

**Motion for Feb. 9 CCFHOA Board Meeting regarding Rules and Regulations:**

I move to re-ratify the Rules and Regulations as submitted, with the following changes:

- Number II. ("Fences along creek and/or facing Book Rd.") shall be replaced in its entirety with the following: *In an effort to maintain a clean, uniform look for fences facing Book Rd., the Board reserves the right to require new or replacement fences that face Book Road to be the same or of consistent pattern as any existing fences along Book Road, including the right to require stain colors to match existing fences in place.*
- Number V. ("Fence Construction") shall be replaced in its entirety with the following: *All Fences installed in Clow Creek Farm Subdivision are to be constructed of cedar or redwood, architectural metal or composite/vinyl. Architectural and composite/vinyl fences are approved on a case by case basis. Wood fences must remain natural and allowed to weather; or stained of earthtone or natural color stain as approved by the Board. Color and fence type must be approved by the board prior to start of construction. Painting of fences is permitted with board approval. All fences shall be maintained and shall not have visible cracking, peeling, rotting or rust, nor shall have missing or damaged boards, posts or rails.*
- Number VI ("Pools"), introductory paragraph shall be replaced in its entirety with the following: *Per the Codes and Covenants, above ground pools are not permitted in Clow Creek Farm, and all in-ground pools must be first permitted by the city of Naperville, then reviewed and approved by the Board. The Board has established the following requirements for review and approval of in-ground pools:*
- Number VI.a. ("Pools") shall be replaced in its entirety with the following: *Any CCFHOA member intending to construct an inground pool must secure permission from each adjacent property owner whose property may be infringed upon during construction. The CCFHOA Board shall not insert itself into property damage disputes between neighbors, but expects that the homeowner whose construction may have resulted in any damage to adjacent property, take responsibility to have secured permission and assure completion of any necessary repairs in a timely manner as described in section VI.c.v. below.*
- Number VI.b. ("Pools") shall be replaced in its entirety with the following: *The pool must first be permitted with the City of Naperville, following their established guidelines. Once the permit is approved/granted, the homeowner must submit a copy of the packet used for the City of Naperville permit approval with a copy of the approved permit to the CCFHOA Board. The Board reserves the right to request any additional information it believes pertinent to rendering an approval decision.*
- Number VI.c.i. ("Pools") shall be replaced in its entirety with the following: *A 54-inch fence (or such height fence currently required by City of Naperville code for in-ground pools) must be erected around the concrete apron of the pool. You may not use the fence around the property as a substitute for the fence around the apron. Your fence around the property must comply with the 48-inch requirement of the neighborhood should you choose to fence your lot as well.*
- Number VI.c.iv. ("Pools") shall be replaced in its entirety with the following: *As the builder of the pool, the homeowner is responsible for proper drainage of the property due to changing of the gradation as a result of the pool construction. Homeowner is responsible for compliance with city of Naperville drainage requirements.*

- Number VII (“Ornamental Ponds”), introductory paragraph shall be replaced in its entirety with the following: *Ornamental ponds must first be permitted by the city of Naperville, then reviewed and approved by the CCFHOA Board of Directors. The Board has established the following requirements for review and approval of ornamental ponds:*
- Number VII.a. (“Ornamental Ponds”) shall be replaced in its entirety with the following: *Any CCFHOA member intending to construct an ornamental pond must secure permission from each adjacent property owner whose property may be infringed upon during construction. The CCFHOA Board shall not insert itself into property damage disputes between neighbors, but expects that the homeowner whose construction may have resulted in any damage to adjacent property, take responsibility to have secured permission and assure completion of any necessary repairs in a timely manner as described in section VII.c.xi. below.*
- Number VII.b. (“Ornamental Ponds”) shall be replaced in its entirety with the following: *The pond must first be permitted with the City of Naperville, following their established guidelines. Once the permit is approved/granted, the homeowner must submit a copy of the packet used for the City of Naperville permit approval with a copy of the approved permit to the CCFHOA Board. The Board reserves the right to request any additional information it believes pertinent to rendering an approval decision.*
- Number VII.c.x. (“Ornamental Ponds”) shall be replaced in its entirety with the following: *As the builder of the pond, the homeowner is responsible for proper drainage of the property due to changing of the gradation as a result of the pond construction. Homeowner is responsible for compliance with city of Naperville drainage requirements.*
- Number VIII. (“Violations”) shall be replaced in its entirety with the new violation and enforcement policy as approved by the Board.
- **Any other rules and regulations not currently reflected in the “Clow Creek Farm Homeowners Association Rules and Regulations” document that may have been approved by previous boards are henceforth repealed, though the Board retains the right to re-visit any previous rule and regulation, up to and including re-instating said rule.**

**(Approved by CCFHOA Board February 9, 2021)**