

# *Little Swan Lake Club*

*Restrictive Covenants, Rules & Regulations*

**Revised April 2013**



**Attention: Should a lot owner lease his/her lot, the lot owner must explain the rules and regulations to the lessee and provide the lessee with the current rules and regulations book.**



## **LITTLE SWAN LAKE CLUB**

The Lake Board welcomes you to Little Swan Lake Club. We are pleased you chose this lovely site as your year-round or four season vacation area. The Lake has approximately a 10-mile shoreline, is two and one-half miles long, and is full of clean and safe water. Conditions are ideal and all water activities are controlled for the safety of members and their guests. Deer, ducks, geese and other wildlife are found in great abundance throughout the Little Swan Lake area, but no hunting is allowed.

The Master Land Use Plan and preliminary architectural plans for the clubs and similar structures will be reviewed and modified from time to time in accordance with suggestions of residents and the continuing research and design program of the Club. These plans are guides, not unchangeable designs, and will be implemented within the overall pattern originally established in a manner responsive to the developing needs of the community. The advance planning and firm legal controls will, however, provide permanent protection against blighted neighborhoods, encroaching commercial establishments, overcrowding, intermixing of public and residential areas, unsightly buildings, and other conditions which plague many older lake areas.

Club privilege is granted to all resident members in good standing, their spouses or life partners, and all their unmarried children under twenty-one (21) years of age residing with parent members, and to unmarried children under twenty-five (25) years of age who have not finished college, school or Armed Services.

Every lot owner shall be a member of Little Swan Lake Club, and shall be entitled to one vote for each lot owned. Annual membership dues are \$135 in 2012 and \$150 in 2013 and ongoing, per household, regardless of how many lots owned. Late fees are \$25. Additional membership cards are available for \$1.00 each.

Outlots are provided on the Lake for the purpose of providing access to the lake for all home sites without lake frontage. A shelter and grills are available on some outlots for your use.

A series of land covenants control all residential areas of Little Swan Lake developed by the Club. These covenants have been prepared after extensive investigations of other resort areas, and represent an effort on the part of the Club to establish a series of land use controls which will enable the community to protect itself against the development of any conditions which would ruin the attractiveness of the neighborhood or the pleasure of owning a home within the Little Swan Lake area. Under normal circumstances the

covenants are administered in a manner designed to reasonably accommodate differing individual desires and tastes. However, they are sufficiently complete to provide legal authority by means of which the Club and the property owners in the community may prohibit any anticipated activities which would represent abuses by an individual of the rights of the neighborhood.

The architectural controls are administered by the Little Swan Lake Club Board, Building Committee, and Warren County Zoning Board. It is the aim of the Club to encourage the construction of homes of good quality architectural design, of proper size for their neighborhood, and appropriate design to the surroundings.

The following pages will provide the basic information on By-laws, Declaration of Restrictions, Building Code, Boat docks, Swimming, Boat rules and winter rules, Boat Registration, Outlot rules and regulations, fishing rules, Hunting and Trapping rules and general information.

Please remember, if you don't find an answer to a question do not assume an answer. The Lake Board meets the first Monday of each month, at 7:00 p.m., in the Clubhouse, to answer your questions, or contact one of the Little Swan Lake Club Board Members listed in the annual letter.

Thank you,  
Little Swan Lake Club Board

# **BY-LAWS OF LITTLE SWAN LAKE CLUB**

## **ARTICLE I**

### **NAME AND PURPOSES**

**LITTLE SWAN LAKE CLUB**, an Illinois not-for-profit corporation, is an association of lot owners in Little Swan Lake, Warren County, Illinois, and is organized for the purposes of preserving the natural beauty of Little Swan Lake and the preservation of the area for leisure and recreational facilities and the other purposes as set forth in its Articles of Incorporation.

## **ARTICLE II**

### **MEMBERS**

**SECTION 1. ELIGIBILITY:** Any lot owner or lessee shall be a member of the Club and any member of their family over 12 years of age shall be eligible for membership in the Club.

**SECTION 2. ANNUAL MEETING:** The annual meeting of the lot owners and members shall be held on the last Sunday of October at two in the afternoon for the purpose of electing directors and for the transaction of such other business as may properly come before the meeting. Motions to be brought before the membership must be presented to the Board no later than the September Board meeting, unless the motion is introduced directly from a Board member by the October Board meeting.

**SECTION 3. SPECIAL MEETING:** Special meetings of the lot owners and members may be called by the President, by a majority of the Board of Directors, or at the written request of not less than twenty individual lot owners.

**SECTION 4. PLACE OF MEETING:** Meetings shall be held at the Clubhouse or Club Office, or such place as may be designated by the Board of Directors.

**SECTION 5. NOTICE OF MEETINGS:** Written or printed notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose(s) for which the meeting is called, shall be provided to the lot owners and members not less than eight days before the date of the meeting.

**SECTION 6. QUORUM:** Those lot owners present in person at any meeting shall constitute a quorum.

**SECTION 7. VOTING:** Voting on any question or in any election may be by voice vote unless the presiding officer shall order that the voting be by ballot or a lot owner with a second may request the same. No more than one vote may be cast by the owner or owners of any one lot in Little Swan Lake Subdivision. A lot owner owning more than one lot may cast as many votes as shall be equal to the number of lots so owned. Votes may be cast in person at the annual meeting or by absentee ballot received no later than the Thursday prior to the annual meeting.

**SECTION 8. MEMBERS PRIVILEGES:** Membership in Little Swan Lake Club is a personal privilege and shall be subject to the rules and regulations of the Club and these By-Laws. Membership cannot be assigned or conveyed. Each member shall agree to abide by and conform to the rules and regulations and By-Laws of the Club now or hereafter enacted. Failure of any member to comply with such rules and regulations and By-Laws or with the covenants, conditions and restrictions contained in the Declaration of Restrictions for Little Swan Lake Subdivision shall be grounds for exclusion of such lot owner from participation in any club or recreational facilities under the jurisdiction of Little Swan Lake Club.

**SECTION 9. NOTICE OF CHANGE OF ADDRESS:** All lot owners shall notify the Secretary of the Club of any change of address, and by failure to do so shall be deemed to have waived any notice to which they may have been entitled.

**SECTION 10. MEETINGS:** All meetings are open to all lot owners and members in good standing.

## **ARTICLE III**

### **DIRECTORS**

**SECTION 1. NOMINATION OF DIRECTORS:** The Board of Directors shall consist of eleven members, whose term of office shall be three years. Not less than one month prior to the date of the annual meeting, the Board of Directors shall appoint a nominating committee consisting of the President of the Club, two other members of the Board of Directors and two others selected from the other lot owners. This committee shall nominate lot owners and/or lessees in good standing as candidates for election to the Board of Directors, whose term shall expire at the next regular Board Meeting following the annual meeting and shall post names of those lot owners and/or lessees so

nominated on the Club bulletin board at least fifteen days before the annual meeting. Incumbent members of the Board of Directors whose terms of office are expiring are eligible for re-nomination. Other lot owners in good standing may be nominated for the Board of Directors if not less than twenty (20) individual lot owners propose them as such nominees in writing and deliver the nomination to the Secretary of the Club, five days prior to annual meeting.

**SECTION 2. POWERS:** The powers of the Board of Directors shall be as follows:  
General Powers. The business and affairs of the Club shall be managed by its Board of Directors, except that at no time shall the Board of Directors take action which would result in the creation of an indebtedness in excess of available funds or action which would be contrary to a motion passed by the membership at a regular or special meeting.  
Special Powers. The Board of Directors shall have power to:  
Appoint such committees as it may deem necessary, with power in such committee to perform the duties assigned to them.  
Suspend or expel a member for a violation of the regulations, rules and By-Laws of the Club or the Covenants and Restrictions contained in the Declaration of Restrictions for Little Swan Lake or for any conduct in violation of the same, by a two-thirds vote of the members of the Board of Directors.  
Make rules for the transaction of its own business.  
Direct the expenditure of the Club dues and maintenance fees and authorize the proper officers to execute contracts and agreements.  
Provide for the collection of membership dues and maintenance fee from members and lot owners.

**SECTION 3. QUALIFICATIONS:** Directors must be lot owners or lessee (number of lessees on the board is limited to one) and must be Club members in good standing.

**SECTION 4. REGULAR MEETING:** The Board of Directors shall provide by resolution a time and place for the holding of regular meetings. The membership will be notified by posting, publication, or written notice.

**SECTION 5. SPECIAL MEETINGS:** Special meetings of the Board of Directors may be called by or at the request of the president or any five directors.

**SECTION 6. NOTICE:** Notice of any special meetings shall be given by written notice delivered personally or mailed to each director's address shown on the club records or by telephone or email and posted on bulletin board (5) five days before said meeting.

**SECTION 7. QUORUM:** A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. If a quorum is not present, the directors present will adjourn the meeting.

**SECTION 8. MANNER OF ACTING:** The act of the majority of directors present at the meeting at which a quorum is present shall be the act of the Board of Directors. Robert's Rules of Order are to be followed at all Board Meetings.

**SECTION 9. REMOVAL:** Any member of the Board of Directors who is absent from three consecutive regular meetings of the board without having been excused previously by the President of the Board on written request and announced at the meeting, shall be considered as having resigned as a member of the Board of Directors and shall cease to be a member thereof. The Secretary shall notify such member in writing of his/her delinquency, immediately following such third consecutive absence, quoting this Section of the By-Laws, and the President shall declare a vacancy to exist not later than next regular meeting of the Board.

**SECTION 10. FORFEITURE OF BOARD MEMBERSHIP:** Any member of the Board of Directors who forfeits Club membership under any provisions of these By-Laws shall automatically forfeit membership in the Board of Directors.

## **ARTICLE IV**

### **OFFICERS**

**SECTION 1. NUMBER:** The officers of the Club shall be a President, a Vice President, a Secretary and a Treasurer who shall be elected by the Board of Directors from its members. The Board of Directors may appoint such assistant treasurers, assistant secretaries or other officers as it deems proper.

**SECTION 2. ELECTION AND TERM OF OFFICE:** The officers of the Club shall be elected annually by the Board of Directors at the November Board meeting held after each annual meeting of the regular members. Each officer shall hold office until a successor is named or until death, resignation, or removal in the manner hereinafter provided.

**SECTION 3. REMOVAL:** Any Officer elected by or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Club would be served thereby.

**SECTION 4. VACANCIES:** A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.



**SECTION 5. DUTIES:** The officers of the Club shall have such duties as are customarily required by their offices and as assigned or delegated to them by the Board of Directors.

## **ARTICLE V**

### **MAINTENANCE FEE AND MEMBERSHIP DUES**

**SECTION 1. MAINTENANCE FEE:** Each lot is subject to a \$35.00 annual fee.

**SECTION 2. MEMBERSHIP DUES:** Every lot owner shall be a member of Little Swan Lake Club, and shall be entitled to one vote for each lot owned. Annual membership dues are \$135 in 2012 and \$150 in 2013 and ongoing, per household, regardless of how many lots owned. Late fees are \$25. Additional membership cards are available for \$1.00 each.

**SECTION 3. LESSEE MEMBERSHIP:** On leased property, only the lessee and members of his/her immediate family are eligible for Club membership.

**SECTION 4. WHEN DUE AND PAYABLE:** All maintenance fee and membership dues shall be due January 31st of each year payable annually in advance. A late fee of \$25.00 will be assessed.

**SECTION 5. DELINQUENCIES:** When the maintenance fee or membership dues or other indebtedness of any lot owner or member shall remain unpaid for thirty (30) days after the date due, the lot owner or member so delinquent shall cease to be a member of the Club. He/she will then be subject to proceedings necessary to collect same. Any lot owner or member thus forfeiting membership may be reinstated upon payment of all arrears.

**SECTION 6. FISCAL YEAR:** The fiscal year of the Club shall begin the first day of January each year and end on the 31st day of December in each year.

## **ARTICLE VI**

### **AMENDMENTS**

These By-Laws may be altered, amended or replaced and new By-Laws may be

recommended by the Board of Directors of the Club or a petition signed by 10% of the lot owners. Adoption of the alteration, amendment or repeal shall be by a simple majority vote of the lot owners present at the annual meeting and those voting by absentee ballot.

**DECLARATION OF RESTRICTIONS FOR  
LITTLE SWAN LAKE SUBDIVISION AS OF 1968**

(These restrictions are recorded with each lot's deed with  
The Warren County Recorder as document 351269)

**(Preamble-68)**

The undersigned LITTLE SWAN LAKE ASSOCIATION, INC., a corporation, hereinafter sometimes referred to as "Association", owner of Little Swan Lake, Section One, a Subdivision of part of Section 20, Township 8 North, Range 1 West, of the Fourth Principal Meridian, Warren County, Illinois, and adjacent lands thereto, does hereby subject said Subdivision and each lot therein and any future Section of Little Swan Lake Subdivision developed by the Association, to the following covenants, conditions and restrictions which shall run with the land and be specifically enforceable:

**(Preamble-77)**

The undersigned, LITTLE SWAN LAKE CLUB, a corporation, hereinafter referred to as "Club" of Little Swan Lake, Warren County, Illinois, does hereby subject LITTLE SWAN LAKE SUBDIVISION, Section One, Two, Three, Four, Five and Six, and each lot therein, to the following covenants, conditions, and restrictions which shall run with the land and be specifically enforceable:

**1-77. CLUB PROPERTY**

The "Club" is the owner of the following real estate and facilities located within said subdivision, which said real estate and facilities are described as follows:

A. Outlots A, C, D, E, F, G, H, J, K, M, N, P, all in Section One (1) of Little Swan Lake Subdivision, being a Subdivision of part of Section 20, Township 8 North, Range 1 West of the Fourth Principal Meridian, according to the plat thereof recorded in Book 3, page 23 and 24 in Warren County, Illinois.

B. A part of Section Six (6) consisting of Lots No. 583, 584, 585, 586, 587, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598 and Circle B Court and Circle A Court, all in Section Six (6) of Little Swan Lake Subdivision, being a Subdivision of Outlot "L" and part of Outlot "K" in Little Swan Lake Section One (1) in the Northeast Quarter of Section 20. Township 8 North, Range 1 West of the Fourth Principal Meridian, Warren County, Illinois, as per Plat thereof recorded in Volume 4 of Plats, Pages 50-51.

C. Outlots AA, P, Q, R, S, T, U, V, all in Section Two (2) Little Swan Lake Subdivision, being a part of Section 19, 20 & 30, Township 8 North, Range 1 West of the Fourth Principal Meridian, Warren County, Illinois, according to the plat thereof recorded in Book 3, page 53 and 54 in Warren County, Illinois.

D. Outlots AA, W, X, Y, Z, all in Section Three (3) of Little Swan Lake Subdivision, Warren County, Illinois, being a Subdivision of part of the West Half of Section 20, Township 8 North, Range 1 West of the Fourth Principal Meridian, Warren County, Illinois, as per Plat thereof recorded in Volume 3 of Plats, Page 80.

E. Outlots AA, BB, CC, DD, EE, FF, all in Section Four (4), being a Subdivision of part of the Southwest Quarter, Southeast Quarter and Northeast Quarter of Section 19, part of the Northwest Quarter of Section 20 and a resubdivision of Lots 110, 111 and part of Kramer Road in Little Swan Lake, Section One, a Subdivision of part of Section 20, all in Township 8 North, Range 1 West of the Fourth Principal Meridian, Warren County, Illinois, according to the plat thereof recorded in Book 3, pages 81 and 82.

### **1-68. BINDING EFFECT OF RESTRICTIONS**

Each contract for sale, conveyance or lease of any such lot or a part thereof shall be made subject to said covenants, conditions and restrictions and each purchaser, grantee or leasee hereinafter sometimes referred to as "Lot Owner" by the acceptance of such contract, conveyance or lease shall thereby subject himself, his heirs, executors, administrators, successors and assigns to the same.

### **2-77. BINDING EFFECT OF RESTRICTIONS**

Each contract for sale, conveyance or lease of any such lot shall be made subject to said covenants, conditions and restrictions and each purchaser, grantee or lessee hereinafter sometimes to as "Lot Owner" by the acceptance of such contract, conveyance or lease, shall thereby subject himself, his heirs, executors, administrators, successors and assigns to the same.

### **2-68. USE OF LOTS**

All lots in said Subdivision shall be used and occupied for one family residences and recreational purposes only.

### **3-77. USE OF LOTS**

All lots in said Subdivision shall be used and occupied for one family residences.

### **3-68. MEMBERSHIP IN LITTLE SWAN LAKE CLUB**

Ownership or occupancy of any lot in Little Swan Lake Subdivision is expressly conditioned upon membership by the lot owner in Little Swan Lake Club. Application for membership shall be made prior to any purchase of any lot and approval of such membership must be obtained from the Club. The said membership, if approved, is a personal privilege and subject to the rules of the Club and cannot be assigned or

conveyed. Each member agrees to abide by and conform to the rules and regulations and By-Laws of said Club as now or hereafter enacted.

#### **4-77. MEMBERSHIP IN LITTLE SWAN LAKE CLUB**

A. Ownership of any lot in Little Swan Lake Subdivision obligates the owner to pay both before and after construction on said lot into a Maintenance and Community Fund the sum of Thirty-Five (\$35.00) Dollars per year. Said sum to be used by the Club to defray the expense of maintenance and improvements of club owned property and the costs associated therewith. The Club assumes an obligation of maintenance only to the extent that such maintenance and services can be accomplished with the proceeds of the annual payments for such services received from owners of lots in said subdivision. The Club shall not be liable for damage caused to any improvements or other property of the lot owner by the action of waters of Little Swan Lake or other causes.

B. Ownership by an individual, or a bona fide lease agreement, shall entitle either the owner or the lessee and members of his/her immediate family to apply for membership in Little Swan Lake Club. Membership is limited to one family per lot. This membership is an entitlement for the members' use of properties owned by Little Swan Lake Club. Membership is a personal privilege and cannot be conveyed or assigned. Each member agrees to abide by and conform to the rules and regulations of said Club, as now or hereafter enacted. Membership fee in Little Swan Lake Club shall be \$1.00 per person annually. Person is defined as any member of a family over 12 years of age and a dependent of owner/lessee. Said fee is subject to change by a vote of two-thirds of the membership attending the annual meeting. Membership shall be terminated in the event of the sale of the owner's property in Little Swan Lake Subdivision, or the termination of the lease agreement. Membership may also be terminated due to non-compliance with the rules and regulations, or for non-payment of yearly dues. The member may request a hearing on the allegations of non-compliance; however, the membership shall be suspended until such hearing, which shall be not later than the next regular meeting of the Little Swan Lake Club Board.

#### **4-68. BUILDING RESTRICTIONS**

The lot owners of any Lots 146 through 226, both inclusive, in Little Swan Lake Section One may construct, maintain, use and occupy a single family dwelling house and appurtenances, containing a minimum enclosed dwelling area of 600 square feet. Lot owners of any of all other lots in said Section One may construct, maintain, use and occupy a single family dwelling house and appurtenances, containing a minimum enclosed dwelling area of 1000 square feet with not less than 850 square feet of enclosed dwelling area being located on the main floor of said residence if said residence is a two story dwelling. All construction must comply with the Building Code contained in the Little Swan Lake Association Basis Data dated January 1, 1967 as now or hereafter amended.

Before beginning the construction of any dwelling or other structure, plans therefor, including all appurtenances, plumbing, sewage disposal, and the location on the premises, shall first be submitted to and approved in writing by the Association and any structure built without such written approval shall be removed or altered by said lot owner so as to comply with the Association's written request, the Association may cause the same to be removed or altered and the amount of expenses so incurred shall be paid by the lot owner to the Association on demand. No more than one dwelling house shall be erected on anyone lot and no lot shall be re-subdivided into smaller lots, or parts thereof. No trailer or camping trailers, basement, tent or garage shall at any time be used as a residence temporarily or permanently, except in locations to be specifically designated by the Association.

#### **5-77. BUILDING RESTRICTIONS**

The lot owners of any of Lots 146 through 226, both inclusive, in Little Swan Lake Section One may construct, maintain, use and occupy a single family dwelling house containing a minimum enclosed dwelling area of 600 square feet. Lot owners of any of all other lots may construct, maintain, use and occupy a single family dwelling house and appurtenances, containing a minimum enclosed dwelling area of 1,000 square feet with not less than 850 square feet of enclosed dwelling area being located on the main floor of said residence if said residence is a two-story dwelling. All construction must comply with the Building Code contained in the Little Swan Lake Association Basic Data dated June 1, 1971 as now or hereafter amended.

Before beginning the construction of any dwelling or other structure, plans including all appurtenances, and the location on the lot, shall be first submitted to the Little Swan Lake Club Building Committee for approval. The application shall also be accompanied by an "Individual Sewage Disposal System Permit" issued by the Sanitary District or its agent.

No more than one dwelling house shall be erected on any one lot and no lot shall be re-subdivided into smaller lots or parts thereof.

No trailer, camping trailer, motorized home, basement, tent, garage, or boat house shall at any time be used as a residence temporarily or permanently except in locations to be specifically designated by the Club.

#### **5-68. GENERAL REGULATIONS**

The lot owner will keep his lot and all improvements thereon in a sanitary condition, **decent, neat, and free from noxious weeds, and debris**, and will maintain all improvements thereon in good repair and attractive in appearance. The lot owner will install, use and maintain in a sanitary condition all toilet sewage, garbage, ash and refuse facilities for the storage, treatment or disposal of solid or liquid waste as may be approved or required by the Association, the State Department of Public Health, or other public authority having charge of sanitation and public health. Whenever sewer connections are made available and it is ordered by the Association that connections be made therewith, the lot owners will connect with such sewer all water closets, sinks and drains in the manner approved by the Association; **will care for and protect from injury all shade and ornamental trees, shrubbery and sod; will not permit any of the premises to be denuded of vegetation or to be cultivated in such manner as to cause or permit soil erosion; will exclude the general public from the property; will comply with all rules and regulations of the Association relating to the premises and to said Lake and surrounding lands, and will not permit any violation thereof by any member of his family, his guests, or any other person permitted access thereto by his family or guests; and the lot owner will not do, use or permit on or near the premises anything in violation of any law or ordinance or any State, Federal or Municipal governmental body or the regulations or requirements of any other public authority;** nor cause or permit any objectionable noise or odor to be emitted from the premises; nor permit to be quartered or raised on the premises any domestic livestock or poultry; nor use or permit the premises to be used for any immoral or illegal purposes or do or permit anything to be done or remain on the premises or in or on said lake in any way tending to pollute the waters thereof or to create a nuisance or disturb the peace or quiet of the neighborhood or annoy any occupant of neighboring property.

#### **6-77. GENERAL REGULATIONS**

Each lot owner will keep their lot mowed and all improvements thereon in a sanitary condition, decent, neat, and free from noxious weeds and debris, and will maintain all improvements thereon in good repair and attractive in appearance. The lot owner will install, use and maintain in a sanitary condition all toilet, sewage, garbage, ash and refuse facilities for the storage, treatment or disposal of solid or liquid waste as may be approved or required by the Little Swan Lake Club, Sanitary District, State Department,

Public Health, or other public authority. The lot owner will not permit any of the premises to be denuded of vegetation, cultivated or any alteration of the topography which might cause or permit soil erosion without first getting permission from the Club. The lot owner will comply with all rules and regulations of the Club relating to the premises and to said Lake and surrounding lands, and will not permit any violation thereof by any member of his/her family or guest, and the lot owner shall not do, use or permit on or near the premises anything in violation of any law or ordinance or any State, Federal or Municipal government body or the regulations or requirements of any other public authority; nor permit any domestic livestock or poultry to be quartered or raised on the premises, nor use or permit the premises to be used for any immoral or illegal purposes or do or permit anything to be done or left undone on the premises or in or on said lake in any way tending to pollute, siltate, or damage the waters thereof or to create a nuisance or disturb the peace or quiet of the neighborhood or annoy any occupant of neighboring property. Any violators of this provision are subject to such penalties or remedies as are allowed by law or ordinances.

#### **6-68. MAINTENANCE AND COMMUNITY FUND**

In order to provide a community fund for road maintenance, landscaping, insect control, mowing of unimproved lots owned by lot owners, each lot owner, until such time as a municipal or district authority is established to assume such functions shall pay to the Association the sum of Thirty-five Dollars (\$35.00) per year both before and after construction of any improvements on each said lot, to be used by the Association or its authorized agent to defray the expenses of such service. The Association assumes an obligation of maintenance of the private roads in said property, not located on a lot, and all the above listed services, only to the extent that such maintenance and services can be accomplished with the proceeds of the annual payments for such services received from owners of lots in said subdivision.

#### **7-68. SERVICE CHARGES AND LOCAL IMPROVEMENTS**

The lot owner will pay before the same become delinquent, all reasonable charges of the Association for water, garbage removal or other services availed of by the lot owner and furnished by the Association. Interruption or inadequacy of any service shall not excuse or relieve the lot owner from payment for services rendered.

The Association shall not be liable for damage caused to any improvements or other property of the lot owner by the action of waters of Little Swan Lake or other causes.

Whenever any lot will be specifically benefitted by the construction or maintenance of any local improvement or improvements, the Association may cause such improvement or improvements to be made or maintained and the lot owner will pay to the Association such part of the cost thereof and in such installment as the Association may determine, and the apportionment of cost as made by the Association shall be prima facie evidence



as to what property is benefitted, the fairness of the apportionment, and that each lot is benefitted not less than the amount of the cost so apportioned thereto.

### **8-68. WATER SERVICE AND ROADS**

Water service will be provided to all lots as soon as water is available. When a residence is constructed on a lot or other regular water use has begun, water rates to be charged will be prescribed or regulated by the Illinois Commerce Commission or a like agency. All costs of connecting a residence with a main distribution line including a meter deposit, equal to the cost of the water meter shall be paid by the lot owner.

The Association agrees to provide all-weather roads adjacent to said property as shown on the plat of Little Swan Lake Subdivision within a reasonable time and to cause the lot lines of said property to be properly monumented.

### **9-68. SALE, TRANSFER OR LEASE**

No lot, nor any part or interest therein shall be sold, transferred or conveyed by any lot owner, any receiver, trustee in bankruptcy or other legal representative of the lot owner nor by operation of law, legal process or any other means whatever without the written consent of the Association as herein provided; nor shall the premises or any part thereof be used by any person other than the lot owner, his family, guests and employees. Should the lot owner or his legal representative desire to sell, transfer or convey any interest in said lot to any person other than a member of good reputation and character of his immediate family including spouses, but excluding collateral relatives more distant than brothers and sisters, and children or grandchildren of brothers and sisters, he shall file with the Association the name and address of the proposed transferee with the written consent to such transfer by the owners of all lots lying adjacent to or immediately across a road from the lot intended to be transferred. If such consent be not filed, the lot owner shall give to such adjacent lot owners written notice of the proposed transfer with the name and address of the proposed transferee and the proposed price and other terms and conditions of the transfer and file with the Association proof of the giving of such notice. The adjacent lot owners may, at their option, within ten days after the giving of such notice substitute their nominee as transferee at said specified price provided said nominee shall have legally bound himself to accept said sale or transfer and to pay the said price and comply with the other terms and conditions of said proposal or transfer; or they may at their option within ten days notify the Association and the proposed transferor, in writing, of the name of a disinterested appraiser selected by said adjacent lot owners and also notify the Association and the proposed transferor in writing of their intention to substitute a nominee as transferee at a fair price to be fixed by their appraiser and two other disinterested appraisers, one to be selected by the proposed transferor, unless he chooses to abandon the proposed transfer in which event he shall give notice of abandonment to the said adjacent lot owners and to the Association, and one to be selected by the two appraisers so selected, provided that if the

two appraisers so selected are unable or fail to choose a third disinterested appraiser, such appraiser shall be selected by the Presiding Judge of the Circuit Court of Warren County, Illinois, (or by the Associate Judge of said County, should said Circuit Judge fail to act) upon the application of either party or parties in interest on not less than five days previous notice in writing to the other party or parties in interest. The decision of the majority of said appraisers so selected shall be conclusive and binding upon the parties in interest as the price for such transfer, but if the sale or transfer of the lot owner deems the price unfair, he may abandon the proposed transfer and retain title to said property. Should the adjacent lot owners fail to present a nominee qualified as hereinabove provided within ten days after notice of the proposed transfer by the proposed transferor as herein provided, or should they within seven days after notice of the price fixed by arbitration as herein provided fail to present a nominee who shall have legally bound himself to accept the transfer of the property and to pay the price as fixed or should such nominee in either instance fail to actually pay such price within twenty days after the tender of a good and sufficient Warranty Deed and evidence of good title in the proposed transferor, the transferor may make such transfer to the person of his original choice, provided such person be of good reputation and character and acceptable for membership in Little Swan Lake Club as herein provided. In any case, the transferee must be approved by the Association as to good reputation and character and the Association shall consent or refuse to consent to sale or transfer of said lot after compliance with all requirements herein as to the final determination of the transferee within ten days after receipt of request to approve such transfer and failure to give or refuse such consent within said time shall be deemed approval of the transfer.

Notwithstanding the foregoing any lot owner may lease the premises for not to exceed one year to any person of good reputation and character with the consent of the adjacent lot owners. Notice in writing to any adjacent lot owners of such proposed leasing and failure of any adjacent lot owners for five days thereafter to object in writing, setting forth a reasonable basis for such objection tending to affect the value, reputation or character of the immediate neighborhood as a residential district or the protection of the Lake shall be deemed acquiescence.

Notwithstanding the foregoing, any lot owner may mortgage his said lot and all improvements thereon as security for any bona fide obligation without compliance with respect to the foregoing requirements as to sale or transfer, and any such mortgagee may enforce said mortgage and in the event of default acquire title to said property in any lawful way and rent the property pending foreclosure and acquiring and disposal of title and any such mortgagee may sell or assign said property in the event of foreclosure and acquisition of title to any person or person of good character and reputation, first notifying in writing the adjacent lot owners mentioned in the foregoing subparagraph of this paragraph 9 of the name of the proposed purchaser and the price offered in good

faith and allowing the adjacent lot owners the option for ten days to substitute their nominee as purchaser at such proposed price.

#### **7-77. CLUB REAL ESTATE**

No real estate owned by the Club shall be sold unless it is approved by a 2/3 vote of the owners of lots.

#### **10-68. ENFORCEMENT OF COVENANTS**

If any lot owner shall violate or attempt to violate any of the covenants, conditions and restrictions herein, it shall be lawful for the Association or for any other person or persons owning any lot or lots in Little Swan Lake Subdivision to prosecute in proceedings at law or in equity, the person or persons violating or attempting to violate any such covenants and either to prevent such person or persons from so doing or to recover for damages from such violation or violations. In addition to any legal remedy available to the Association or other lot owners, failure of any lot owner to comply with the covenants, conditions and restrictions herein shall be grounds for exclusion of such lot owner from participation in any Club or recreational facilities within the Little Swan Lake area.

#### **8-77. ENFORCEMENT OF COVENANTS**

If any lot owner or lessee shall violate or attempt to violate any of the covenants, conditions and restrictions herein, it shall be lawful for the Club, or for any other person or persons owning any lot or lots in Little Swan Lake Subdivision, to prosecute in proceedings at law or in equity, the person or persons violating or attempting to violate any such covenants and either to prevent such person or persons from so doing or to recover from damages from such violation or violations. In addition to any legal remedy available to the Club or other lot owners, failure of any lot owner/lessee to comply with the covenants, conditions or restrictions herein shall be grounds for exclusion of such lot owner/lessee from participation, or use of, any Club or recreational facilities owned by Little Swan Lake Subdivision -See No. 1 -Page 1.

#### **11-68. AMENDMENTS**

Until such time as 90% of all lots in Little Swan Lake Subdivision including lots in future sections of said Subdivision are sold to individual lot owners, the covenants, conditions and restrictions herein contained may be amended with the consent of (1) the Association and (2) the owners of two-thirds of the lots sold to and owned by individual lot owners. Such amendments shall be in writing and filed for record in the office of the Recorder of Deeds of Warren County, Illinois and shall not be valid until so recorded.

When 90% of all lots in Little Swan Lake Subdivision including lots in future sections of said Subdivision are sold to individual lot owners the powers, privileges, rights and obligations of the Association shall be transferred by it to Little Swan Lake Club and

said Club shall thereafter exercise all such powers, privileges, rights and obligations to the same extent as though the said Club were the original subdivider herein.

**8 (2d paragraph)-77. AMENDMENTS**

These covenants, conditions and restrictions herein contained may be amended with the consent of the owners of two-thirds of the lots. Each lot owner shall be entitled to one vote per lot owned. Such amendments shall be in writing and filed for record in the office of the Recorder of Deeds of Warren County, Illinois and shall not be valid until so recorded.

**(Signatures-68)**

IN WITNESS WHEREOF Little Swan Lake Association, Inc. has caused this instrument to be executed by its duly authorized officers and its corporate seal affixed in Warren County, Illinois this 26th day of March, 1968.

LITTLE SWAN LAKE ASSOCIATION, INC.

By *Herbert Wilkins Pres*

President

ATTEST:

*Ralph D. Wilkins*

Secretary

**(Signatures-77)**

IN WITNESS WHEREOF, Little Swan Lake Club, Inc. has caused this instrument to be executed by its duly authorized officers and its corporate seal affixed in Warren County, Illinois, this 27<sup>th</sup> day of October, AD, 1977.

LITTLE SWAN LAKE CLUB, INC.

BY *Ivan A. Zuck*

PRESIDENT

Attest:

*Pat Wagy*

Secretary

# **LITTLE SWAN LAKE CLUB**

## **RULES and Regulations**

*Subject to change by Board of Directors or at the Annual Meeting of all the lake members.*

Revised as of November 2012

### **GENERAL**

It is assumed that all land in the Little Swan Lake Subdivision will be put to use according to the Declarations of Restrictions recorded in Warren County as Documents Nos. 351269 and 390593 and subsequent amendments.

All construction at Little Swan Lake must comply with the Warren County Zoning Code (Ordinance No. 03-00-01, effective January 1, 2001) and the rules and regulations of Little Swan Lake. The building codes will be reviewed and modified from time to time in accordance with the needs and the continuing research of the Board of Directors of Little Swan Lake.

The Building Committee, Little Swan Lake Club Board, and Sanitary District are especially concerned as to any installation pertaining to the septic system without a plan approved by the Little Swan Lake Sanitary District.

It is the intent of the Building Committee to help the lot owner whenever any type of construction takes place; however, the committee must see that homes and other structures are attractive in appearance, as well as to insure that investments and the health and welfare of the lot owner and his/her neighbors are protected.

It is hoped that planning and necessary controls will provide permanent protection against obligated neighborhoods, encroaching commercial establishments, overcrowding, unsightly buildings and other conditions that plague many older lake areas.

### **UTILITIES and SERVICES**

It is the responsibility as an anticipated home builder to provide for the hook-up of the following utilities and services:

- Electric Power: McDonough Power Cooperative, 1210 West Jackson Road, Macomb, IL 61455, 309-833-2101
- Telephone Service: CenturyTel P.O. Box 4300, Carol Stream, IL, 60197-4300. 800-223-1851.

- Postal Service: US Postal Service, 101 East Washington Street, Avon, IL 61415. 309-465-3103
- Fire Protection: Avon Fire District, 105 West Clinton, Avon, IL 61415. 309-465-0038
- Ambulance service: Galesburg Hospitals Ambulance Service. 309-342-1151
- Schools:
  - Avon School District, 400 East Woods Street, Avon, IL 61415. 309-465-3708
  - Carl Sandburg College, 2400 Tom Wilson Boulevard, Galesburg, IL 61401. 309-344-2518
  - Spoon River College, 208 South Johnson Street, Macomb, IL 61455. 309-833-6008
  - Western Illinois University, 1 University Circle, Macomb, IL 61455. 309-298-1414
  - Monmouth College, 700 East Broadway, Monmouth, IL 61462. 309-457-2311.

## **RULES OF CONSTRUCTION AND DEFINITIONS OF TERMS**

The Little Swan Lake Club Building Committee will use the rules of construction (Section 150.002) and the definitions of terms (Section 150.003) as set out in the Warren County Zoning Code (Ordinance No. 03-00-01). In addition, the term “lake front” means any property that touches Little Swan Lake. Some variances, all building codes, and some structures apply to Warren County Zoning Rules. WCHD means Warren County Health Department.

### **BUILDING PERMIT PROCEDURES**

- 1) For proposed permanent structures the lot owner must have the property professionally surveyed at his/her own expense. A letter must be attached to the building application form that states the date the survey occurred.
- 2) Stake out location of structure on the lot, all utility lines, and identify septic system location by flags or marked stakes.
- 3) Complete application and include a scale drawing with the application:
  - a) Plans must be drawn on a scale of one inch equals 40 feet (1" = 40').
  - b) Drawings must include the location of the structure and/or accessory building(s) on the lot.
  - c) Drawings must include all boundary and utility lines.
  - d) Drawings must include the location of the septic system.

- e) This application, together with an “Individual Sewage Disposal System Permit” issued by the Little Swan Lake Sanitary District or its agent, must be submitted to a member of the Little Swan Lake Club Building Committee.
- 4) A lot owner/builder should expect to have at least four (4) inspections by the Little Swan Lake Club Building Committee. The required inspections are:
- a) Staked location of the building (dwelling, garage, addition, shed, etc.), septic system, utilities, and lot lines.
  - b) At the time of ground breaking (to check accuracy of foundation compared with the building application).
  - c) Before the wall covering is applied. (It is important that the building committee inspect the building before the walls are covered. Failure to comply with this inspection will result in extra cost to the builder/owner as the wall covering would be removed for inspection).
  - d) Before occupancy (Committee will check for a properly working water and septic disposal system). The Building Committee may conduct other inspections as necessary. Failure of the owner/builder to obtain the necessary inspections will result in a “Stop Work” order being issued. The Building Committee shall have the right to enter any lot located at Little Swan Lake for the purposes of inspecting property where a building permit is being requested or to inspect any construction that is ongoing until such time as that construction is completed. The Building Committee shall have the right to inspect property where construction has begun without the proper permits. No lot owner or lessee can bar the building committee from entering property to perform inspections mandated by the building codes of the Little Swan Lake Club or Warren County Zoning Board.

When the sewage disposal system is built or installed, the owner and/or contractor will contact the sanitarian as to when an open pit inspection can be made. It is important that the “Sanitarian” view the open layout before back-filling is done. Otherwise, extra costs may be charged to the owner/builder if the sanitarian sees fit.

- 5) If a variance is requested, the lot owner/builder must submit the request in writing to the Little Swan Lake Club Building Committee using the Variance Request form. The Building Committee will examine the property along with the owner/builder within 10 working days of receiving the request. The lot owner/builder must stake the location of any utilities and lot lines before the examination. Upon preliminary approval of the building committee, the lot owner/builder must complete a Warren County Variance Request and submit the Variance Request to Warren County. Upon completion of this step, the Zoning Board of Appeals will notify the surrounding land owners of the variance request and provide them the information required in the

Warren County Zoning Code section 150.171 (4).

After adjoining land owners have been notified in writing of the variance request, the Little Swan Lake Board of Directors will then consider the variance request at the next monthly meeting. At the monthly meeting, the Board of Directors for Little Swan Lake will place the variance request on the agenda. Both the owner/builder and any land owner affected by the request will be given an opportunity to present information to the Board. The Board of Directors of the Little Swan Lake Club will then vote on the variance request. If the vote is negative, then the request will be denied. If the Board of Directors approves the request, then the owner/builder may continue with the Warren County Public Hearing. The Warren County Board of Zoning Appeals must issue all variances in cases in which the Warren County Board's rules have jurisdiction.

Any variance permit that is issued by the Little Swan Lake Club Board of Directors is valid for six (6) months. If at the end of this period, construction has not started, then the Little Swan Lake variance is no longer valid. The owner must then reapply with the Little Swan Lake Club Board of Directors for a new variance. Any changes in the construction permit or intent of use of the structure by the owner will nullify the variance.

- 6) The Building Committee must disapprove the building application if the structure, alteration, or addition does not comply with the rules and regulations of the Little Swan Lake Club or the Warren County Zoning Code.
- 7) When the lot owner has submitted a complete Little Swan Lake Building Application form and it is approved by the Lake Board, it will be sent to the Warren County Zoning Office the issuance of a construction permit. The construction permit must be posted on the lot and must be visible from the road to which the property is addressed. This permit is valid for twelve (12) months and can be renewed for an additional six (6) months for an extension fee of \$500.00, if construction/building conditions are not changed. This \$500.00 fee will extend the permit through the end of the eighteenth month. Thereafter, the lot owner will be assessed a \$500.00/month penalty until the exterior of the home building project is completed. Construction permits are not transferable from one owner to another or from one property to another. Any changes in the construction permit, or intent of use of the structure by the owner must be approved in writing by the Building Committee.
- 8) Once construction has been completed, the Building Committee will inspect the property to ensure compliance with the Little Swan Lake Club Rules and Regulations. If the property is in compliance with all building rules and regulations,



then the Building Committee will issue an occupancy permit.

- 9) Prior to the start of construction, an entrance may be made from the road into the lot and an approved culvert placed, if necessary. The applicant must check with the Road Commissioner of Greenbush Township or Warren County Highway Dept. as applicable for the necessity of the approved culvert at the entrance.
- 10) Application for building permits must be filed with a member of the Little Swan Lake Club Building Committee.
- 11) A stop work order will be invoked when a building project is out of compliance.

### **BUILDING CODES AND REGULATIONS**

A building application must be secured from the Little Swan Lake Club Building Committee before construction of a dwelling or accessory building begins. Before a building permit can be secured, the owner/builder must submit a detailed plan and complete a building application for the proposed dwelling, including any inspection fee. Once the Building Committee receives a completed application, the lot owner will be notified (in writing or by telephone) within 10 working days whether the application has been approved or disapproved. The Building Committee requests that the lot owner visit the site with the members of the building committee. Applications that the Building Committee disapproves can be appealed to the Little Swan Lake Board of Directors at their monthly meeting.

No trailer, camper trailer, recreational vehicle, basement, tent, garage, or boat house shall be used as a residence. Any construction that does not meet the approval of the Building Committee or the Little Swan Lake Board of Directors will be removed at the expense of the lot owner.

- 1) One-story dwellings shall have a minimum of 1,000 square feet of living area on the main floor.
- 2) Two-story dwellings shall have a minimum of 850 square feet of living area on the main floor. The second floor shall have a minimum of 300 square feet of living area.
- 3) Cottages shall have a minimum of 600 square feet of living area on the main floor. These structures may be built on sequentially numbered lots 146-226 and 558-582.
- 4) Garages, decks, and porches are not considered living areas.
- 5) Dwellings cannot exceed 30 feet or 2 1/2 stories in height without a variance (Warren

County Zoning Code Section 150.040 (B)).

- 6) The front of each lot will be the side facing the road. The front of a lot which borders multiple roads will be determined by the road used to address the property.
- 7) Dwellings must be located no closer to the Lake than 30% of the depth of the lot. The depth of the lot will be measured on the lot center line on Lake-front property.
- 8) Sewage disposal systems will be located no closer than 60 feet from the surveyed shore line, unless otherwise approved by the Building Committee. Sewage disposal systems must meet all Illinois Department of Public Health, Warren County Health Department, and Little Swan Lake Sanitary District requirements.
- 9) No porch or projection of any building or structure shall be nearer than 30 feet from the property line of road right of way or nearer than 15 feet from the property line of any abutting property lines unless topography would warrant consideration by the Building Committee for a variance.
- 10) The exterior of a dwelling may be sided with brick, stone, wood siding, steel, structural glass, fiber glass, plastics, concrete blocks, glazed building tiles, building tiles (provided they are stuccoed when completed) and aluminum. This does not include sheet aluminum. All manufactured sidings are acceptable except roll goods or imitations on backer boards.
- 11) Roofs may be covered with asphalt shingles, stone shingles, ceramic coverings, wood shingles, or standing seam painted metal roofing 29 gauge minimum. Any other roofing products must be approved by the LSL Building Committee before use. In no case shall any galvanized products including sheet metal, rolled, metal, or corrugated metal be used for roofing.
- 12) Any new construction on waterfront properties or adjacent to any natural drainage that flows into Little Swan Lake must have a silt fence installed prior to construction. This silt fence shall remain in place until landscaping and lawn growth is sufficient enough to stop any erosion of the loose soil that would enter the lake and drainage way.

### **ACCESSORY BUILDINGS**

No accessory building (garage, boat house, gazebo, shed, etc.) shall be constructed upon a lot until the construction of the dwelling has actually been commenced (Section 150.101 (B) (1) of the Warren County Zoning Code). Lot owners may request a variance

for constructing a boat house.

Accessory buildings which are not a part of the dwelling may not be built in any yard but a rear yard and will be at least 30 feet from the shore line or rear lot line (Section 150.101 (C)(2) of the Warren County Zoning Code). For boat houses, the set back from the lake must not exceed 15 feet.

The Warren County Zoning Code Section 150.101 (B) (1) prohibits any accessory building from being used for any dwelling purposes. Therefore, no accessory building may be used for overnight lodging.

No porch or projection of any accessory building or structure (unless otherwise stated in this document) shall be nearer than 30 feet from the property line of road right of way or nearer than 15 feet from the property line of any abutting property lines unless topography would warrant consideration by the Building Committee for a variance.

Storage sheds and gazebos will be built of wooden frame not to exceed 10 feet by 12 feet. For storage sheds and gazebos, the side lines are to be set back 10 feet from the property line. Gazebos may be painted or sided with a different exterior color than the dwelling. (These structures must comply with #10 and #11 under the Building Code).

Storage sheds, boat houses, and other accessory buildings must have the same color exterior siding as the dwelling unless exempted by the rules and regulations of Little Swan Lake Club.

No boat house is to extend beyond the surveyed shore line of Little Swan Lake.

No boat house is to be set back from the water more than 15 feet.

The boat house roof line is to be determined by the type of building and terrain. A 40” minimum height (or current building code) open railing will be the minimum allowed for a sun deck.

Boat houses will be equipped with ground fault eliminators, conforming to the National Electric Code.

Boat houses must have an eight (8) foot door or doors facing the lake that can accept a boat for storage.

No boat house will have a septic system or water system installed.

Boat docks will not exceed 32 feet in length and will not exceed 4 feet above the normal water level. If shallow water requires a longer boat dock, the lot owner must contact the Little Swan Lake building committee. The Building Committee and the Little Swan Lake Club Board will determine the maximum length for the dock.

Docks must be parallel with the surveyed shore line when there is less than 150 feet of water from shore to shore. If the channel exceeds 150 feet from shore to shore, then the dock may be perpendicular to the shore line.

**REQUIRED PERMITS AND FEES**

The following types of construction or structures require **both a Little Swan Lake and Warren County Building Permit**. Fees for Little Swan Lake are shown below:

New Dwelling	\$200
Garages	\$75
Home Additions (Changing footprint of existing home, sunrooms, covered porches etc.)	\$75
Boat Houses	\$75
Storage Sheds	\$25
Gazebos, Pergola	\$25
In-ground Pools (All swimming pools must be adequately fenced to prevent access of small children and meets all applicable health and sanitary requirements [Warren County Zoning Code Section 150.040 (A)(11)	\$50

The Building Committee will inform lot owners/builders of the permit fees for both the Little Swan Lake Club and Warren County Zoning Board.

The following types of construction or structures require a **Little Swan Lake Building Permit only**:

Boat Docks	\$25
Boat Lifts	\$25
Decks (if covered, see above: Home Additions	\$25
Above ground swimming pools: (see note above for In-ground Pools)	\$??

Warren County does not require a building permit for the above structures. If the Building Committee has to inspect the structure, a minimum fee of \$25.00 will be charged. The Building Committee will inspect the construction when the structure or accessory building violates one of the above building codes or when a complaint is received by either the Little Swan Lake Board of Directors or the Building Committee.

If the structure cannot be brought into compliance with the rules and regulations of both Warren County and Little Swan Lake, then the lot owner/builder must remove the structure at their expense.

The following types of construction or structures **do not require either a Warren County or Little Swan Lake Building Permit**: retaining walls, fences, garden structures, shoreline protection, routine maintenance of a dwelling, garage, boathouse, or other accessory building, replacing a roof and any interior remodeling that does not change the existing footprint of the structure.

Shoreline protection may use man-made products, riprap or large rock. Sea-walls must be constructed at pool stage and no land may be reclaimed when lost by action of nature through the past years. Routine maintenance includes, but is not limited to, painting, sealing drive ways, replacing window and doors, repairing roofs or damaged siding, etc.

The Building Committee will inspect the above only when the structure or accessory building violates one of the above building codes or when a complaint is received by either the Little Swan Lake Board of Directors or the Building Committee. If the Building Committee has to inspect the structure, a minimum fee of \$25.00 will be charged. Upon inspection, if a violation is found, the lot owner/builder must stop work and apply for a building permit (Little Swan Lake and Warren County). If the structure cannot be brought into compliance with the rules and regulations of both Warren County and Little Swan Lake, then the lot owner/builder must remove the structure at their expense.

### **SUMMER & WINTER SPORT RULES**

*Note: The Illinois Department of Natural Resources requires ALL watercraft and snowmobiles operating on public and community/club property to be registered. The Little Swan Lake Club expects all members to comply with state registration and regulation laws.*

#### **Boating:**

- 1) Those participating in motorized water sports must wear Coast Guard approved life-preserving devices. (State Law)
- 2) Motorized water sports shall be permitted from one-half hour before sunrise until one-half hour after sunset. (State Law)
- 3) No skier shall ski or attempt to ski with tow bar placed around the neck.

- 4) Motorized water sports are restricted to area between the Dam and NO WAKE buoy.
- 5) All boaters must respect the NO WAKE zone west of the NO WAKE buoy.
- 6) All persons shall be COMPLETELY inside the boat while riding. No standing or sitting on decks, seat backs, or gunnels is permitted when the watercraft is underway. THIS WILL BE STRICTLY ENFORCED.
- 7) Speedboats and participants are required to stay at least 100 feet from other boats, docks, and shorelines, except when beaching or leaving shore or dock.
- 8) Two persons are required to be aboard a boat when engaged in towing any person participating in a water sport. (Sec. 15, Illinois Regulations)
- 9) Ski boat operators are advised not to trail tow ropes in the water except when returning for a fallen skier. Other boaters are cautioned against crossing the ski boat's wake closer than 100 feet to the boat. Each boat operator is responsible for his/her own dropped loose skis.
- 10) Allow up to 2 tow ropes and a maximum of up to 3 persons in any combination of up to 2 towables built to accompany such.
- 11) Size and power restrictions are as follows:

<b>Boat Type</b>	<b>Maximum length</b>	<b>Maximum Outboard Horsepower</b>	<b>Maximum I/O Horsepower</b>
Speed, Pleasure, cuddy, sail, ski or fishing	19.5 feet	150hp	190hp
Deck boat	22 feet	90hp	120hp
Pontoon	28 feet	115hp	160hp

**No permanent enclosed structures are allowed on the deck. Current marine standards apply.**

- 12) Children 13 years old and under must wear a life jacket when in a boat that is not tied to a dock.
- 13) No air boats, jet boats, houseboats or personal watercraft are permitted.
- 14) No homemade boats are permitted without consent of the boat committee as to

structural content and material. Homemade pontoon boats must be constructed on commercially manufactured, Coast Guard approved aluminum pontoons.

- 15) All boats must have a Little Swan Lake Club decal. Annual Fee for registration is \$15 for each motorized boat and \$5 for each non-motorized watercraft.
- 16) Guest watercrafts of any type are NOT PERMITTED at any time.
- 17) Boat traffic shall be in counter-clockwise pattern.
- 18) State law places restrictions on motorboat operators between the ages of 12 and 17. Such persons must operate the boat under the supervision of a parent, guardian or someone at least 18 years old that has been designated by a parent, or must hold a Boating Certificate issued by the State Department of Natural Resources. Such certificates can be earned by taking an 8 hour boating safety course approved by the department, and offered by organizations, school systems and volunteers throughout the state. The new law also bars anyone age 9 or under from operating a motorboat, and requires anyone at 10 or 11 to have a parent, guardian or someone over age 18 aboard.
- 19) There will be NO BOATING on the lake when it is at or above flood stage.
- 20) Boat trailers, pontoons, and boats registered with a valid and current LSL Club sticker can be placed temporarily on unimproved lots from April 1st through October 31st each year. Items placed as described must be moved or trimmed around often enough to prevent weed growth and they must be removed from the lot from November 1st through March 31st each year. Unregistered boats and trailers, campers, or recreational vehicles shall not be allowed on unimproved lots or Club outlots at any time. The Little Swan Lake Board of Directors shall notify owners of lots with violations by registered letter, asking that the said object be removed within 30 days. If not removed, the owners will lose lake privileges and be fined \$100 per month until removed. Failure to remove the object within a period of three months after receipt of notice shall subject the owners to legal proceedings for collection of fines and/or removal of the object at the direction of the Board of Directors. Costs for removal and storage of the object will be the responsibility of the owner.

**Swimming:**

Swimmers must stay within 100 feet of lot owned shoreline.

Swimming Rules for Swimming in No Wake Zone:

- 1) Boats must be anchored and the motor turned off
- 2) Boats must stay in the center of the no wake zone, not in the traffic lanes
- 3) Swimming will only be allowed from 30 minutes before sunrise until 30 minutes after sunset
- 4) Swimmers must stay within 30' of their boat
- 5) A responsible person, 18 years or older must stay in the boat
- 6) NO DIVING allowed

Rules will be strictly enforced with a minimum fine of \$25 for the first offense and repeated offenses could lead to loss of lake privileges.

Be **sure** to inform anyone in your boat of these rules. BE SMART -BE SAFE!

**Other sport vehicles:**

- 1) Motorcycles are not permitted to operate on the lake ice at any time. All other usage will be on the owners' private property and/or follow state laws and regulations for motor vehicle operation.
- 2) Snowmobiling and other winter sports (such as sledding) are to be held on community/club property or on an owners' private property. Guests are to be with members. Hours for such winter sports are not to be later than 11:00 PM. Please observe these rules, and do not destroy lawns and small trees on another's private property.
- 3) All-terrain vehicles (such as "4-wheelers") are to be operated only on community/club property (excluding the dam) or on the owners' private property.
- 4) \$5 Fee for each vehicle.

**REPORTING:**

Monthly safety reports issued by the patrolman will be reported to the Board.

**BOAT REGISTRATION INFORMATION**

The State of Illinois requires ALL watercraft operating on Little Swan Lake to be



registered with the Department of Natural Resources. Little Swan Lake Club also requires all MOTORIZED boats to be registered and decaled by the Club. The boat committee will review applications for registration of motorized boats when all of the following information is received.

- 1) A COMPLETED registration application (including answering all Yes/No questions).
- 2) A copy of the applicant's current state registration card.
- 3) A late charge of \$10.00 will be required for all boats registered after May 1st of the current year.
- 4) No motorized boat requiring the club's decal shall be launched until that Little Swan Lake decal has been obtained AND affixed to the boat. The committee will meet once a week to review all pending applications. If a boat meets the requirements for registration approval, a permanent season decal will be mailed to the applicant. The boat committee reserves the right to inspect any boat before or after a permanent season decal is issued if questions arise regarding the boat falling within size and horsepower rules. Any current member whose dues are paid may request an inspection of any boat for good cause. The request must be made in writing and state the reason for cause.

If any false information has been supplied for the purpose of registering a boat not meeting the rules, the member supplying the false information will be suspended from lake privileges for that boat for the entire season.

### **OTHER SPORT VEHICLE REGISTRATION**

When members choose to operate snowmobiles and all-terrain vehicles on Community/club property, such vehicles must bear a club decal. Applications for such decals will be submitted to the Sport Vehicle Review Committee.

- 1) Guest vehicles are not permitted on community/club property at any time.
- 2) Sport vehicles must maintain the same liability coverage as watercraft.
- 3) Applications may be submitted at any time, but decals must be obtained and affixed before operating the vehicle on community/club property.
- 4) Once a club decal is obtained, that decal will be good through March 31 of the

following year.

## **OUTLOT RULES & REGULATIONS**

**There will be NO SWIMMING off any Outlot.**

- 1) A Club member having a party is responsible for the conduct of his/her guests and the disposal of litter.
- 2) Boats are not to be anchored overnight to Club owned docks without permission from the Patrolman.
- 3) No camping is permitted on any Outlot at any time.
- 4) No open fires are permitted within shelter area/outlots. Fires must be contained in safe charcoal grills.
- 5) Any picnic furniture furnished on outlots may not be removed.
- 6) Separate pavilion rules are posted in the pavilion.

## **FISHING RULES**

- 1) All members and guests must be licensed by the Illinois Dept. of Conservation.
- 2) State of Illinois laws must be observed, as enforced by Ill. Dept. of Conservation.
- 3) Fishing shall be limited to pole and line only. All other means are prohibited, except by permit, issued by the Board of Directors.
- 4) No live bait is to be used, with the exception of worms, crayfish, and minnows.
- 5) The daily catch limit is as follows:

Fish Type	Limits
Largemouth bass	6 total per person – 1 may be over 18”, the remaining 5 must be less than 12” or all 6 must be less than 12”
Channel catfish	5 per person – no size limit
Walleye	3 per person – 15” minimum size
Bluegill	25 per person – no size limit

Crappie	No limit currently: <b>but</b> see posted limits
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**Citations will be issued by the patrolman for violations of the fishing rules.**

- 6) Fishing rights are for members and their guests only. Guests must be accompanied by a member at all times.
- 7) Please dispose of dead fish immediately by placing them in containers provided for this purpose on the outlots.
- 8) Absolutely no fish are to be stocked.
- 9) Bullfrogs may be harvested within the season and limits as established by the Illinois Dept. of Conservation.
- 10) Please don't litter, or trespass on others property.
- 11) A \$25.00 fine will be assessed to anyone violating the above fishing rules. Anyone who believes that these fishing privileges are being abused or that trespassing is occurring should notify the patrolman. Members should carry the issued membership cards for identification as a Little Swan Lake Club Member.

### **HUNTING AND TRAPPING**

- 1) NO HUNTING is permitted in Little Swan Lake Subdivision at any time.
- 2) Trapping is permitted, but all trappers must obtain a permit prior to November 1st. Trappers will be informed of the rules at that time.

### **LAKE AND DAM**

No vehicles of any kind (other than maintenance vehicles) are permitted on the dam at any time. In an effort to make the lake presentable for everyone's enjoyment, the spillway is controlled and monitored based on precipitation amounts in the area. Rainfall records are kept and the spillway is opened/closed to maintain water level as near to lake level as possible. Each year, the lake level will be reduced 24" on November 15th to prevent damage to docks and shorelines due to ice and spring rains flooding potential. After March 15th, the official end of winter, the lake will be allowed to return to lake level and monitored throughout the summer months in an attempt to maintain lake level. In the event of any sudden, unexpected rainfall/watershed amounts please be reminded that whenever the water level is above lake level and at flood stage (plus 8"), no boating of any kind is allowed on the lake. This is for each user's personal safety and the protection of owner properties. Violators will be automatically suspended from lake

privileges.

## **USE OF CLUBHOUSE**

A fee will be charged for maintaining the clubhouse plus a deposit. The deposit will be returned when the key is returned and the building is in the same condition it was at the time of possession.

## **MOWING**

Each lot owner will keep his/her lot mowed and free of unsightly weeds and debris. Lake property and outlots will be mowed five times each season by a contracted person through Little Swan Lake Club. These properties will be mowed within the week before April 30, May 30, June 30, July 30 and August 30. It is the responsibility of the private owners of unimproved lots to mow such properties by April 30, May 30, June 30, July 30 and August 30. Several private individuals may be contracted by property owners to mow lots. Please contact the mowing committee for names of these individuals. If a property owner does not contract privately for mowing and does not mow his/her lot by dates listed above, the property will be considered delinquent and the Club will have it mowed and bill the property owner the cost of \$80.00 per lot mowed, effective January 1st, 2009. The delinquent mowing fee will be reviewed and set by the Board each March thereafter. Little Swan Lake Club greatly appreciates each property owner's assistance in keeping our community looking beautiful by maintaining his/her lot(s).