboxes are not allowed.
4. Curbside or end-of-driveway mailboxes are not allowed.

#### **W. PAINT COLORS (Single family homes only)**

1. The Association is responsible for painting all wood exterior siding and trim. Homeowners may choose to change the color of their home and/or its trim. An ACC Application noting the current and requested siding and/or trim colors must be submitted and approved by ACC. Approved colors and color combinations are available for homeowner examination at the Clubhouse. The homeowner(s) will pay the cost of any additional coats of paint required to cover the previous color.

2. Owners of single family aluminum-sided homes may choose to change the color of wood trim to a different approved color when scheduled for painting. The homeowner(s) will pay the cost of any additional coats of paint required to cover the previous color.

**X. PARKING AREAS** (Covenants, Article X, Section 4) Refer also to Section HH

1. Boats, trailers, commercial, recreational, disabled and unlicensed vehicles are prohibited unless completely garaged.
2. All motor vehicles, including (but not limited to) motorcycles, snowmobiles, boat trailers and motorized bikes are restricted to streets, parking areas and paved driveways.
  - a. Homeowners are responsible for the repair and/or replacement of soil and grass in common areas and adjacent to driveways caused by themselves or their guests.
  - b. Parking or storage of such vehicles under front or rear porches or in back yards is not permitted.
3. Motor vehicles of all types may not be driven or parked on or across sidewalks or other common areas.
4. It is the responsibility of each homeowner to inform guests of parking restrictions.
5. Phase I and Phase II townhomes are assigned two (2) parking spaces for each unit.
  - a. Residents may park three (3) vehicles in their two assigned spaces if doing so will not infringe on the access or use of the adjacent assigned spaces.
  - b. Visitor parking spaces shall not be used by residents for routine parking of additional vehicles.
5. Parking in the common driveway of single family homes is strictly prohibited.
6. Commercial vehicles with a "D" license plate (over 8,000 pounds) are restricted to 92 inches (7 feet, 8 inches) in height, 85 inches (7 feet, 1 inch) in width and 216 inches (18 feet) in length. Commercial vehicles bearing a State license plate rated larger than "D" shall not be parked in any assigned parking space, driveway or cul-de-sac.
7. Permission may be granted by the Association Manager to temporarily waive these restrictions when requested in advance, limited to seventy-two (72) hours per incident.

8. Widening of single family home parking areas will be considered on an individual basis.
9. Vehicles parked in violation of these guidelines are subject to being towed at the owner's expense.

## **Y. PATIOS, PATIO ENCLOSURES AND SUN ROOFS**

1. A Village of Roselle Building Permit is required for the construction or installation of any patio, patio enclosure or sun roof. Such permit will not be granted without prior approval of the Architectural Control Committee.
2. All ACC Applications for patios, patio enclosures and sun roofs will be considered on an individual basis and require detailed photographs of existing construction, plans for construction including scaled drawings, materials, color schemes and builder's warranties.
3. The homeowner(s) shall be solely responsible for any damage caused by the construction of such patio, patio enclosure or sun roof. When such construction increases the exterior maintenance expense of that home, the additional cost shall be added to the unit's monthly maintenance assessment.
4. The homeowner(s) is/are also responsible for any problems or damage caused to adjacent properties or common ground by drainage created by the installation or construction of a patio.

## **Z. PET CONTROL (Covenants, Article X, Section 4)**

1. Residents of Ventura 21 are required to adhere to all Village of Roselle ordinances related to animals.
2. No livestock or poultry and no more than two (2) dogs and/or cats over four (4) months of age shall be kept or maintained on any lot.
3. Pets shall be controlled and leashed at all times and shall not be allowed to run loose in common areas, on the golf course, Clubhouse grounds or other homeowner property.
4. Pet excretion shall be picked up promptly by pet owner and at no time shall it be allowed to accumulate on the homeowner's or any other property. Ventura 21 employees will not mow or trim grass or perform other maintenance functions where pet excretion is present.
5. Ventura 21 shall report pet owners who repeatedly violate these guidelines to the DuPage County Board of Health and/or the Village of Roselle.

## **AA. POOLS**

1. Approval to construct a private swimming pool will be considered by the Committee on an individual basis and requires a Village of Roselle Building Permit.
2. Wading ("kiddy") pools are not allowed in common areas. Ventura 21 employees will remove pools found in common areas and homeowners violating this restriction shall be liable for the repair/replacement of soil and grass damaged by such a pool.
3. Wading ("kiddy") pools within fenced-in yards should be emptied each night to reduce breeding of disease-carrying insects.

**BB. REFUSE AND OTHER ITEMS (Covenants Article X, Section 4)**

1. The laws of the State of Illinois and ordinances of the Village of Roselle regarding refuse of all kinds apply to Ventura 21 residents.
2. Trash may not be placed at curbside before 6:00 p.m. the evening before scheduled pick-up.
3. Trash bags containing food refuse should not be placed out for collection before 6:00 a.m. the day of collection.
4. Trash containers must be covered and sealed at all times and screened from view when not set at curbside for collection.
5. By State Law, rubbish removal companies are prohibited from collecting landscaping refuse such as grass clippings, leaves, trimmings from trees and shrubs unless it is placed in special bags during calendar dates published by the Village of Roselle. Bags and identifying stickers for landscaping refuse may be purchased from local merchants.
6. Homeowners are responsible for making special arrangements with the trash removal company for removal of remodeling and construction materials, appliances, furniture and/or other large items.
7. Homeowners and residents are also responsible for proper disposal of all hazardous or toxic materials such as automobile batteries, solvents, insecticides, paint, oil and other petroleum-based products. They will not be collected by the waste removal company.
8. Empty trash and recycling containers should be clearly marked with the property address and returned to resident storage by nighttime the day trash is picked up. Trash containers left in common areas will be collected and disposed of by the Association the day after waste collection.



9. Information as to special pick-up dates for disposal of seasonal decorations or yard trimmings is published by the Village of Roselle and will not be removed by the Association or the waste removal company.

**CC. ROLLING SHUTTERS** (Refer to Section EE, Shutters)

**DD. ROOM ADDITIONS**

Construction of a room addition requires approval of the Architectural Control Committee, the Board of Directors of Ventura 21, Inc. and a Village of Roselle Building Permit. The Application for Improvement shall include:

1. Copy of homeowner plat of survey showing property lines and existing structure dimensions.
2. Scaled plan drawing of proposed addition, with front and side elevations of existing structure and addition, including plat and structure dimensions.
3. Construction materials to be used and an estimate of time needed for completion.
4. The proposed room addition must be in keeping with the character of Ventura and blend with the existing home and must comply with Village of Roselle restrictions and building codes.
5. Additions meeting Ventura guidelines will be tentatively approved by the Association, contingent upon approval by the Village of Roselle and delivery of a copy of the necessary Building Permit to the Association. Failure to secure a Building Permit from the Village of Roselle will void the tentative approval of the ACC Application.
6. Applications requiring a Village of Roselle Zoning Board variance will not be unduly withheld, provided such variance approval does not impose on adjoining homeowner property or common areas.
7. The homeowner(s) shall be responsible for any damage caused or created by the construction of a room addition as well as all expenses related to securing a Building Permit.
8. The Association will assume responsibility for the exterior maintenance of an approved room addition, in accordance with existing regulations. The increased maintenance expense will be calculated on the basis of current costs and added to the assessment for that residence.

**EE. SHUTTERS**

1. Traditional shutters of all types are prohibited.

2. Applications for the installation of rolling shutters will be considered on an individual basis and will be approved for ground level and the rear of the building only.
3. Hardware and shutterbox for rolling shutters must be painted the same color as townhomes and coordinate with house color(s) on single family homes.
4. Patio doors and windows seventy-two inches (72") or more wide must have a two-(2-) shutter panel system installed. Shutter boxes may not exceed seven inches (7") square.
5. Homeowners are responsible for the repair of any damage caused by the installation of rolling shutters and are solely responsible for their maintenance.
6. It is the responsibility of the homeowner(s) to remove rolling shutters to allow for building (e.g., painting and/or siding repair) maintenance. Any damage caused by such removal is also the responsibility of the homeowner(s).

**FF. SIGNS AND ADVERTISEMENTS (Covenants, Article X, Section 5)**

1. No sign, billboard or other advertising device of any character shall be erected or maintained upon any part of any lot or common area, with the exception of one sign for each lot advertising that residence for sale or rent.
2. Signs advertising a residence for sale or rent shall be limited to eighteen by twenty inches (18" x 20"). Real estate "sold" signs may not remain for more than ten (10) days.

**GG. SKYLIGHTS**

1. Applications for the installation of skylights are required and will be considered on an individual basis.
2. Homeowners are solely responsible for the maintenance of skylights.
3. No supporting joists shall be removed to allow skylight installation.
4. Homeowners are responsible for the repair of any damage caused by the installation of a skylight.
5. It is the responsibility of the homeowner(s) to remove skylights to allow for roof maintenance. Any damage caused by such removal is also the responsibility of the homeowner(s).

**HH. SNOWMOBILES (ATVs, Dirt Bikes, Mini Bikes, Go-Carts and Similar Vehicles)**

1. The operation of snowmobiles and other small recreational vehicles is not permitted within the boundaries of Ventura 21. Persons who violate these guidelines will be reported to the Village of Roselle Police Department and prosecuted to the full extent of all applicable laws.
2. Boats, snowmobiles and similar recreational vehicles must be fully garaged and may not be parked in yards, driveways, and/or assigned parking spaces or in common areas..
3. Any damage caused by the operation of a snowmobile or similar recreational vehicle will be the responsibility of the owner and/or operator of the snowmobile.

## **II. STAIRCASES, EXTERIOR and ACCESS RAMPS**

1. No floor covering of any type shall be placed on or attached to wooden porches, balconies or exterior staircases maintained by the Association.
2. Approval of an ACC Application for Improvement is required for the installation or modification of an exterior staircase or an access ramp for physically impaired persons. Each will be considered on an individual basis.
3. Homeowners are solely responsible for the maintenance of exterior ramps or modified staircases. Homeowners are also responsible for the removal of ramps and replacement of staircase and landscaping prior to sale of the residence unless responsibility for maintenance of ramp and removal at sale is accepted in total by new homeowner. A dated and notarized letter stating these conditions shall be written by the homeowner(s) and placed in the lot file for future reference.

## **JJ. STORAGE SHEDS AND ORNAMENTAL STRUCTURES**

1. Approval of an ACC Application for Improvement is required for storage sheds and ornamental structures of all types and will be considered on an individual basis. A Village of Roselle building permit may also be required.
2. The ACC Application must include an accurate drawing or illustration of structure, including construction materials and finished colors (to match or coordinate with home) and placement within yard so structure does not interfere with access to any utility.
3. Sheds and ornamental structures (such as gazebos) extending more than one foot four inches (1'4") above fence line require written approval by neighboring homeowners.
4. Storage sheds and ornamental structures shall be free-standing and not attached to the home

5. Sheds shall be used for storage only and not as an extension of the residence living or work area.
6. Storage sheds for townhomes may not exceed fifty (50) square feet; sizes for single family homes will be considered on an individual basis.
7. Homeowners are responsible for any damage caused by the construction of a storage shed or ornamental structure. Homeowners are also responsible for the maintenance and appearance of these structures so they do not become eyesores or hazards to adjacent properties.
8. ACC approval for structures specifically constructed to store fireplace wood in rear, unfenced yards may be granted and will be considered on an individual basis.

#### **KK. SUMP PUMPS**

1. Sump pump run-off and/or discharge shall not be directed, re-directed or extended so as to create a problem for any adjacent lot or common area. Extensions of sump pump discharge pipes beyond the lot line are prohibited. Homeowners are responsible for any damage caused by sump pump run-off or discharge.
2. ACC approval to extend sump pump discharge pipes is required and each will be considered on an individual basis. Contact the Association Manager for assistance.

#### **LL. TEMPORARY STORAGE AND REFUSE CONTAINERS**

1. Temporary storage containers (e.g., "PODS") may be placed on a resident's driveway for a period not to exceed thirty (30) days. Residents are required to notify the Association Manager of such placement and expected removal date.
2. Temporary construction containers (dumpsters) may be placed on a resident's driveway during damage repair, remodeling or renovation projects for collection and removal of large quantities of debris for a reasonable period of time, not to exceed sixty (60) days. Residents are required to notify the Association Manager of such placement and expected completion/removal date.
3. Homeowners may request an extension of these time periods from the Association Manager and each request will be considered on an individual basis.

#### **MM. WINDOWS**

1. Homeowners are responsible for screen and glass replacement (ACC Application not required). Broken windows, clouded thermopane windows and damaged window screens should be replaced by homeowners in a timely manner.
2. An ACC Application for Improvement is required prior to the installation of storm or replacement windows.
3. Storm and replacement window frames must coordinate with existing color and design of existing window(s) and with adjacent or adjoining homes.
4. Arbor (greenhouse), double-hung and etched, tinted or colored glass windows will only be considered for single family homes.

## **NN. YARDS**

1. Maintenance of landscaping within fenced-in yards is the responsibility of the homeowner(s).
2. Storage of boats, trailers, cartop carriers, snowmobiles, truck bed caps and other unsightly or hazardous items and materials in any yard is not permitted.
3. Boats of any kind are not allowed in back yards.
4. Storage sheds, play or exercise equipment, dog houses, fountains and ornamental structures may be allowed within fenced-in yards provided they do not extend more than one foot four inches (1'4") above the fence line (refer to Section JJ, Storage Sheds).
5. ACC approval to install back yard covering (storage blinds) will be considered on an individual basis.