



**BOARD OF DIRECTORS MEETING
NOVEMBER 16, 2024**

**9:00 A.M. – ACL CLUBHOUSE, 14A157 CANYON CLUB DR, APPLE RIVER, IL 61001
& VIA ZOOM**

AGENDA

- 1.0 CALL TO ORDER – 8:00 A.M.
- 2.0 EXECUTIVE SESSION – 8:00 A.M
- 3.0 RETURN TO OPEN SESSION – 9:00 A.M.
- 4.0 PLEDGE OF ALLEGIANCE
- 5.0 TREASURER’S REPORT
- 6.0 COMMITTEE/COMMISSION REPORTS
- 7.0 GENERAL MANAGER’S REPORT
- 8.0 PRESIDENT’S REPORT
- 9.0 ANY ADDITIONS TO THE AGENDA
- 10.0 CONSENT AGENDA – APPROVE/ADOPT MINUTES FROM THE OCTOBER 19, 2024, BOARD MEETING, AND COMMITTEE/COMMISSION CHANGES
- 11.0 UNFINISHED BUSINESS
 - 11.1 4.14 EMPLOYEE TECHNOLOGY AND 4.15 SOCIAL MEDIA ACCEPTABLE USE – 2nd Reading
 - 11.2 ADOPT THE 2025 ANNUAL ASSESSMENT, OPERATING FEE & BUILDING FEE SCHEDULES
 - 11.3 ADOPT THE 2025 R&R BUDGET
 - 11.4 ADOPT THE 2025 OPERATING BUDGET
 - 11.5 FINAL ZM AD HOC COMMISSION RECOMMENDATION FOR 2025
 - 11.6 ACL BUILDING AND ENVIRONMENTAL CODE V. 05-20-2023 – REVISIONS AND ADDITIONS – 2nd Reading
- 12.0 NEW BUSINESS
 - 12.1 4.15 VIDEO SURVEILLANCE AND ELECTRONIC MONITORING – 1st Reading
 - 12.2 RULES & REGULATIONS MISCELLANEOUS REVISIONS – 1st Reading
- 13.0 PROPERTY OWNER COMMENTS (3 MINUTES PER MEMBER)
- 14.0 ADJOURN

**Apple Canyon Lake Property Owners Association
Board of Directors Meeting Minutes
October 19, 2024**

UNAPPROVED

- 1.0 Call to Order:** Meeting called to order by Vice-President Bill Becker at 8:05 am. Other Directors present: Bob Ballenger, Carmel Cottrell, Brian Holt, Mark Kosco, Laura Pratt, Mike Ward. Deb McNamee present by phone. Nolan Mullen arrived at 9:25 am.
- 2.0 Executive Session** – motion to proceed to executive session made at 8:05 am by Bob Ballenger, seconded by Carmel Cottrell. Motion carried.
- 3.0 Return to Open Session** – motion to return to open session made by Mark Kosco at 9:08. Seconded by Laura Pratt, motion carried unanimously.
- 4.0 Pledge of Allegiance** – after the Pledge of Allegiance, a quorum was present with the following directors in attendance: Nolan Mullen, Bob Ballenger, Bill Becker, Carmel Cottrell, Brian Holt, Mark Kosco, Mike Ward and Laura Pratt. General Manager Jon Sabo was also present. Debra McNamee was absent.
- 5.0 Treasurer’s Report** – will be in *The Apple Core*.
- 6.0 Committee/Commission Reports**
- Safety/Emergency Planning** – Laura Pratt reported that they met this week and discussed emergency plans. Also worked on the manual for the Volunteer Corps pertaining to any type of emergency.
- Employee Handbook** – Laura Pratt reported they are working on video surveillance and electronic monitoring.
- Memorial Pavilion** – Carmel Cottrell reported there will be an article in the Apple Core for November.
- Legal** – Carmel Cottrell reported they continue to work on the governing documents.
- Strategic Long-Range Planning** – Carmel Cottrell reported they will meet next month.
- Dam Advisory** – Mike Yorke and Barry Kren - good news to share. Phase 1 – tree removal is done; lowering lake (8 inches) is done; building access to spillway channel (channel is 50 yards long) is done; spillway rock excavation (blasting of east and west walls) is done. Channel is now 60-100 feet wide (used to be 20 feet wide) but a lot of rock needs to be excavated out. Installation of rip rap at the bridge is done. Next big thing is the building of concrete forms and actual pouring of concrete. Will likely start next week with the construction of the forms. Longest part of this stage of the project. Key metrics – Safety, this is a very dangerous site, and we have a perfect safety record; Schedule – basically on schedule; Cost – no engineering change orders so far; Property Owner concerns – only have had a few; Contractor Performance – A+; Environment Impact – footprint remains unchanged.
- 7.0 General Manager’s Report** – Jon Sabo reported NorthStar training is ongoing. Assessing training and will implement the newest version of NorthStar. PCI is a level of standard that any entity that accepts credit cards must uphold to protect information, working with Jo Carroll. Goal is to have the PCI audit completed, will update as we go forward. Continuing to work on the dredge sale – unusual process between bank and borrower. Completed the dam inspection—need to remove vegetation. Preparation for 2025 season has started, boat slips, registrations, etc.
- 8.0 President’s Report** - will be in *The Apple Core*.
- 9.0 Any Additions to the Agenda** – Carmel Cottrell motioned “to add 12.3 Memorial Pavilion Furniture to the agenda.” Seconded by Laura Pratt, motion carried unanimously.

10.0 Consent Agenda – Approve/Adopt Minutes from the September 21, 2024, Board Meeting, Dam Charge, and Committee/Commission Changes – motion to approve the consent agenda by Laura Pratt. Seconded by Carmel Cottrell, motion carried unanimously.

11.0 Unfinished Business

11.1 7.5 Reporting Incidents and Accidents – 2nd Reading – Bill Becker motioned “to approve policy 7.5 Reporting Incidents and Accidents.” Seconded by Bob Ballenger. Discussion: this is an employee handbook issue. Brian Holt motioned “to amend by changing the last sentence in second paragraph, to say *The GM will report to the Board of Directors.*” Seconded by Bob Ballenger, motion carried unanimously. Policy could build upon questions/concerns about communicating incidents/accidents. Bill Becker motioned “to approve the amended policy.” Seconded by Bob Ballenger. Motion carried with Mark Kosco voting nay.

11.2 Short-Term Rental Homes – 2nd Reading – Brian Holt motioned “to approve the revisions to Sections XXIII & III.” Seconded by Bob Ballenger. Discussion: verifying this is not part of the regular fine schedule. Motion carried unanimously.

11.3 ACL Building and Environmental Code V.05-20-2023 – Revisions and Additions – 2nd Reading – Brian Holt motioned “to table until next month.” Seconded by Bob Ballenger, motion carried unanimously.

11.4 Amended 6.2 Paid Time Off – Laura Pratt motion “to approve the amended policy 6.2 Paid Time Off.” Seconded by Bob Ballenger. Discussion: Jon Sabo—terminology now is actual hours worked – will change to all hours worked. Correlates with state of Illinois on how employees are tracked for paid time off. Would request this to be retroactive to accommodate current employee(s), staff is seeking an answer before holidays. Approve the amended policy as is – retroactive date approval not needed unless cost is over \$5,000. If over \$5,000 bring the retroactive portion back next month. Motion carried unanimously.

12.0 New Business

12.1 4.14 Employee Technology and 4.15 Social Media Acceptable Use – 1st Reading – Discussion: accountability – affirmation by signature was missing. Opening a document as opposed to downloading a document is different. Questions on how do we monitor this (#5). Should be part of JCE role. This language did come from our IT company (JCE). Some language is consolidated (#4 is addressed in updated #2).

12.2 2025 Proposed Calendar – Carmel Cottrell motioned “to approve the 2025 calendar.” Seconded by Mark Kosco. Discussion: January 2nd – why is that listed on the calendar that Association Office Closed. Jon Sabo – getting accounts set up – request from member service – doors will be closed but employees will be working. Clarify that on calendar, looks like a holiday. Staff would have this calendar in the office, this is printed and distributed to all owners. Not listed in Bylaws as a governing document. Tool for communication to members. Carmel Cottrell – publication should have larger text. Future discussion on the use of this calendar would be a good idea (regulatory items vs. social items). Laura Pratt motioned “to amend motion to include Potluck, March thru October, third Tuesday at 5:00 pm.” Seconded by Carmel Cottrell, motion carried unanimously. As amended – motion carried unanimously.

12.3 Memorial Pavilion Furniture – Carmel Cottrell informed the group that the commission has an excess of \$12,000 in designated fund. Memorial Pavilion commission is requesting to use, from our designated fund, \$9,000 of the \$12,000 existing, to purchase furniture and keep \$3,500 in the account. We are still selling pavers, so money will continue to come in. Polywood furniture with 20-year guarantee, no cushions, black. Carmel Cottrell motioned “to use \$9,000 from designated fund to purchase furniture.” Seconded by Bob Ballenger. Motion carried unanimously.

13.0 Property Owner Comments

Mary Hannon, 8-239 – gone for a few days and was surprised how awesome the fire house looks. Golf course looks awesome right now. It looks the way we would like it to look year round. Wondering about new trees on hole 9. Golf commission did not know about this. Not sure where they came from or who paid for them.

Mara Okerman 6-17 – thank you for all you do. Opportunity for the board to circle back to vacation rentals. Revise term to short term rentals – in the first adoption in introducing – not about raising funds, making sure registration process is correct. Asking the board to hold to that. Eight registration fees on our annual budget – out of those eight the only one that went up was vacation rentals. That fee went up 50% and most others did not go up that high. Asking board to not adopt that line item for that increase of fee. Take a closer look at how the association looks at short-term rentals. Propose an Ad Hoc committee [commission] to look at the processes, data, etc. Move ahead and have a process in which to address this. Would love to be a part of that committee [commission] to address this.

Mike Yorke 5-106 – the PA system has worked for the whole meeting! Jon Sabo – We had Advanced Technology out of Freeport take a look.

Gary Hannon, 8-239 – dam inspection – tree growth is nothing new. Needs to be addressed. Two people mentioned about doing tremendous work at the lake with the dam – Barry and Jeff - overworked and underpaid. Is there something we can do for them? Sports complex wasn't brought up– mentioned the warranty on the sports complex, still surface imperfections, some challenges that need to be addressed this year.

14.0 Adjourn – Motion to adjourn by Mark Kosco, seconded by Carmel Cottrell at 10:49 am. Motion carried.

Recording Secretary, Rhonda Perry

President, Nolan Mullen

Corporate Secretary, Laura Pratt

Date

10.0



Memorandum

To: Board of Directors

Date: November 7, 2024

From: ACLPOA

Memo: 2024-81

Topic: November Consent Agenda

Recommendation: To approve/adopt minutes from the October 19, 2024, board meeting.

To approve Pennie Groezinger or Richard Blackmore to join the Appeals Commission***see attachment**; to allow Charlene Wooley to join the Legal Commission; to allow Sean Cottrell to resign from the Legal Commission; and to allow Sean Cottrell to resign from the Rules & Regulations Commission.

NON-STANDING AND/OR SPECIAL COMMITTEES

APPEALS BOARD

MISSION STATEMENT: It will be the dedicated purpose of the Appeals Board to listen to each appeal from a property owner with an open mind and to treat each party fairly and with utmost respect. We recognize that we must at times give the benefit of doubt as we work towards consistency in enforcing the intent of the ACLPOA Rules and Regulations.

To develop and recommend a set of procedures and guidelines for citation appeals, brought before the ACL Board of Directors. Said charge to be completed by the November 15, 2003, ACL Board of Directors meeting.

The Appeals Board will be influenced by this Mission Statement and the following "Appeals Board Decision Making Guidelines."

The committee will prepare a summary of Activities and Projects the committee has been involved in over the past year for presentation at the Annual Meeting.

APPEALS BOARD GUIDELINES

1. The Appeals Board shall consist of five members of the Association appointed by the President with the approval of the majority of the Board of Directors. No member of this Board can be currently serving on the ACLPOA Board of Directors.
2. Any member of the Appeals Board or his/her family members who appeal his/her or a family member's citation issued by Apple Canyon Lake Safety and Security Department is determined to have a conflict of interest with the Appeals Board. In the event of a potential conflict of interest, the following requirements must be met:
 - a. The Appeals Board member must disclose the potential conflict of interest and the nature and extent of the conflict to the Appeals Board prior to any decision of the Appeals Board.
 - b. The Appeals Board member shall not vote on the issue involving a potential conflict of interest.
 - c. The Appeals Board member shall not be counted in determining an Appeals Board quorum.
3. The main function of the Appeals Board will be to review any fine or penalty involving a rules violation that is being challenged by the affected Property Owner through a formal written request.
4. The Appeals Board shall conduct its meetings in accordance with Robert's Rules of Order as stipulated in the ACLPOA Declaration of Covenants and Restrictions, Bylaws and Rules and Regulations. General Committee guidelines shall be in accordance with the ACLPOA Committee Operations & Procedures Manual.
5. The Appeals Board meetings and hearings will be held whenever the need arises. For planning purposes, the second Saturday of the month will be set aside for the Appeal Process with a briefing meeting beginning at 8:00 a.m. followed by the actual Appeals hearing starting at 9:00 a.m.
6. All reviews will be done at an open hearing where both sides of the issue will be given the opportunity to present their views in the presence of each other. Questions by Appeals Board members may be asked at the close of each side's presentation. All deliberations, however, will be done in executive session.
7. Decisions by the Appeals Board will only require a simple majority vote. This Board will consider any split vote a reason to continue deliberation. After a reasonable period of time, another vote will be taken. If the vote results in no majority, the citation is upheld.
8. The Appeals Board will report only the decision and not include the actual vote count.
9. Following is a suggested outline of the Appeals Hearing Format:
 - a. The Appeals Board will meet prior to the scheduled hearing time to receive a briefing on the pending petitions.
 - b. They will have a copy of the citation in question, any available previous warnings or fines that have been recorded against the petitioner, and the written statement from the petitioner giving reasons why the citation is being challenged.
 - c. The appeals hearing will be done in an open session with both sides of the issue being present.
 - d. The Chairperson will open the hearing with an explanation of the appeals hearing process and the limits of the Appeal Board's authority.
 - e. The Chairperson shall introduce all of the Board members that are present and also announce that the proceedings may be tape recorded for future reference if there are no objections.

11.1



Memorandum

To: Board of Directors

Date: November 8, 2024

From: Employee Handbook Ad Hoc Commission

Memo: 2024-84

Topic: 4.14 Employee Technology and 4.15 Social Media Acceptable Use – 2nd Reading

Issue: The Employee Handbook Ad Hoc Commission has been working on updating the Employee Handbook. The commission has worked closely with the Association's attorney and JCE-Coop, the Association's technology contract, in rewriting the Employee Technology and Social Media Acceptable Use portion of the handbook.

The existing Employee Handbook insert for ACLPOA Acceptable Use is a signature form in the back of the handbook. The Commission is proposing to replace the October 2016 Section 4.14 Computer and Electronic Communication and 4.15 Social Media with the proposed 2024 version 4.14 Employee Technology and Social Media Acceptable Use policy. Also, there would be a signature copy for the employee to sign put in the back of the handbook to place in their personnel file.

This updated 4.14 Employee Technology and Social Media Acceptable Use policy is needed for the Association in order to be PCI Compliant.

Recommendation: To approve 4.14 Employee Technology and Social Media Acceptable Use handbook portion and signature form.

4.14 Computer and Electronic Communication

Effective Date: October 15, 2016

Revision Date:

All employees must use computers and other forms of electronic communication in an ethical and professional manner at all times. This policy is designed to guide the employee in his/her use of computers and other electronic communication devices on behalf of ACLPOA, including all electronic communication devices owned or leased by ACLPOA, used or accessed on ACLPOA premises, used for or on behalf of ACLPOA, or used to create content identifying or associated with ACLPOA's business operations. Employees should consult with the General Manager if they have questions or concerns related to this policy.

An "electronic communication" is any digitally-or electronically-stored or transferred information using an electronic device, and includes use of computers, email, internet, telephones, fax machines, and any other electronic device. All electronic communications and information the employee may create on ACLPOA premises or otherwise on behalf of ACLPOA are the sole property of ACLPOA, not the employee, and should only be created or used for ACLPOA's best interests and never for personal use. This includes all digital files and software the employee may create. The employee has no right to privacy in his/her electronic communications created on behalf of ACLPOA or using ACLPOA property.

ACLPOA has the right to override the employee's personal passwords in order to gain access to digitally stored information owned by ACLPOA. ACLPOA may also keep a record of the passwords the employee uses to gain access to ACLPOA's electronic communications. The employee needs to take care to not transmit or store his/her own sensitive personal information while using ACLPOA property. ACLPOA routinely monitors the employee's use of its electronic devices. The General Manager may access all ACLPOA-owned electronic communications, including emails, internet posts, text messages, voicemails, blogs, and "tweets." The employee may be subject to discipline if found to be using or creating ACLPOA-owned electronic communications or devices in an inappropriate or illegal manner.

Employees may only access ACLPOA's electronic communications and devices that they have been granted access to. This means the employee may not access electronic communications restricted to management, other employees, or third parties without prior authorization.

Employees must use ACLPOA's electronic communications and devices in strict compliance with ACLPOA's confidentiality policy described herein. The employee needs to take care not

current



4.15 Social Media

Effective Date: October 15, 2016

Revision Date:

Utilization of social media is a powerful way to market ACLPOA's business, influence ACLPOA's reputation, and engage with the community and public at large. While we encourage employee support of ACLPOA through his/her use of social media, the employee must obtain authorization prior to making posts of ACLPOA-related content that are accessible to the public or any party outside of the company.

Social media refers to any social interaction via the internet or similar platforms, such as YouTube, Facebook, Twitter, LinkedIn, Instagram, blogs, forums, and other online communities or sites accessible to the public or outside parties. This list is not all inclusive. When using social media, the employee should conduct himself/herself in a professional and courteous manner at all times and respect the view of others. Remember that an employee's statement(s) reflect on ACLPOA's reputation and public image. We encourage the employee to take care to distinguish any personal opinions he/she may have from ACLPOA's, for instance, by inserting "The opinions I have included here are my own and do not necessarily represent the opinions of Apple Canyon Lake Property Owners' Association."

Employees are prohibited from creating content on social media that could be considered discriminating, harassing, obscene, or that may damage ACLPOA's reputation or public image. Employees also may not use social media for personal use during work. "Followers," "friends," and other contacts gained through ACLPOA social media accounts are ACLPOA's sole property. ACLPOA may monitor the employee's use of social media and may ask the employee to delete or change any ACLPOA-related content found to be inappropriate or not in ACLPOA's best interest.

4.14 EMPLOYEE TECHNOLOGY AND SOCIAL MEDIA ACCEPTABLE USE

Effective Date: October 16, 2016

Revision Date:

The purpose of this policy is to ensure that Apple Canyon Lake Property Owners' Association (ACLPOA) systems and tools including computers, software, communication, network, and cloud-based tools, etc. provided to employees and contractors to enhance their productivity are used in a responsible way, ethically, and in compliance with all legislation and other ACLPOA policies and contracts. This policy does not attempt to anticipate every situation that may arise and does not relieve anyone accessing any system of their obligation to exercise good judgment.

This policy is applicable to all employees of ACLPOA, including full-time, part-time, temporary and seasonal employees; contractors; students; and interns. The requirements defined in this policy are applicable to the use of all data, systems, electronic, and computing devices, and services owned and/or managed by ACLPOA.

1. All devices and systems are property of ACLPOA and all use must be in accordance with policies, standards, and guidelines. ACLPOA allows limited use of the network, system, and devices for personal reasons (personal correspondence, online banking, etc.), but personal use must not be abused.

Personal use is acceptable, but it must not have a negative impact on overall employee productivity, cause additional expense to the organization, compromise the organization in any way, disrupt network performance, or contradict any other ACLPOA policies in any way.

2. ACLPOA assets and systems must not be used for illegal or unlawful purposes, including, but not limited to, copyright infringement, obscenity, personal gain, libel slander, fraud, defamation, plagiarism, intimidation, forgery, impersonation, illegal gambling, soliciting for pyramid schemes, and computer tampering (e.g. spreading computer viruses).

~~All technology, including computer systems, communications networks, Association-related work records and all other information stored electronically, is the property of the ACLPOA, not the employee. Use of the Association's technology systems and electronic communications should be job-related, not for personal use.~~

3. Employees may not use the internet, email, or other electronic communications to transmit, retrieve or store any content of a defamatory, discriminatory, harassing or pornographic nature. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, sexual preference, sexual orientation, gender, gender identity or pregnancy may be transmitted. Harassment of any kind will not be tolerated.

4. ~~Employees may not use the internet, email, or other electronic communications to transmit, retrieve or store any content of a defamatory, discriminatory, harassing or pornographic nature.~~

No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, sexual preference, sexual orientation, gender, gender identity or pregnancy may be transmitted. Harassment of any kind will not be tolerated.

Disparaging, abusive, profane or offensive language; materials that might adversely or negatively reflect on the Association or be contrary to its legitimate business interests; any illegal activities—including piracy, cracking, hacking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the internet or email—are forbidden.

4. Copyrighted material and trademarks belonging to entities other than ACLPOA may not be used or transmitted on the Association's network without permission of the copyright holder and General Manager. Employees must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy for reference only. Saving copyright-protected information to a network drive without permission is prohibited. Sharing the URL (uniform resource locator or "address") of an internet site is permitted.

~~Employees may not use the system in a way that disrupts its use by others. This includes spamming (sending unsolicited emails or messages to a large number of email addresses or mobile phones).~~

5. To prevent contamination of Association equipment and systems from harmful computer viruses, downloaded files must be checked for possible infection through the Informational Technology personnel and with permission from the General Manager. Also, given that many browser add-on packages (called "plug-ins") may not be compatible with other programs and may cause problems for the systems, downloading plug-ins is prohibited without prior permission from the General Manager.
6. Every employee is responsible for the content of all text, audio or image files that he or she composes or sends over the Association's internet and email systems. No email or other electronic communications may be sent that hides the identity of the sender or represents the sender as someone else. ACLPOA's identity is attached to all outgoing email communications, and should reflect the Association's values with appropriate workplace language.
7. Email or other electronic communications composed on or transmitted by Association equipment, systems and networks, are not private or confidential; they are the property of the Association. Therefore, ACLPOA reserves the right to examine, monitor and regulate email and other electronic communications, directories, files and all other content, including internet use, transmitted by or stored in its technology systems, whether onsite or offsite.
8. Internal and external email, voice mail, and text messages are considered business records and may be subject to discovery in the event of litigation. Employees must be aware of this possibility when communicating electronically within or outside the Association.
9. Users must not open message attachments or click on hyperlinks sent from unknown or unsigned sources through any platform (email, instant message, social media, etc.).

10. Any allegations of misuse should be promptly reported to the General Manager. If you receive an offensive or suspicious email, do not forward, delete, or reply to the message. Instead, report it directly to the General Manager and/or designee.
11. Archival and backup copies of email messages must exist, despite end-user deletion, in compliance with ACLPOA's Records Retention Policy.
12. Email access must be terminated when the employee or third party terminates their association with ACLPOA, unless other arrangements are made.
13. ACLPOA social media accounts must be used for business purposes only. These purposes include building positive brand image, providing customer support, monitoring public opinion, professional networking, and more as approved.
14. Access to social media must be open to staff who have received approval from their Manager. Approval will be provided given a legitimate business purpose.
15. All actions and communications through social media must adhere to all previously defined acceptable use of electronic communications. Staff representing ACLPOA on social media must sign an agreement.
16. The use of personal social media accounts and user IDs for the Association use is prohibited unless within the scope of his/her employee role.
17. The use of ACLPOA's social media user IDs for personal use is prohibited.

Any employee who abuses the Association-provided access to email, the internet, or other electronic communications or networks, including social media, may be denied future access, and may be subject to disciplinary action up to and including termination, within the limitations of any applicable federal, state, or local laws.

4.14 EMPLOYEE TECHNOLOGY AND SOCIAL MEDIA ACCEPTABLE USE

Effective Date: October 16, 2016

Revision Date:

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Personal use is acceptable, but it must not have a negative impact on overall employee productivity, cause additional expense to the organization, compromise the organization in any way, disrupt network performance, or contradict any other ACLPOA policies in any way.

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6. Every employee is responsible for the content of all text, audio or image files that he or she composes or sends over the Association's internet and email systems. No email or other electronic communications may be sent that hides the identity of the sender or represents the sender as someone else. ACLPOA's identity is attached to all outgoing email communications, and should reflect the Association's values with appropriate workplace language.
7. Email or other electronic communications composed on or transmitted by Association equipment, systems and networks, are not private or confidential; they are the property of the Association. Therefore, ACLPOA reserves the right to examine, monitor and regulate email and other electronic communications, directories, files and all other content, including internet use, transmitted by or stored in its technology systems, whether onsite or offsite.
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AGREEMENT

I have read and understand the Staff Technology Acceptable Use policy. I understand that if I violate the rules explained herein, I may face legal or disciplinary action according to applicable laws or ACLPOA's policy.

Employee Name

Employee Signature

Date



Memorandum

To: Board of Directors

Date: November 7, 2024

From: Executive Committee

Memo: 2024-88

Topic: Adopt the 2025 Annual Assessment, Operating Fee & Building Fee Schedules

Issue: The Board of Directors approved the publication of the 2025 Annual Assessment, Operating Fee & Building Fee Schedules at the September 21, 2024, board meeting. The 2025 Annual Assessment, Operating Fee & Building Fee Schedules were advertised for a minimum of 30 days, prior to the Board adopting the budget, as required by CICAA, and can now be adopted.

Recommendation: To approve/adopt the 2025 Annual Assessment, Operating Fee & Building Fee Schedules. **The annual assessment raised to \$1,360. OARF raised to \$150. Boat docs raised to \$325.** Vacation Rental Registration raised to \$300 with a fine double the fee. Add Golf Season Pass for individual with cart for \$495. Eliminate One-Day and Three-Day Amenity Tag (Retain Additional Annual Tag at \$20 each). Increase Non-Property Owner Greens Fees: 9 Holes M-F \$18 WE/Holidays \$22 18 Holes M-F \$25 WE/Holidays \$30. Reduce Junior Annual Golf Season Pass to \$75.

Budget Documents

Apple Canyon Lake Property Owner's Association Budget/Audit Commission Minutes September 9, 2024

UNAPPROVED

1.0 Call to Order - Treasurer Carmel Cottrell called the meeting of the ACLPOA Budget/Audit Commission to order at 9:01 am on Monday, September 9, 2024.

Commission members present - In person: Chair Carmel Cottrell, Board Liaison Mark Kosco, Tom Brennan, Ron Carpenter, Nick Gouskos, Mike Harris, Steve Malone, Steve Nelson and Mary Witt. Via Zoom: Ashlee Miller. Brett Livengood was absent. General Manager Jon Sabo and Finance Manager Steve Borst, the Accounting Department's Heather Miller and Ashley Randecker, and ACL Department Manager Julie Janssen were also present. Guest in person: Laura Pratt. Guests via Zoom: Nolan Mullen and Katie Beals.

2.0 Approve minutes from August 19, 2024, Budget/Audit Commission meeting – TomB motioned to approve the August 19, 2024, minutes, seconded by MaryW. The motion passed unanimously.

3.0 Unfinished Business

3.1 Review Department R&R requests – The Commission reviewed all the R&R requests and agreed to recommend \$292,000 in expenditures while deferring \$423,000 to conserve reserves for the 2025 Capital Project funding needs. The Commission also discussed the Capital Project request for improving the President Bay water quality. More information was being researched including checking on other funding options for the project and AECC rules related to windmills.

3.2 Review Department Budgets – The Commission discussed pay raises and the addition of a new member service employee. The 4% raise and the additional person were both left in the Operating Budget. All department budgets were reviewed, and some minor adjustments were made.

3.3 Calculate the Preliminary Operating Deficit – The 10-year average of the Reserve Study required R&R funding of \$715,000 and Capital Projects was calculated to need \$700,000 of funding. Those amounts pushed the Operating Deficit to a loss of nearly \$300,000.

4.0 New Business

4.1 Vote on Final R&R Funding – The Commission agreed to fund R&R \$715,000 in 2025.

4.2 Vote on Final Capital Funding – The Commission agreed to fund Capital Projects \$700,000 in 2025. The Commission calculated that the Spillway Renovation will require the Capital Project Fund the need to borrow from the R&R Fund reserves to timely complete the project. Projections showed that in order to pay back the loan, it will require funding the Capital Project Fund \$700,000 per year through 2028.

4.3 Discuss and decide Fee Increases/Decreases – The following motion was made by RonC, seconded by TomB and unanimously approved by the Commission. Motion #1 – I move that the 2024 Fee Schedule be renewed with the following changes: Annual Assessment raised to \$1,400. OARF raised to \$120. Vacation Rental Registration raised to \$300 with a fine double the fee. Add Golf Season Pass for individual with cart for \$495. Eliminate One-Day and Three-Day Amenity Tag (Retain Additional Annual Tag at \$20 each). Increase Non-Property Owner Greens Fees: 9 Holes M-F \$18 WE/Holidays \$22 18 Holes M-F \$25 WE/Holidays \$30. Reduce Junior Annual Golf Season Pass to \$75.

4.4 Balance the Operating Fund – The Operating Fund was balanced with the increases proposed in 4.3.

4.5 Calculate the 2025 Dues Assessment – The following motion was made by SteveM, seconded by MikeH and unanimously approved by the Commission. Motion #2 – I move that the Budget Commission recommends to the Board of Directors the 2025 Operating Budget with total revenues of \$5,977,584 and Operating Expenses of \$4,556,388 with transfers to R&R of \$715,000 and Capital of \$700,000.

5.0 Other – The following motion was made by Mary Witt, seconded by Mark Kosco and unanimously approved by the Commission. Motion #3 – I move that the Budget Commission recommends to the Board of Directors the following: R&R Budget expenditures of \$292,000. We are deferring at least \$423,000.

6.0 Confirm future meeting dates – No Discussion

7.0 Adjournment – TomB motioned to adjourn, seconded by MaryW and the meeting was adjourned at 3:42 pm.

Respectfully submitted, Steve Borst, Secretary

9/9/2024

ACLPOA
Operating Fund by Department

	<u>2022 Actual</u>	<u>2022 Budget</u>	<u>2023 Actual</u>	<u>2023 Budget</u>	<u>2024 Actual</u>	<u>2024 Budget</u>	<u>2024 Budget</u>	<u>2025 Budget</u>
Revenue					(7 months)	(7 months)		
Admin	2,713,609	2,678,522	3,253,609	3,138,117	2,299,040	2,287,391	3,526,429	3,373,940
Communications	128,652	155,030	143,087	147,150	109,923	115,771	169,650	169,350
Building	8,406	14,490	12,137	10,850	8,040	7,118	9,650	9,650
Maintenance	8,431	2,000	6,637	-	294	3,500	6,000	1,500
Solid Waste	117,090	116,005	126,540	124,080	74,801	73,939	125,810	127,000
Safety & Security	8,784	9,750	8,333	8,850	7,626	7,500	8,850	8,000
Pro Shop F&B	490,021	362,050	402,331	249,500	274,618	218,621	373,500	386,350
Golf	-	2,000	180,811	152,200	157,126	137,893	184,560	160,650
Marina	260,647	241,420	318,589	215,600	189,000	201,723	290,200	294,675
Pool	6,572	8,525	5,470	7,925	6,318	6,625	7,225	6,700
Cove	-	-	393,740	-	-	-	-	18,000
Total	3,742,212	3,589,792	4,851,284	4,054,272	3,126,786	3,060,081	4,701,874	4,555,815
Expenses								
Admin, excluding Depr	1,163,055	1,120,882	1,236,789	1,316,304	829,080	960,513	1,433,002	1,390,412
Communications	262,213	352,692	330,114	281,302	136,735	173,910	267,627	282,125
Building	32,007	33,890	34,659	36,052	18,745	20,084	35,346	36,794
Maintenance	792,070	851,093	838,507	930,738	572,145	558,493	981,786	1,073,932
Solid Waste	69,260	56,651	76,006	63,747	41,280	44,643	75,043	75,150
Safety & Security	378,947	344,747	424,216	377,136	287,132	235,554	420,125	455,271
Pro Shop F&B	693,142	564,825	516,178	447,216	410,539	299,794	510,652	521,263
Golf	-	2,200	202,951	199,387	108,493	116,396	212,714	220,959
Marina	308,099	262,454	346,206	284,525	197,856	199,540	288,762	294,144
Pool	162,980	152,272	155,453	149,989	109,039	121,166	169,241	158,628
Cove	1,500	-	776,790	26,200	44,507	69,769	96,649	45,070
Total	3,863,273	3,741,706	4,937,869	4,092,596	2,755,552	2,799,864	4,490,949	4,553,748
Profit/(Loss)								
Admin	1,550,554	1,557,640	2,016,819	1,821,813	1,469,961	1,326,878	2,093,427	1,983,528
Communications	(133,562)	(197,662)	(187,027)	(134,152)	(26,812)	(58,139)	(97,977)	(112,775)
Building	(23,601)	(19,400)	(22,523)	(25,202)	(10,705)	(12,966)	(25,696)	(27,144)
Maintenance	(783,638)	(849,093)	(831,870)	(930,738)	(571,851)	(554,993)	(975,786)	(1,072,432)
Solid Waste	47,830	59,354	50,534	60,333	33,521	29,296	50,767	51,850
Safety & Security	(370,163)	(334,997)	(415,883)	(368,286)	(279,506)	(228,054)	(447,271)	(447,271)
Pro Shop F&B	(203,121)	(202,775)	(113,847)	(197,716)	(135,922)	(81,174)	(137,152)	(134,913)
Golf	-	(200)	(22,140)	(47,187)	48,633	21,497	(28,154)	(60,309)
Marina	(47,452)	(21,034)	(27,617)	(48,925)	(8,656)	2,183	1,438	531
Pool	(156,408)	(143,747)	(149,983)	(142,064)	(102,721)	(114,541)	(162,016)	(151,928)
Cove	(1,500)	-	(383,050)	(26,200)	(44,507)	(69,769)	(96,649)	(27,070)
Total	(121,061)	(151,914)	(86,585)	(38,324)	371,234	260,217	210,925	2,067
Net Operating Income/Loss	(121,061)	(151,914)	(86,585)	(38,324)	371,234	260,217	210,925	2,067
Cove Loan Repayment	-	-	-	-	-	-	(100,000)	-
2023 Projected Deficit	(121,061)	(151,914)	(86,585)	(38,324)	371,234	260,217	925	2,067
	(0.00)	-	(0.00)	0.00	-	0.00	(0.00)	(0.00)
	-	-	(0.00)	-	-	0.00	(0.00)	(0.00)

DUES CALCULATOR

			<u>2021 & 2022</u>	<u>2023</u>	<u>2024</u>	
Annual Dues Rate	1360	\$ 7.50 per mo	1100	1245	1310	3.817%
Restricted Lot Rate	816			13.18%	5.22%	
Senior Exemption	250					
Senior Exemption 2	750					
Senior Exemption 3	850					
Senior Exemption 4	977.5					
Senior Exemption 5	1073					
Senior Exemption 6	1100					

Based on current figures:

			Revenue	Revenue Loss	
Annual Dues	2,615	Annual Dues	\$ 3,556,400		
Senior Exemption	11	Senior Exemption	\$ 2,750	\$ 12,210	
Senior Exemption 2	1	Senior Exemption 2	\$ 750	\$ 610	
Senior Exemption 3	4	Senior Exemption 3	\$ 3,400	\$ 2,040	
Senior Exemption 4	2	Senior Exemption 4	\$ 1,955	\$ 765	
Senior Exemption 5	3	Senior Exemption 5	\$ 3,219	\$ 861	
Senior Exemption 6	1	Senior Exemption 6	\$ 1,100	\$ 260	
Restricted Lots	106	Restricted Lots	\$ 86,496	\$ 57,664	
			\$ 3,656,070	\$ 74,410	\$ 27.13
2,743 total lots		Capital	\$ 700,000	\$ 255	
		R&R	\$ 715,000	\$ 261	
		Operating	\$ 2,241,070	\$ 817	
				\$ 1,333	
				\$ 1,360.00	

ACLPOA 2025 Construction Fee Schedule

New Dwelling: Permit Fee/Inspection (Good for one (1) year)	\$1,000
Environmental Impact Fee (Non-Refundable): New dwelling only	\$1,000
Environmental/Debris Bond (Refundable)	\$500
Additions to Existing Dwelling: Permit fee	\$0.20/square foot
All Accessory Structures	\$0.20/square foot
General Permits: Per item	\$10
Driveways	
Shoreline Construction	
Demolitions	
Landscaping: Any earthwork or lot grading whether performed as a single project or as a series projects on an existing developed lot	
Roofing	
Boat Docks	
Small Misc Permits/Projects	
GIS: Full Site	\$325

Building code regulations may be obtained from the Building & Environmental Code Book or on the website www.applecanyonlake.org

ACL Capital Projects
2025

CASH OUTFLOWS		2024	2025	2026	2027	2028
Spillway						
	Helm	\$ (2,000,000)	\$ (2,000,000)			
	CMT	\$ (331,400)	\$ (331,400)			
	Helm	\$ (485,200)	\$ (485,200)			
	Dam Crest	\$ (150,000)		\$ (150,000)		
	Removal of Rock	\$ (600,000)		\$ (600,000)		
	Coffer Dam	\$ (400,000)		\$ (400,000)		
Winchester		\$ (50,000)		\$ (50,000)	\$ (168,000)	
Presidents		\$ -			\$ (100,000)	
Koester Pond		\$ -			\$ (45,000)	

Purchase Coffor and reuse for Marina
SteveM Foundation update
SteveM Foundation update

TOTAL FUNDING NEEDS \$ (4,016,600) \$ (2,331,400) \$ (485,200) \$ (1,200,000) \$ (331,000) \$ -

FUNDING		2024	2025	2026	2027	2028
RESERVE BALANCE	CP Reserve @ 7/31/24	1,600,000	700,000	214,800	700,000	700,000

TOTAL (731,400) 214,800 (285,200) 369,000 700,000

R&R Loan - Needs Reypayment						
Bank Loan				285,200	(369,000)	(647,600)
Land Sale		731,400				
Dredge Sale						

2% over Fed Window, currently 5.25% = 7.25%
If Sold, Revenue needs to be removed from Admin
?????

Y/E Balance - 214,800 52,400

Proposed revisions

	ANNUAL FEE
Annual Assessment (Due March 1) - up \$90	\$ 1,360.00
Annual Trash Fee* (Due March 1)	\$ 130
*required for all ACL homes, fee includes two passes (paper or decal)	
Seasonal Amenity Licenses (Due March 1)	
Marina Boat Slip	\$ 325
Nixon Boat Slip	\$ 325
Zone Boat Slip	\$ 325
Sublease Slip	\$ 325
Seasonal Campsite (\$800/Trash (\$90)/Camper (\$10) - up \$90	\$ 900
Camper Winter Storage (Onsite)	\$ 175
Golf Cart/ATV/UTV Storage Inside	\$ 150
Golf Cart Storage Outside	\$ 25
Kayak Locker Rental	\$ 50
Registration Fees	
Owner Amenity Registration Fee (per owner) - up \$10	\$ 150
Golf Cart Registration	\$ 15
Motorized 1st Boat	\$ 75
Motorized 2nd Boat	\$ 75
Non-Motorized Boat	\$ 10
Snowmobile	\$ 30
ATV/UTV	\$ 30
Vacation Rentals - up \$100	\$ 300
Annual Golf Season Passes	
Property Owner (Individual)	\$ 250
Junior (Age 10-16) - down \$50	\$ 75
Non Property Owner (Individual)	\$ 350
Corporate	\$ 2,500
Property Owner (Couples w/ cart)	\$ 795
Property Owner (Individual w/ cart)	\$ 495
Classes	
Swimming Lessons (per person, one session)	\$ 20
Private Swimming Lesson (per person, per lesson)	\$ 25
Miscellaneous	
Auto Decals (5 free per OARF paid)	Each \$ 10
Amenity Tag (10 free per OARF paid)	
ELIMINATE - One Additional One (1) Day Amenity Tag	\$ -
ELIMINATE - One Additional Three (3) Day Amenity Tag	\$ -
One Additional Annual Amenity Tag	\$ 20
Replacement Trash Pass	\$ 30
Directory	\$ 5
Electronic Item Disposal	\$ 35
Large Item Disposal	\$ 20
Mattress or Box Spring (each) Disposal	\$ 30
Map	\$ 5
Delinquent Dues Fee (Assessed March, April, May)	\$ 125
Payment Plan Processing Fee	\$ 35
Payment Plan Late Sign Up Fee	\$ 25
Lot Mowing	\$ 80
Pool Party* Monday - Thursday	\$ 125
Friday - Sunday	\$ 150
*Excess of 50 people (add)	\$ 50
Convenience Fee	4%
Programs	
Heat Light Program Call SSD Office (815) 492-2436	
Sub-License Boat Slip Program Call ACL Office (815) 492-2238	

ALL MANDATORY FEES MUST BE PAID ON ALL LOTS OWNED PRIOR TO ANY REGISTRATIONS OR DISTRIBUTION OF PASSES, AMENITY TAGS, OR STICKERS, UNLESS PROPERTY OWNER IS ON THE ACLPOA PAYMENT PLAN.

	DAILY RATE	
	Mon-Fri	Wknd/Hol
Golf		
Property Owner		
Holes (9)	\$ 12	\$ 15
Holes (18)	\$ 15	\$ 20
Non Property Owner		
Holes (9)	\$ 18	\$ 22
Holes (18)	\$ 25	\$ 30
Cart Rental		
Holes (9)	\$ 10	\$ 12
Holes (18)	\$ 15	\$ 20
Call ACL Pro Shop for tee times (815) 492-2477		
Campground		
RV Site (power and water)		
Property Owner	\$ 18	\$ 20
Guest	\$ 30	\$ 35
Tent Site (primitive)		
Property Owner	\$ 12	\$ 16
Guest	\$ 20	\$ 25
Extended Camping Fees Primitive/Full Hook Up per week		
PO	\$ 75	PO \$ 100
Guest	\$ 150	Guest \$ 200
Washer/Dryer	\$ 1.25 (per load)	
Call ACL Office for reservations (815) 492-2238		
Marina Boat Slip Rentals		
Daily		\$25
Weekly		\$105
Monthly		\$300
Call ACL Office for reservations (815) 492-2238		
Boat Rentals		
	Mon-Thurs	Mon-Thurs
	PO	Guest
Pontoon 1/2 Day	100	\$175
Pontoon Per Day	175	\$250
		Wknd/Hol
		Property Owner & Guest
Pontoon 1/2 Day		\$230
Pontoon Per Day		\$325
Call ACL Office for reservations (815) 492-2238		
Clubhouse Rental		
Business Meetings	Number	PO Fee
Mon - Thurs	1-100	\$ 100
	101-250	\$ 200
Parties/Open Houses		
Sun-Thurs	1-75	\$ 100
	76-150	\$ 200
	151-250	\$ 400
	Fri-Sat	1-75 \$ 125
		76-150 \$ 275
		151-250 \$ 450
Weddings/Receptions		
	Fri-Sat	1-250 \$ 450
ACL Club Fee: Non-ACL events, etc.		\$ 25
ACL Employee (restrictions apply)		\$ 25
Deposit of equal amount required. For guests, add \$100 to above rate.		
For reservations call (815) 492-2769		

ACL Commiission Requests

2025 Budget

Trails	1	Gravel	\$	8,000	
	2	Dust Control	\$	1,800	
	3	Signage	\$	2,000	
	4	Culver Pipes	\$	1,500	
	5	Cconcrete Bridge Repairs	\$	7,000	
		TOTAL Trails	\$	20,300	To Operating
Conservation	1	Erosion Control			
	a)	Natural Vegetation	\$	10,000	
	b)	Rip Rap, stream bank stabilization	\$	65,000	
	c)	Turbidity Curtain			
	d)	Sediment ponds			
	2	Dry Dams	\$	5,000	
	a)	Spillway dam inspection			
	3	Dredging			
	b)	Dredge Pond maintenance	\$	12,000	
	4	Forestry			
	a)	Greenway Restoration			
	b)	Survey of boundaries			
	5	Lake Management			
	a)	Weed and Invasive control			
	b)	Algae and nutrient control	\$	9,500	
	c)	Fish Stocking			
	d)	Fish Shocking/Joe Rush			
	e)	Watershed testing and analysis			
	f)	Lake monitoring supplies			
	g)	Lake Monitoring Equipment	\$	12,000	
	h)	Fish Finding/Sonar	\$	8,500	
	6	Other Conservation Projects			
	a)	Goose Egg oiling			
	b)	Upkeep of Demo Projects			
	c)	Zebra Mussels			
		TOTAL Conservation	\$	122,000	
Campground	Trees		\$	1,000	
Deer Mgmt	Archery Equipment		\$	1,000	
TOTAL			\$	144,300	

ACL
2025 R&R Requests

9-9-24

		Original	Dept SubTotal	Revised	
<u>Club House</u>					
Floor Covering	Square Carpeting	23,000		-	Clean only \$2000 to Operating #04-5542001
HVAC		7,500		7,500	\$4500 assumes free labor
Parking lot	Asphalt	57,500		-	Asphalt new + Sealcoat all
Sidewalk	Front Entrance Way - French Drain	21,000		21,000	
			109,000		
<u>Club House, Nixon Beach, Marina</u>					
Parking lot				20,000	
<u>Nixon Beach</u>					
Fishing Pier	Replace with EZ Dock for ADA purpose	92,500		-	Deferred
			92,500		
<u>Old Fire House</u>					
Parking Lot	Blacktop	142,000		-	No change to lot
	Chlp & Seal	?		-	Deferred
			142,000		
<u>Golf Course</u>					
Cart Paths	Complete cart paths	20,000		20,000	Overlay 1,3,4,7,8 Add new to #9
Aerator	Replace old	30,000		-	Rent \$3000 to Operating #08-5524001
Bunker	Rebuild 4 bunkers with better draining	42,000		42,000	1,3,4,8 Grass over 1 & 9 Greenside
			92,000		
<u>Cove</u>					
Refrigerated Prep Table	Can't hold freon	6,000		-	Deferred
			6,000		
<u>Campground</u>					
Hot water tanks	Need 2 that are replacing 12 years old units	12,000		12,000	
West Roadway	Black Top	75,000		-	Deferred
			87,000		
<u>Natural Resources</u>					
Lake Monitoring Equipment	Replace Old	12,000		12,000	
Fishing Finding/Sonar	Monitor Fish & Habitat	8,500		8,500	
Canadian Pond Bubble Machine	Keep Nixon Beach Clear w/o Chemicals	9,500		-	
Bubble Curtain	Marina	-		-	Deferred
Bubble Curtain	Cove	-		-	Deferred
Dredge Pond Maintenance	Independence Bay	12,000		12,000	
Dry Dam		5,000		5,000	
Rip Rap		65,000		65,000	
Erosion Control	Natural Vegetation	10,000		10,000	
			122,000		
<u>Maintenance</u>					
UTV	Replace Kubota	26,000		-	Deferred
Trailer	Bigger Trailer to haul skid loader to save on Trax	22,000		15,000	Trade-In available
Van	Replace van with Pick-up truck	61,000		-	Deferred
Backhoe	Hydraulic pump & cylinder repairs			17,000	
			109,000		
<u>Security</u>					
Cameras		10,000		10,000	
AED's		8,000		-	\$8000 to Operating
Digital Speed Sign		10,000		-	Deferred - waiting on R&Regs
Vehicle		55,000		-	Deferred - possible Leasing
Security Boat				?	REPLACE at some point
			83,000		
<u>Pool</u>					
Concrete Repairs		15,000		15,000	
			15,000		
TOTAL			857,500	292,000	

RESERVES @ 6-30-24

\$

1,155,040



Account #	Account Name	2022 Actual	2022 Budget	2023 Actual	2023 Budget	2024 Actual	2024 Budget	2024 Budget	2025 Budget		2743	Note: JDC+14 ACL=14
01-1100001	01 Administrative					(7 months)	(7 months)					
01-1100002	Membership Assessment - Operating	1,919,005.66	1,818,167.00	2,197,596.00	2,193,898.00	1,477,351.45	1,471,248.31	2,522,140.00	2,241,070.00	From Dues Col'd Lab		
01-1100003	Membership Dues			887,247.75								
01-1100004	Membership Dues	412,861.66		268,049.11								
01-1110001	Delinquent Dues Fee	38,750.00	26,250.00	58,300.00	37,725.00	43,050.00	38,838.71	40,000.00	44,500.00			\$ 125.00
01-1116001	Interest-Delinquent Dues	763.74	915.00		585.00							
01-1120001	Interest Income - OP	13,306.80	12,000.00	47,109.80	12,000.00	34,562.50	24,000.00	32,500.00	40,000.00			
01-1120002	Interest Income - CP	8,077.44		35,638.40								
01-1120003	Interest Income - R&R	10,378.63		40,437.42								
01-1125001	Sublease Slip Income	5,750.00	2,000.00	13,500.00	3,750.00	5,675.00	2,675.00	2,975.00	18,000.00			
01-1130001	Marina Service Center	15,611.68	12,700.00	11,000.00	12,700.00	8,250.00	7,600.00	12,700.00	12,700.00			
01-1133001	Hay Mowing	4,914.00	4,000.00	600.00	4,000.00	3.00		4,000.00	4,000.00			
01-1134001	Land Rent	42,938.00	44,039.00	55,340.00	44,039.00	26,202.00	26,202.00	44,039.00	50,000.00			
01-1142001	Owner Amenity Registration (OARF)	287,100.00	285,000.00	309,662.00	305,800.00	175,028.00	171,645.81	294,250.00	496,500.00			\$ 150.00
01-1145001	Nixon Beach Boat Slip	12,400.00	12,600.00	18,900.00	18,600.00	18,000.00	18,900.00	18,900.00	19,600.00			\$ 325.00
01-1146001	Marina Boat Slip	48,400.00	48,800.00	60,305.00	72,600.00	69,126.00	72,600.00	72,800.00	71,500.00			\$ 325.00
01-1147001	Zone Boat Slip	68,800.00	55,400.00	144,900.00	142,800.00	145,200.00	144,900.00	144,900.00	156,975.00			\$ 325.00
01-1148001	Seasonal Campsite	46,020.00	48,670.00	52,700.00	52,700.00	56,700.00	55,800.00	55,800.00	56,700.00			\$ 900.00
01-1149001	Campor Storage	6,615.00	6,490.00	7,050.00	6,750.00	8,050.00	9,000.00	9,000.00	10,300.00			
01-1151001	Motor Boat Registration	47,290.00	63,760.00	115,950.00	116,125.00	114,075.00	114,399.00	115,425.00	113,100.00			\$ 75.00
01-1153001	Non-Motorized Boat Registration	4,218.00	4,125.00	9,020.00	7,500.00	9,130.00	7,500.00	7,500.00	9,000.00			
01-1155001	ATV/UTV Registration	27,025.00	24,750.00	28,860.00	25,500.00	26,575.00	26,000.00	26,000.00	27,000.00			\$ 30.00
01-1160001	Auto Decals	150.00	200.00	230.00	200.00	198.00	170.00	200.00	200.00			
01-1164001	Snowmobile Registration	150.00	100.00	750.00	750.00	600.00	750.00	750.00	750.00			
01-1164001	Deer Mgmt Program Registration Archery	2,975.00	2,500.00	3,625.00	3,300.00	125.00	3,000.00	3,000.00	3,100.00			
01-1186001	Additional Daily Amenity Tag	1,998.00	1,400.00	1,393.00	1,476.00	2,350.00	1,100.00	1,100.00	2,750.00			\$ 5.00
01-1186001	Additional 3 Day Amenity Tag	25.00	75.00	280.00	140.00				750.00			\$ 10.00
01-1180001	Counter Sales	1,108.90	1,855.00	1,497.38	680.00	480.19	350.00	500.00	500.00			
01-1193001	Payment Plan Processing Fee	8,250.00	8,600.00	6,985.00	9,145.00	7,840.00	7,400.00	7,400.00	7,000.00			
01-1194001	Vacation Rental Fee				4,000.00		7,583.31	13,000.00	4,000.00			\$ 200.00
01-1196001	Gain/Loss on Sale of Equipment	1,500.00		29,000.00								
01-1196001	Bad Debt Recovery	11,714.43		3,615.00		5,250.00						
01-1198001	Credit Card Convenience Fee	8,611.86	3,000.00	10,523.36	5,000.00	9,883.27	30,000.00	30,000.00	7,500.00	1%		
01-1515001	Camping Fees	14,069.00	15,998.00	14,100.01	15,000.00	10,460.00	9,196.67	15,500.00	15,500.00			
01-1535001	Boat Rental	37,565.99	27,500.00	34,252.00	24,000.00	23,035.00	20,528.75	33,000.00	33,000.00			
01-1538001	Kayak Storage	600.00	450.00	875.00	600.00	1,100.00	1,200.00	1,200.00	1,200.00			
01-1539001	Boat Slip Rental	4,675.00	6,025.00	4,355.00	6,000.00	350.00	1,000.00	1,000.00	4,000.00			
01-1540001	Fines Collected	4,770.00	105.00	2,050.00	7,075.00	2,635.00	4,001.05	6,500.00	4,000.00			
01-1593001	Golf Cart Registration	2,325.00	2,275.00	6,860.00	6,750.00	6,750.00	6,625.00	6,525.00	6,700.00			\$ 15.00
01-1594001	Golf Cart Storage - Trade	3,250.00	3,125.00	3,875.00	3,750.00	3,450.00	3,405.77	4,025.00	4,025.00			
01-1700001	Fish Stocking	2,974.81	2,500.00	330.00		488.00			1,500.00			
Total		3,144,847.10	2,678,522.00	4,482,841.23	3,138,117.00	2,299,048.41	2,287,390.81	3,826,429.00	3,373,940.00			3,528,429.00 \$ 0.00
01-5025001	Department Wages	385,488.68	409,282.00	365,633.47	450,703.00	222,123.33	229,079.66	382,708.00	450,016.32	+1 Member Service		
01-5026001	Overtime Wages	5,968.28		1,927.93		1,887.32			6,517.16	6.517.16		
01-5050001	Payroll Taxes	32,524.70	32,742.00	30,243.91	30,036.00	17,212.98	19,471.78	33,380.18	34,715.39	8629 hrs @ 6 months		
01-5051001	Rules & Regs Comm Recording Secretary	1,210.00	1,320.00	1,320.00	1,320.00							
01-5052001	Conservation Comm Recording Secretary	1,130.00	1,320.00	1,100.00	1,320.00							
01-5053001	Board & Annual Meeting Recording Secretary	1,750.00	2,250.00	1,500.00	1,750.00	1,000.00	1,157.15	1,800.00	1,800.00			
01-5060001	Contract Labor		860.00	10,424.00		23,457.50	19,174.00	32,884.00	34,150.00			
01-6100001	Recruitment Expenses	5,136.80	500.00	28,109.78	500.00	7,754.77	190.68	500.00	500.00			
01-5119001	Christmas Party & Employee Team Building	1,561.42	4,000.00	4,908.47	4,000.00	28.93	1,050.00	4,000.00	5,000.00			
01-5120001	Employee Dental/Eye/Life/STD/LTD	6,582.38	9,188.00	(785.91)	8,174.90	298.53	4,774.70	8,185.20	9,600.00			
01-6121001	Employee Health Insurance	44,066.42	58,844.00	72,218.69	68,026.40	22,138.51	37,478.42	64,248.72	81,500.00			
01-5122001	Retirement 401(k)	10,805.00	12,000.00	10,505.28	13,521.09	3,516.19	3,850.00	8,599.99	8,000.00			
01-5124001	Employee Health Insurance Contribution	(5,486.69)	(11,880.00)	(5,582.76)	(11,737.70)	(4,806.41)	(6,073.34)	(10,411.46)	(13,000.00)			
01-5125001	Vacation Earned			37,305.39								
01-5190001	Uniforms/Name Tags	1,145.82	500.00	902.80	600.00	34.44	750.00	750.00	1,000.00			
01-5172001	Conf/Training Registration Fee	40.00	3,500.00	4,894.00	6,000.00		2,333.33	3,500.00	1,600.00	Largestsize HOA		
01-5173001	Travel Expenses	1,918.67	2,100.00	2,342.95	250.00	301.80	260.00	250.00	3,400.00	Dam Owners		
01-5174001	Reference & Training Material	23.35										
01-5190001	Credit Card Fees	29,935.79	19,000.00	43,364.79	26,000.00	34,821.62	19,628.06	30,000.00	40,000.00			
01-5193001	Subscriptions, Manuals, Magazines	318.31	425.00	1,202.69		397.82						
01-5194001	Memberships & Dues	2,147.00	2,100.00	1,541.88	2,100.00	1,489.00	1,571.42	2,199.99	2,300.00			
01-5200001	Furniture, Fixture & Equipment	2,616.20	3,000.00	5,203.61	3,000.00	1,695.25	1,750.00	3,000.00	4,000.00	Carpet Cleaning		
01-5240001	Registration Expenses	8,734.02	9,500.00	7,795.11	11,500.00	(739.80)		9,500.00	9,500.00			
01-5245001	Maps	1,320.10	100.00						1,500.00			
01-5290001	Office Supplies	6,785.89	5,000.00	3,396.08	8,500.00	2,521.61	3,650.00	8,500.00	8,500.00			
01-5290001	General Supplies	148.84	1,100.00	1,329.88	1,000.00	1,347.93	487.50	750.00	850.00			
01-5281001	Banking Fees	76.61		117.84		(298.35)						
01-5295001	Mainline General Merchandise			11,142.25								
01-5450001	Gift Certificates - Donated			135.00		25.00						
01-5458001	Postage	1,683.03	13,000.00	3,797.19	10,000.00	4,202.84	7,500.00	10,000.00	13,000.00			
01-5459001	Office-Postage Machine	803.92	1,515.00	2,190.14	1,515.00	834.81	1,350.00	1,515.00	1,600.00			
01-5460001	Accounting Services	7,102.43	8,000.00	6,287.57	6,000.00	4,239.89	3,658.41	8,000.00	8,000.00			
01-5491001	Fireworks	18,211.48	8,000.00	42,318.43	14,000.00	35,245.81	39,458.00	67,838.00	51,000.00			
01-5650001	Licenses & Permits			36.00	100.00		100.00	100.00	200.00			
01-5672001	Floral & Memorials	250.00	400.00	210.93	400.00		400.00	400.00	400.00			
01-5673001	Plaques, Gifts, Awards, etc.	1,390.98	800.00	440.73	600.00	75.00	600.00	600.00	600.00			
01-5674001	Food & Beverages	7,013.63	5,000.00	6,164.54	5,000.00	3,645.48	2,531.78	5,000.00	6,000.00			
01-5682001	Software Annual Fee	53,626.98	51,390.00	58,700.62	50,484.00	33,866.00	32,412.06	57,000.01	60,000.00			
01-5684001	Computer & Networking	10,698.80	13,000.00	9,369.28	13,000.00							

02-4218001	Garage Sales	570.00	2,600.04	489.20	600.00	540.00	600.00	600.00	500.00
02-4220001	Pinewood Derby	525.00	500.04	120.00	500.00	582.00	500.00	500.00	500.00
02-4221001	Kids Activities	1,260.00	2,499.96	911.45	1,500.00	1,040.00	2,500.00	2,500.00	1,000.00
02-4223001	Farm to Table Dinner	3,392.00	3,999.96	3,710.00	4,500.00	-	711.11	5,000.00	4,000.00
02-4224001	Haunted Trail	2,256.25	2,499.96	-	2,500.00	-	-	-	-
02-4226001	Open Air Concerts	-	2,499.96	1,000.00	-	500.00	5,000.00	5,000.00	1,000.00
02-4227001	Other Unscheduled Events	251.17	500.04	600.00	1,000.00	80.00	2,149.15	2,500.00	250.00
02-4228001	Trail Trekker/SK	4,100.00	7,500.00	2,430.00	3,400.00	4,885.00	2,513.42	3,000.00	4,000.00
02-4229001	Food Truck/Farmers Market	-	-	-	500.00	-	-	-	-
02-4230001	Clubhouse Rentals	2,226.00	3,075.00	1,275.00	2,500.00	1,875.00	1,300.00	2,600.00	3,000.00
02-4245001	Weddings/Receptions (1-250)	-	1,050.00	-	900.00	-	450.00	900.00	-
02-4246001	Gazebo Rentals	-	249.98	-	250.00	-	-	-	-
02-4248001	Employee Rental	-	75.00	-	-	-	50.00	50.00	-
Total		128,651.58	155,030.00	143,087.21	147,150.00	109,922.98	115,770.90	169,650.00	169,650.00

Move to Dep 01

02-5025001	Department Wages	117,910.35	108,231.96	115,428.65	130,689.00	41,248.94	63,591.50	109,014.00	113,374.56
02-5026001	Overtime Wages	3,760.58	-	4,858.96	-	351.00	-	-	3,571.54
02-5050001	Payroll Taxes	9,676.39	8,892.00	10,005.13	10,643.00	3,234.86	5,040.80	8,627.00	9,160.00
02-5100001	Recruitment Expenses	215.34	89.98	2.20	-	-	-	-	-
02-5120001	Employee Dental/Eye/Life/STD/LTD	1,249.08	1,358.04	1,832.99	2,712.00	469.90	1,396.47	2,342.57	1,358.04
02-5121001	Employee Health Insurance	13,628.78	15,120.00	12,022.31	14,880.00	5,195.93	4,889.23	8,038.66	8,443.00
02-5122001	Retirement 401(k)	2,697.25	2,160.00	-	2,399.74	2,780.00	953.56	1,737.42	3,000.00
02-5124001	Employee Health Insurance Contribution	(3,059.51)	(3,120.00)	(2,695.38)	(2,073.00)	(927.60)	(1,051.69)	(1,870.04)	(1,710.43)
02-5150001	Uniforms/Name Tags	209.74	398.96	103.98	600.00	149.05	600.00	600.00	400.00
02-5172001	Cert/Training Registration Fee	1,027.08	2,000.04	1,923.27	2,200.00	-	2,200.00	2,200.00	1,000.00
02-5173001	Travel Expenses	973.02	500.04	728.70	900.00	92.45	541.66	649.99	500.00
02-5174001	Reference & Training Material	78.00	399.96	-	-	-	-	-	-
02-5190001	Credit Card Fees - FH	-	2,900.04	266.05	-	829.83	-	-	500.00
02-5193001	Subscriptions, Manuals, Magazines	1,682.50	999.96	1,813.85	1,015.81	1,199.52	191.95	1,500.00	1,500.00
02-5194001	Memberships & Dues	50.00	350.04	-	350.00	-	-	-	-
02-5196001	Club House F/F/E	87.30	500.00	2,515.87	500.00	87.94	54.98	500.00	500.00
02-5199001	Kitchen Equipment F/F/E	216.76	500.00	12.88	500.00	16.10	441.22	750.00	500.00
02-5200001	Furniture, Fixture & Equipment	3,584.47	2,500.00	3,260.75	3,500.00	1,403.23	2,626.14	3,500.00	1,500.00
02-5260001	Office Supplies	509.06	999.96	392.91	750.00	140.87	459.22	750.00	500.00
02-5280001	General Supplies	1,110.20	1,650.00	430.24	1,500.00	493.01	468.20	1,600.00	500.00
02-5386001	ACL Community Book	7,041.16	8,600.04	17,414.82	8,800.00	-	6,769.42	7,400.00	8,000.00
02-5387001	Service Directory	7,644.76	9,300.00	10,193.84	9,300.00	10,658.03	10,500.01	10,500.00	10,500.00
02-5389001	Photo Contest/Calendar	2,981.47	4,449.96	10,490.06	4,450.00	-	4,029.26	4,450.00	5,000.00
02-5391001	Information Kiosk	12.97	-	-	-	-	-	-	-
02-5392001	Communications & Marketing	4,876.47	8,989.96	11,373.54	7,000.00	8,289.30	4,366.00	7,000.00	7,000.00
02-5393001	Apple Core-Postage	14,548.43	9,000.00	17,474.89	12,000.00	9,171.49	9,607.20	14,000.00	17,000.00
02-5394001	Apple Core-Commission	13,965.04	14,000.04	25,435.97	14,000.00	13,457.31	11,940.32	20,000.01	22,000.00
02-5395001	Website-Commission	2,096.10	2,000.04	2,100.75	3,200.00	1,478.40	2,352.24	3,200.00	2,400.00
02-5396001	Website-Internet Expenses	1,306.45	1,800.00	1,289.59	1,800.00	803.64	690.91	1,800.00	1,600.00
02-5397001	AC Graphic Design/Production	8,113.00	4,200.00	7,551.40	5,000.00	4,590.00	5,279.34	7,500.00	9,000.00
02-5398001	AC Printing Services	23,854.88	24,999.96	31,182.49	25,000.00	14,812.39	18,708.07	27,000.00	27,000.00
02-5399001	Advertising	-	-	1,363.00	-	-	-	-	-
02-5475001	Trail Trekkers/ SK	4,100.00	5,000.04	3,110.00	3,400.00	2,715.61	1,639.28	3,400.00	4,000.00
02-5483001	Pinewood Derby	304.76	425.04	97.82	425.00	276.01	425.00	425.00	425.00
02-5485001	Garage Sales	325.00	1,300.00	208.33	300.00	228.80	300.00	300.00	300.00
02-5487001	Volunteer Appreciation	3,423.27	2,000.00	803.13	3,000.00	-	155.99	3,000.00	3,500.00
02-5488001	Farm to Table Dinner	4,550.80	1,500.00	5,717.28	3,000.00	-	241.73	5,000.00	4,000.00
02-5489001	Open Air Concerts	3,300.00	2,500.00	5,600.00	3,500.00	5,425.00	4,772.71	4,999.99	5,000.00
02-5490001	Haunted Trail	2,868.26	2,000.00	-	2,000.00	-	-	-	-
02-5492001	Kids Activities	605.44	1,000.00	889.18	1,500.00	732.52	1,230.38	2,500.00	1,000.00
02-5493001	Other-Unscheduled	839.81	500.04	1,989.90	1,000.00	1,226.65	900.00	1,500.00	1,500.00
02-5495001	Social/Recreation Expenses	-	16,224.96	107.96	-	(107.96)	-	-	-
02-5496001	Fitness Center, Tennis Courts, Archery Range	587.28	699.96	884.32	1,000.00	455.86	583.31	1,000.00	1,000.00
02-5499001	Clubhouse Rental Sec Deposit	-	1,200.00	425.00	-	-	-	-	-
02-5645001	Music Licenses	1,112.00	-	1,325.25	1,300.00	1,422.00	1,300.00	1,300.00	1,500.00
02-5648001	Liquor Licenses	500.00	1,200.00	-	-	400.00	-	-	500.00
02-5709001	Ice Cream Social - DF	-	-	1,338.77	-	-	-	-	-
02-5863001	Designated Fund - Fireworks	-	-	16,800.00	-	8,000.00	-	-	10,000.00
Total		262,213.33	352,682.00	330,114.92	281,301.81	136,734.79	173,910.28	267,627.22	282,128.21
Loss		(133,561.75)	(197,662.00)	(167,026.81)	(134,151.81)	(26,811.81)	(68,139.38)	(97,977.22)	(112,775.21)

Account #	Account Name	2022 Actual	2022 Budget	2023 Actual	2023 Budget	2024 Actual	2024 Budget	2024 Budget	2025 Budget
03-4287001	03-Building								
03-4288001	Permits - Accessory Structures	649.60	3,998.96	-	5,000.00	-	-	-	-
03-4289001	Permits - Demolition & Shoreline	40.00	86.96	10.00	-	98.00	-	-	-
03-4290001	Permits-Driveways	80.00	39.96	50.00	-	70.00	-	-	-
03-4291001	Permits - General	3,755.20	5,700.00	5,751.80	1,200.00	3,222.20	2,468.25	5,000.00	5,000.00
03-4292001	Permits - New Homes	3,000.00	2,000.04	6,325.00	2,000.00	4,650.00	2,000.00	2,000.00	2,000.00
03-4296001	Environment Impact Fees	1,000.00	2,000.04	-	2,000.00	-	2,000.00	2,000.00	2,000.00
03-4299001	GIS - New Homes	-	850.00	-	850.00	-	850.00	850.00	850.00
Total		8,405.80	14,488.96	12,136.80	10,850.00	8,040.20	7,118.25	9,650.00	9,650.00
03-5025001	Department Wages	26,496.83	27,999.96	31,452.88	30,000.00	16,940.28	17,892.05	31,200.00	32,448.00
03-5050001	Payroll Taxes	2,414.84	2,450.00	2,845.82	2,601.79	1,435.84	1,542.23	2,496.01	2,695.81
03-5057001	Septic Inspection	-	2,000.04	-	2,000.00	-	-	-	-
03-5150001	Uniforms/Name Tags	207.12	99.96	-	150.00	11.50	-	150.00	150.00
03-5172001	Cert/Training Registration Fee	-	125.04	-	125.00	-	50.00	125.00	125.00
03-5173001	Travel Expenses	-	174.88	-	175.00	-	100.00	175.00	175.00
03-5174001	Reference & Training Material	23.35	99.96	-	100.00	-	100.00	100.00	100.00
03-5194001	Memberships & Dues	270.00	399.96	270.00	400.00	-	-	400.00	400.00
03-5200001	Furniture, Fixture & Equipment	321.80	300.00	-	-	-	200.00	200.00	200.00
03-5260001	Office Supplies	232.16	200.00	290.98	500.00	357.69	60.09	500.00	600.00
03-5280001	General Supplies	40.77	-	-	-	-	-	-	-
Total		32,008.97	33,889.80	34,659.48	36,051.79	18,745.11	20,064.37	36,346.01	36,793.85
Loss		(23,601.47)	(19,399.92)	(22,522.68)	(25,201.79)	(10,704.91)	(12,966.12)	(25,696.01)	(27,143.85)

Account #	Account Name	2022 Actual	2022 Budget	2023 Actual	2023 Budget	2024 Actual	2024 Budget	2024 Budget	2025 Budget
04-4680001	Soil Sediment	3,048.14	2,000.04	966.05	-	293.72	-	-	500.00
04-4700001	Fish Stocking Donations	-	-	1,384.01	-	-	-	-	1,000.00
04-4701001	NRCS Grant	5,383.00	-	4,308.40	-	-	3,500.00	6,000.00	-
04-4701003	Grants - R&R	-	-	71,549.47	-	-	-	-	-
Total		8,431.14	2,000.04	78,186.83	-	293.72	3,500.00	6,000.00	1,500.00
04-5025001	Department Wages	391,379.22	435,569.04	435,939.84	470,302.00	275,795.68	288,753.76	502,881.00	541,746.24
04-5026001	Overtime Wages	10,228.99	-	9,318.14	-	3,883.81	-	-	-
04-5050001	Payroll Taxes	34,896.60	41,430.96	35,723.87	33,691.79	22,424.23	23,826.39	40,230.49	41,839.71
04-5080001	Contract Labor	11,244.90	18,000.00	7,964.80	19,000.00	1,500.00	-	13,000.00	110,000.00
04-5100001	Recruitment Expenses	-	249.96	-	250.00	-	-	-	-
04-5120001	Employee Dental/Eye/Life/STD/LTD	11,308.44	12,024.00	11,168.77	13,539.00	6,722.76	8,447.00	14,212.80	17,466.00
04-5121001	Employee Health Insurance	97,279.07	129,960.00	94,770.32	139,452.00	82,857.63	55,262.68	105,273.48	111,216.60
04-5122001	Retirement 401(k)	4,786.87	6,000.00	4,275.38	9,475.00	4,107.37	7,000.00	7,000.00	8,500.00
04-5124001	Employee Health Insurance Contribution	(3,521.61)	(35,040.00)	(26,771.15)	(38,399.05)	(15,170.40)	(20,230.45)	(34,111.41)	(36,738.81)
04-5150001	Uniforms/Name Tags	3,531.32	3,000.00	2,249.96	3,500.00	1,351.00	3,428.57	3,749.98	4,000.00
04-5172001	Cert/Training Registration Fee	-	999.96	788.62	1,200.00	390.00	650.00	1,300.00	1,300.00

04-5512001	Nixon Beach Grounds Maintenance	10,880.98	2,000.04	2,794.14	1,500.00	4,889.05	1,030.55	1,500.00	1,500.00
04-5513001	Fish House Grounds Maintenance	-	999.96	7,982.24	1,000.00	460.00	-	-	1,000.00
04-5514001	Recycling Center Grounds Maintenance	-	500.04	-	500.00	-	-	-	-
04-5516001	Cove Grounds Maintenance	1,679.00	3,000.00	-	-	-	-	-	-
04-5518001	Lake/Dock Maintenance	2,410.79	3,999.96	2,526.94	5,000.00	10,449.13	385.69	3,600.00	15,000.00
04-5519001	Trails/Parking Lots Maintenance	8,616.16	15,000.00	28,147.65	15,000.00	10,922.91	4,497.57	17,000.01	17,000.00
04-5520001	Road Maintenance	21,572.47	20,000.04	24,016.42	25,000.00	16,955.24	10,150.00	17,500.00	25,000.00
04-5521001	Campround Grounds Maintenance	2,821.25	1,500.00	3,849.99	2,500.00	2,799.02	2,780.00	3,000.00	3,500.00
04-5522001	Chamicals - Lake & Land	14,818.21	12,000.00	4,252.50	20,000.00	71,888.94	87,300.00	87,300.00	7,500.00
04-5523001	Greenways Maintenance	-	500.04	1,328.00	-	-	385.00	500.00	500.00
04-5528001	Pest Control In Buildings	4,314.00	3,399.96	5,728.00	3,700.00	2,635.00	2,888.57	5,000.01	5,300.00
04-5537001	K&S Building Maintenance	30.24	999.96	64.65	1,000.00	-	-	-	100.00
04-5541001	Security Offices Building Maintenance	2,074.45	600.00	97.52	800.00	-	27.01	913.70	1,000.00
04-5542001	Clubhouse/Office Building Maintenance	3,887.70	2,400.00	15,105.14	2,400.00	980.92	4,388.42	14,000.00	12,000.00
04-5543001	Annex/Pool Building Maintenance	789.54	1,500.00	2,472.67	1,500.00	-	983.29	1,500.00	1,500.00
04-5544001	Maintenance Shop Maintenance	5,880.87	2,100.00	400.68	2,200.00	859.31	1,283.31	2,200.00	2,200.00
04-5545001	Campround Bathhouse Maintenance	1,604.36	2,199.65	713.74	2,100.00	1,030.06	1,600.00	2,100.00	2,500.00
04-5546001	Cove Building Maintenance	2,450.90	3,200.04	-	-	-	-	-	-
04-5548001	Nixon Beach Pavilion Maintenance	1,058.70	989.96	73.70	1,000.00	(15.14)	69.07	830.94	1,000.00
04-5549001	Misc. Building Maintenance	4,033.75	3,999.96	3,083.45	4,000.00	1,412.15	3,458.08	4,000.00	1,000.00
04-6551001	Observation Tower Maintenance	-	399.96	-	400.00	-	-	400.00	5,000.00
04-5570001	Security Vehicle Maintenance	5,107.63	3,999.96	8,756.25	4,000.00	10,194.99	3,500.00	6,000.00	10,000.00
04-5572001	Maintenance Vehicle Maintenance	8,608.66	10,500.00	11,589.89	10,600.00	5,130.12	8,126.00	10,500.00	12,500.00
04-5573001	GM/Staff Vehicle Maintenance	-	99.96	2,868.07	10,100.00	1,488.40	500.00	500.00	1,500.00
04-5563001	GM/Staff Vehicle Gas & Oil	349.05	249.96	939.83	250.00	447.27	194.78	450.00	1,000.00
04-5597001	Maintenance Gas & Oil	50,827.97	36,000.00	41,719.04	38,000.00	24,562.78	24,400.79	47,500.02	40,000.00
04-5588001	Security Gas & Oil	21,675.38	16,000.00	15,483.77	18,000.00	10,538.65	14,606.12	24,999.99	20,000.00
04-5838001	Lake Sediment Pond	-	5,000.04	4,500.00	6,000.00	-	-	-	10,000.00
04-5837001	Lake Monitoring Supplies	3,668.83	500.04	1,250.32	500.00	(34.91)	600.00	1,500.00	1,500.00
04-5838001	Licenses & Permit	103.88	99.96	26.00	100.00	-	-	200.00	250.00
04-5839001	Crane Contract Labor	4,927.00	4,599.96	-	10,000.00	-	-	-	-
04-5843001	Gas/Oil - Dredge	1,486.89	6,999.96	-	7,000.00	-	-	-	-
04-5844001	Dredge Maintenance	1,555.05	7,500.00	620.87	5,000.00	328.62	-	-	-
04-5846001	Lake Water Testing	-	999.96	-	2,000.00	-	2,000.00	2,000.00	-
04-5871001	Fish Restocking/Management	12,372.50	9,999.96	10,790.00	10,000.00	-	-	10,000.00	10,000.00
04-5872001	Dam Inspection	2,750.00	2,499.96	3,250.00	2,750.00	-	-	2,750.00	3,250.00
04-5899001	NRCS Grant	2,088.41	-	-	-	141.13	-	-	-
04-5891001	Lake/Watershed Testing	5,292.67	3,000.00	7,114.93	4,500.00	3,217.70	9,000.00	9,000.00	10,000.00
Total		782,089.55	851,093.44	838,508.98	930,737.74	572,145.16	558,493.31	981,786.42	1,073,831.74
Loss		(783,638.41)	(849,083.40)	(780,320.05)	(930,737.74)	(571,851.44)	(554,993.31)	(975,786.42)	(1,072,431.74)

Account #	Account Name	2022 Actual	2022 Budget	2023 Actual	2023 Budget	2024 Actual	2024 Budget	2024 Budget	2025 Budget
05-4301001	05-Solid Waste & Recycling	-	-	-	-	(7 months)	(7 months)	-	-
05-4303001	Property Owner Trash Assessment	112,950.00	111,840.00	122,490.00	121,880.00	71,265.00	71,338.91	121,809.97	123,000.00
05-4395001	Scrap Metal Income	-	-	-	-	570.60	-	-	-
05-4395001	Large Item Disposal	4,140.00	4,164.98	4,050.00	2,400.00	2,866.00	2,600.00	4,000.00	4,000.00
Total		117,090.00	116,004.98	126,540.00	124,080.00	74,800.60	73,938.91	125,809.97	127,000.00
05-5025001	Department Wages	14,052.90	13,155.96	14,207.76	14,188.00	6,281.74	10,232.50	17,929.01	18,000.00
05-5050001	Payroll Taxes	1,398.65	1,296.04	1,391.00	1,354.00	568.07	1,008.62	1,789.01	1,800.00
05-5150001	Uniforms/Name Tags	120.77	99.96	-	125.00	222.54	175.00	175.00	250.00
05-5200001	Furniture, Fixture & Equipment	107.27	99.96	48.85	100.00	-	-	150.00	100.00
05-5625001	Scavenger Services	53,563.82	42,000.00	80,357.86	46,000.00	34,229.21	33,229.19	55,000.03	55,000.00
Total		69,266.41	66,650.92	76,006.29	63,747.00	41,279.56	44,643.31	75,043.05	76,160.00
Profit		47,829.68	59,354.04	50,533.71	60,333.00	33,521.04	29,296.60	50,786.92	51,850.00

Account #	Account Name	2022 Actual	2022 Budget	2023 Actual	2023 Budget	2024 Actual	2024 Budget	2024 Budget	2025 Budget
06-45SD		-	-	-	-	(7 months)	(7 months)	-	-
06-4178001	Vending - Candy/Pop	-	-	785.95	-	-	-	-	-
06-4179001	Counter Sales Heat Lamps	963.68	750.00	177.15	750.00	325.84	300.00	750.00	500.00
06-4200001	Heat Lamps Program Fees	7,800.00	9,000.00	7,400.00	8,100.00	7,300.00	7,200.00	8,100.00	7,500.00
06-4513001	Misc Sales/Vending	-	-	(10.00)	-	-	-	-	-
Total		8,783.68	9,750.00	8,333.10	8,850.00	7,625.84	7,500.00	8,850.00	8,950.00

Account #	Account Name	2022 Actual	2022 Budget	2023 Actual	2023 Budget	2024 Actual	2024 Budget	2024 Budget	2025 Budget
06-5025001	Department Wages	295,473.83	261,884.00	319,724.77	277,942.00	211,544.67	167,381.46	308,999.99	319,279.99
06-5026001	Overtime Wages	9,293.88	-	15,413.97	-	9,484.02	-	-	12,000.00
06-5050001	Payroll Taxes	25,828.83	23,711.04	26,941.12	24,675.67	17,874.00	16,546.49	27,829.99	28,735.19
06-5120001	Employee Dental/Eye/Life/STD/LTD	5,939.67	5,376.00	4,874.20	6,480.00	2,824.12	5,184.55	8,867.80	9,322.20
06-5121001	Employee Health Insurance	41,280.77	51,720.00	53,148.81	60,266.00	40,157.88	42,167.44	72,286.00	76,160.00
06-5122001	Retirement 401(k)	2,305.47	1,538.00	3,282.26	4,686.00	2,089.54	1,963.81	4,498.99	3,353.00
06-5124001	Employee Health Insurance Contribution	(12,914.37)	(17,040.00)	(17,584.50)	(12,014.00)	(8,847.85)	(11,475.22)	(20,830.00)	(20,047.00)
06-5150001	Uniforms/Name Tags	2,818.63	2,499.96	2,275.52	2,000.00	1,920.07	2,250.00	2,500.00	3,500.00
06-5169001	EMS Conference/Training	-	1,899.96	141.68	1,500.00	303.88	-	1,500.00	1,800.00
06-5170001	EMS Travel Expenses	-	1,200.00	224.48	1,000.00	101.77	-	1,000.00	1,200.00
06-5172001	Conf/Training Registration Fee	224.74	200.04	492.07	200.00	-	200.00	200.00	-
06-5173001	Travel Expenses	271.20	200.04	36.81	200.00	-	144.89	200.00	-
06-5174001	Reference & Training Material	23.35	99.96	-	100.00	-	100.00	100.00	-
06-5193001	Subscriptions, incl. Cameras	2,150.51	2,700.00	3,857.51	2,400.00	2,927.00	2,654.40	3,000.00	5,000.00
06-5194001	Memberships & Dues	1,853.45	1,859.96	2,087.45	2,000.00	3,543.65	3,529.33	4,480.01	3,000.00
06-5196001	EMS FFF/E	1,123.89	999.96	2,916.11	1,000.00	-	-	-	-
06-5200001	FFE, incl AED's	781.96	999.96	3,309.13	1,000.00	1,268.84	2,250.00	3,000.00	11,000.00
06-5248001	Heat Lamps	586.36	200.04	222.84	200.00	813.81	-	250.00	250.00
06-5250001	S250 Counter Sales	-	200.04	806.20	-	-	-	-	-
06-5260001	Office Supplies	1,054.11	600.00	193.51	500.00	194.91	291.69	500.00	600.00
06-5280001	General Supplies	616.48	999.96	758.68	1,000.00	323.18	750.00	1,000.00	1,000.00
06-5282001	EMS General Supplies	557.96	3,000.00	1,335.68	2,000.00	1,390.79	1,250.00	2,000.00	3,000.00
06-5503001	Security Equip, incl Radars	-	-	-	-	428.82	435.50	750.00	1,000.00
Total		378,946.71	344,746.92	424,216.29	377,135.67	287,132.10	235,554.14	420,124.77	455,271.43
Loss		(370,163.03)	(334,995.92)	(415,883.19)	(368,285.67)	(279,508.26)	(228,054.14)	(411,274.77)	(447,271.43)

Account #	Account Name	2022 Actual	2022 Budget	2023 Actual	2023 Budget	2024 Actual	2024 Budget	2024 Budget	2025 Budget
07-PRO Shop F&B		-	-	-	-	(7 months)	(7 months)	-	-
07-4193001	Credit Card Convenience Fee	-	-	-	-	2,233.81	14,000.00	24,000.00	4,000.00
07-4570001	Property Owner @ Hotes	55,750.00	52,820.96	13,558.00	-	-	-	-	-
07-4578001	Daily Cart Rental @ Hotes WD	37,230.00	24,089.00	9,437.00	-	-	-	-	-
07-4584001	Special Events	9,821.00	12,750.00	30.00	-	140.00	600.00	1,000.00	-
07-4585001	Season Pass Property Owner	33,868.13	34,560.04	-	-	-	-	-	-
07-4586001	Season Pass Non Property Owner	5,768.12	3,500.04	-	-	-	-	-	-
07-4587001	Season Pass Corporate	12,000.00	16,000.00	-	-	-	-	-	-
07-4588001	Season Pass Junior Age 10-16	900.00	600.04	-	-	-	-	-	-
07-4589001	Golf Cart Storage - Outside	450.00	1,100.04	-	-	-	-	-	-
07-4625001	Golf Advertising	1,000.00	960.04	-	-	-	-	-	-
07-4635001	Pro Shop Food	184,848.29	102,999.96	207,968.41	135,000.00	152,228.04	114,810.98	200,000.00	220,000.00
07-4638001	Pro Shop Non Alcoholic Beverages	10,844.21	12,000.00	14,831.16	7,600.00	9,809.37	6,114.69	10,499.99	11,550.00
07-4637001	Pro Shop Beer	82,947.13	48,999.96	83,091.48	51,000.00	56,281.81	44,383.47	75,000.00	82,500.00
07-4638001	Pro Shop Wine	3,422.15	4,100.04	3,668.35	3,000.00	2,331.20	1,682.13	3,000.00	3,300.00
07-4639001	Pro Shop Liquor	60,505.87	35,999.96	57,838.05	43,000.00	47,369.03	30,272.97	50,000.00	55,000.00
07-4642001	Proshop Merchandise	10,886.04	8,499.96	11,810.59	10,000.00	4,243.58	6,148.36	10,000.00	10,000.00
Total		490,620.74	382,956.04	40					

10-Pool				(7 months)		(7 months)			
10-4495001	Pool Parties	2,080.00	2,000.04	1,525.00	2,000.00	875.00	900.00	1,500.00	1,500.00
10-4467001	Swimming Lessons	2,795.00	2,525.04	1,042.22	2,525.00	2,838.00	2,525.00	2,525.00	3,000.00
10-4488001	Aqua Events	517.00	3,000.00	1,192.50	2,200.00	755.00	2,200.00	2,200.00	1,200.00
10-4488001	Lifeguard Class	1,200.00	999.96	750.00	1,200.00	1,850.00	1,000.00	1,000.00	1,000.00
10-4500001	Pool Parties & Lessons	-	-	920.00	-	-	-	-	-
Total		6,572.00	8,525.04	5,469.72	7,925.00	6,318.00	6,625.00	7,225.00	6,700.00
									\$ 7,225.00 \$ 0.00
10-6029001	Department Wages	105,295.11	96,438.04	94,068.15	103,681.00	62,964.89	78,211.69	114,888.00	80,000.00
10-5028001	Overtime Wages	2,862.61	-	3,487.76	-	1,289.59	-	-	1,000.00
10-5050001	Payroll Taxes	9,363.71	8,684.00	9,634.98	7,258.00	4,781.51	6,721.45	10,103.00	10,103.00
10-5100001	Recruitment Expenses	-	200.00	-	200.00	-	2,000.00	-	-
10-6150001	Uniforms/Name Tags	1,972.13	2,000.00	1,335.89	2,000.00	1,490.78	-	2,000.00	2,000.00
10-5172001	Conf/Training Registration Fee	48.48	1,000.00	450.00	500.00	-	-	500.00	600.00
10-5173001	Travel Expenses	165.00	1,000.00	567.84	500.00	313.42	150.00	500.00	500.00
10-5174001	Reference & Training Material	0.20	200.00	-	200.00	-	200.00	200.00	-
10-5194001	Memberships & Dues	-	25.00	89.00	350.00	89.00	-	350.00	350.00
10-5200001	Furniture, Fixture & Equipment	2,332.80	100.00	2,386.87	1,500.00	1,616.25	1,000.00	1,500.00	6,000.00
10-5257001	Pool Office Supplies	-	2,499.98	60.53	-	-	58.31	-	-
10-5260001	Office Supplies	7.93	100.00	-	100.00	-	-	99.86	100.00
10-5280001	General Supplies	613.78	399.96	256.92	300.00	447.77	237.90	300.00	500.00
10-5359001	Lifeguard Class	-	600.00	-	500.00	72.93	500.00	500.00	500.00
10-5360001	Aqua Events	1,017.88	2,199.98	450.00	-	802.99	-	-	1,000.00
10-5362001	Pool Chemicals	12,406.19	12,000.00	10,006.40	12,000.00	22,179.41	14,166.66	18,999.99	24,000.00
10-5365001	Pool Structure & Pump Room	14,948.30	3,999.98	5,183.72	5,000.00	3,255.07	5,600.00	7,000.00	7,000.00
10-5495001	Social/Recreation Expenses	-	-	2,145.72	2,200.00	-	2,200.00	2,200.00	-
10-5501001	Maintenance Equipment - Pool	-	-	1,684.87	-	257.51	-	-	500.00
10-5517001	Pool/Annex Grounds Maintenance	699.50	2,499.96	705.34	1,500.00	1,927.34	1,500.00	1,500.00	1,500.00
10-5650001	Licenses & Permits	1,108.75	1,200.00	1,206.75	1,200.00	818.00	1,200.00	1,200.00	1,200.00
10-5796001	Water	394.02	3,125.04	2,815.51	2,000.00	718.29	383.11	599.99	800.00
10-5797001	Propane	8,547.73	12,000.00	9,926.59	9,000.00	6,035.31	7,036.64	9,000.00	9,300.00
10-5810001	Commercial Property Insurance	-	-	-	-	-	-	-	3,850.00
Total		162,980.09	152,271.88	155,452.62	149,889.00	109,039.04	121,165.98	169,240.84	158,828.21
Loss		(156,408.09)	(143,746.84)	(149,982.90)	(142,064.00)	(102,721.04)	(114,540.96)	(162,015.94)	(151,928.21)
									\$ 169,240.84 \$ 0.00
									(\$ 162,015.94) \$ 0.00

Account #	Account Name	2022 Actual	2022 Budget	2023 Actual	2023 Budget	2024 Actual	2024 Budget	2024 Budget	2025 Budget
01-4134001	Land Rent	-	-	-	-	-	-	-	18,000.00
11-4625001	Cove Advertising	-	-	(271.60)	-	-	-	-	-
11-4635001	Cove Food	-	-	269,407.81	-	-	-	-	-
11-4836001	Cove Non Alcoholic Beverages	-	-	9,703.45	-	-	-	-	-
11-4837001	Cove Beer	-	-	801.58	-	-	-	-	-
11-4838001	Cove Wine & Liquor	-	-	108,172.08	-	-	-	-	-
11-4842001	Cove Merchandise	-	-	15,146.49	-	-	-	-	-
11-4649001	Cove-Cash Over/Short	-	-	(5,484.43)	-	-	-	-	-
11-4650001	Special Event - Bar	-	-	3,840.85	-	-	-	-	-
11-4655001	Special Event - Catering	-	-	2,003.95	-	-	-	-	-
Total		\$ 0.00	\$ 0.00	\$ 393,740.26	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	18,000.00
									\$ 0.00 \$ 0.00

11-5023001	Janitorial Wages	-	-	8,934.00	-	-	-	-	-
11-5025001	Department Wages	-	-	267,819.44	-	1,000.00	-	-	-
11-5028001	Overtime Wages	-	-	73,641.31	-	-	-	-	-
11-5050001	Payroll Taxes	-	-	33,082.37	-	-	-	-	-
11-5057001	Septice Inspection	-	-	-	-	-	2,000.00	2,000.00	2,000.00
11-5100001	Recruitment Expenses	-	-	1,813.96	-	-	-	-	-
11-5120001	Employee Dental/Eye/Life/STD/LTD	-	-	3,556.86	-	-	-	-	-
11-5121001	Employee Health Insurance	-	-	10,486.24	-	128.64	-	-	-
11-5124001	Employee Health Insurance Contribution	-	-	(2,066.50)	-	-	-	-	-
11-5150001	Uniforms/Name Tags	-	-	701.33	-	-	-	-	-
11-5172001	Conf/Training Registration Fee	-	-	14.99	-	-	-	-	-
11-5173001	Travel Expenses	-	-	246.30	-	-	-	-	-
11-5190001	Credit Card Fees	-	-	10,117.16	-	5,364.62	3,966.05	3,886.06	-
11-5193001	Subscriptions, Manuals, Magazines	-	-	796.47	-	344.25	-	-	-
11-5200001	Furniture, Fixture & Equipment	-	-	3,375.09	-	78.82	2,000.00	2,000.00	500.00
11-5280001	Office Supplies	-	-	788.47	-	-	-	-	-
11-5280001	General Supplies	-	-	18,651.33	-	1,109.70	-	-	1,000.00
11-5281001	COVE Startup	-	-	47,537.01	-	-	-	-	-
11-5302001	Clothing, Caps, etc	-	-	10,026.99	-	-	-	-	-
11-5305001	Cove Resale Supplies	-	-	1,968.03	-	-	-	-	-
11-5310001	Food - Cost of Sales	-	-	173,982.00	-	-	-	-	-
11-5311001	Cove Non Alcoholic Beverages	-	-	8,020.07	-	-	-	-	-
11-5312001	Cove Beer	-	-	12,225.94	-	-	-	-	-
11-5313001	Cove Wine	-	-	7,927.49	-	872.00	-	-	-
11-5314001	Cove Liquor	-	-	33,954.27	-	-	-	-	-
11-5399001	Cove Advertising	-	-	6,544.10	-	(654.00)	-	-	-
11-5907001	Maintenance Equipment - Cove	-	-	-	3,000.00	1,428.98	3,186.67	4,688.87	5,000.00
11-5908001	Maintenance Equipment-Cove	-	-	8,665.82	-	-	-	-	-
11-5916001	Cove Grounds Maintenance	-	-	227.14	3,000.00	1,515.73	2,000.00	3,000.00	3,000.00
11-5948001	Cove Building Maintenance	-	-	16,342.38	3,200.00	2,872.16	3,186.67	4,666.67	5,000.00
11-5925001	Scavenger Services	-	-	1,042.87	-	-	-	-	-
11-5648001	Liquor Licenses	-	-	1,400.00	-	-	-	-	-
11-5650001	Licenses & Permits	-	-	1,848.98	-	(450.00)	450.00	450.00	-
11-5795001	Electric	-	-	19,250.00	-	3,556.96	5,000.00	8,000.00	-
11-5796001	Water	-	-	3,874.25	-	146.91	4,200.00	7,000.00	-
11-5797001	Propane	1,500.00	-	16,553.64	-	3,373.27	14,000.00	24,000.00	-
11-5799001	Telephone	-	-	1,027.42	-	-	-	-	-
11-5810001	Commercial Property Insurance	-	-	-	-	10,000.00	20,000.00	20,000.00	5,679.00
11-5818001	Cove Property Taxes	-	-	15,396.80	17,000.00	13,821.52	9,920.00	17,000.00	19,000.00
Total		1,500.00	-	776,789.82	26,200.00	44,507.38	69,769.40	96,649.40	45,070.00
Loss		(1,500.00)	-	(383,049.56)	(26,200.00)	(44,507.38)	(69,769.40)	(96,649.40)	(27,070.00)
									\$ 96,649.40 \$ 0.00
									(\$ 96,649.40) \$ 0.00

Income		(318,458.11)	(151,814.24)	608,718.30	(38,323.60)	371,233.99	260,216.52	210,826.32	2,088.98
CP - Dues		-	-	(887,247.79)	-	-	-	-	-
R&R - Dues		-	-	(288,048.11)	-	-	-	-	-
CP - Internet		(6,077.44)	-	(35,838.40)	-	-	-	-	-
R&R - Internet		(10,378.63)	-	(40,437.42)	-	-	-	-	-
CP - Grants		-	-	(71,548.47)	-	-	-	-	-
Cove Repair		-	-	-	-	-	-	(100,000.00)	-
2023 Deficit		-	-	-	-	-	-	(110,000.00)	-
TOTAL		(749,636.64)	(151,814.24)	(652,236.86)	(38,323.60)	371,233.99	260,216.52	626.32	2,088.98

Printed By: Steve
 Date: 8/30/2023
 Time: 4:08:08



Memorandum

To: Board of Directors

Date: November 7, 2024

From: Budget/Audit Commission

Memo: 2024-86

Topic: Adopt the 2025 R&R

Issue: The Board of Directors approved the publication of the 2025 R&R Budget at the September 21, 2024, board meeting. The 2025 R&R was advertised for a minimum of 30 days, prior to the Board adopting the budget, as required by CICAA, and can now be adopted.

Recommendation: To approve/adopt the 2025 R&R Budget, in the amount of \$715,000 in expenditures.



Memorandum

To: Board of Directors

Date: November 7, 2024

From: Budget/Audit Commission

Memo: 2024-87

Topic: Adopt the 2025 Operating Budget

Issue: The Board of Directors approved the publication of the 2025 Operating Budget at the September 21, 2024, board meeting. The 2025 Operating Budget was advertised for a minimum of 30 days, prior to the Board adopting the budget, as required by CICAA, and can now be adopted.

Recommendation: To approve/adopt the 2025 Operating Budget, with a total revenue of \$5,977,584 and total operating expenses of \$4,556,388 with a transfer to the R&R Fund of \$715,000, and a transfer to the Capital Fund of \$700,000.



Memorandum

To: Board of Directors

Date: November 7, 2024

From: Zebra Mussel Ad Hoc Commission

Memo: 2024-82

Topic: Final ZM Ad Hoc Commission Recommendation for 2025

Issue: Apple Canyon Lake has been affected by the introduction of Zebra Mussels, an invasive species. Zebra Mussels have negatively impacted lake water quality, caused personal property damage, physical injuries, and will have a serious impact on our golf course irrigation system if not treated.

Recommendation:

- The Zebra Mussel Ad Hoc Commission recommends Apple Canyon Lake treat the lake annually with EarthTec QZ.
 - Up to three complete shoreline treatment as designed and executed in 2023.
 - Large scale (e.g. bays, coves) or spot treatments (jumping Rock, specific dock areas) may be recommended based on detection of unacceptable levels of live zebra mussels.
 - Maintain increased frequency of treatments to the Jumping Rock and Nixon Beach.
 - Imperative to ensure the golf course irrigation injector pump system is operational for the 2025 golf season.
 - Ensure adequate treatments to the Marina until injector pump system is operational.
 - Treatments to occur post-fish spawning.
- Formal data must be collected, documented, and maintained in the existing Excel spreadsheets provided to Natural Resources. Results of lake conditions and applications to be documented with tools such as monitoring plates, live cages, measuring copper and oxygen levels, lake temps, weather, etc.



Memorandum

To: Board of Directors

Date: November 12, 2024

From: AECC/The Building Department

Memo: 2024-89

Topic: ACL Building and Environmental Code v. 05-20-2023 – Revisions and Additions – 2nd Reading

Issue: *Amended Declaration to Conform to CICAA, Article VII., Section 1. Powers of the Committee.*

Item a. Generally. The AECC shall have the power subject to the Board's approval to adopt building codes, guidelines and standards governing the quality, design, workmanship and materials and colors to be used for all proposed construction or improvements.

Amended Declaration to Conform to CICAA, Article VIII., General Restrictions, Section 4. Materials to be Used and Size of Dwellings.

The ground floor area of any Dwelling shall be not less than one thousand (1,000) square feet, and all Dwellings shall contain a minimum of fourteen hundred (1,400) square feet in total Living Area, unless otherwise approved by the AECC.

ACLPOA's Primary Governing Documents remain the same from year to year unless there is a vote and approval of the membership before any changes can be made. The Secondary Governing Documents can be changed at any time with those changes going into effect immediately but require approval by the ACLPOA Board of Directors.

For Association purposes, the ACL Building and Environmental Code (Code) is a Secondary Governing Document. The Code acts as an amendment to the Jo Daviess County currently adopted version of the International Residential Code for One- and Two-Family Dwellings (IRC). Details of specific interest to the Association are recorded in the ACL Building and Environmental Code. Our Code supersedes the IRC when ACL requirements are more restrictive than the IRC.

The AECC has unanimously approved the attached proposed language changes to the Code. The majority of these changes may be considered "housekeeping" in that typographical errors are corrected, duplications are removed, new technology is recognized, some guidelines and design standards are changed, and missing words are

inserted. The minimum Dwelling square footage is changed in accordance with Article VIII, Section 4.

Recommendation: Regarding The Apple Canyon Lake Building and Environmental Code,

In accordance with Article VII.c.ii., to adopt the attached August 24, 2024 revisions to pages 5, 15, 16, 18, 20, 21, 22, 30, 39, 42, 44, 46, 47, 48, 49, 50, 52, 53, 55, 56, 57, 58, 59, 61, 64, 70 of the May 20, 2023 version of the Apple Canyon Lake Building and Environmental Code, as unanimously approved by the Architectural and Environmental Control Committee on September 7, 2024 at their regularly scheduled meeting.

AECC Language Changes discussed 11/02/24

1. Page 8 of the Building Code
Remove { as stated in Article 7 }
2. Page 16 Related Toi Greenway Projects
Change word (Approved) to Accepted
3. 106.2 Section B, C and D
Change word (Operation) to Process
Remove word [any] and leave word construction.
4. 109.1
Change word {Manufacturer } to Owner
5. 110.1
Move phrase { of the new dwelling) to after the word Definitions
Add the words (Unless approved by the AECC after 1,400 square feet.
6. 112.1 H
Add ¼" per foot
7. 117.6
Remove word {Boardwalk} and replace with Walkway
Delete last sentence – Any boardwalk closer ...
8. 118
Remove word Incandescent
9. 123.5
Replace word {Boardwalk} with Walkway
10. 127.6
Delete Leters {GPS) Leave Septic Location Fee
Add fees to Environmental Fee –{Board recommendation}

Consent

**Apple Canyon Lake
Property Owners Association**



**Apple Canyon Lake
Building and Environmental Code**

Adopted January 2006

Amended 3-18-06 Amended 9-20-08

Amended 05-16-09 Amended 03-20-10

Amended 03-19-11 Amended 04-21-12

Adopted 05-16-2020

Adopted 05-20-2023

**14A157 Canyon Club Drive
Apple River, IL 61001**

(815) 492-0900: ACLPOA Building Inspector

(815) 492-2238: ACLPOA Office

**This booklet contains all Board of Directors approved amendments and/or revisions to the Apple
Canyon Lake Building and Environmental Code
through May 16, 2020**

**The Apple Canyon Lake Building and Environmental Code adopted May 16, 2020 and all
amendments thereto are hereby deleted and replaced with the terms of this title effective
coincident with the effective date hereof.**

The Apple Canyon Lake Building and Environmental Code was adopted by the ACLPOA Board of Directors on 11/20/82.

The Building and Environmental Code was subsequently revised and approved by the ACLPOA Board of Directors on 12/17/88, prescribing minimum standards necessary for the building of any structure, garage, Dwelling, accessory building, septic systems, piers, and docks at Apple Canyon Lake.

Since 12/17/88 the Apple Canyon Lake Building and Environmental Code has periodically been amended or revised by the ACLPOA Board of Directors. Dates include:

8/19/89	2/17/90	2/15/92
5/15/93	8/21/93	5/24/94
9/21/96	5/16/98	1/01/99
2/19/00	3/18/00	5/20/00
7/15/00	9/16/00	12/16/00
3/17/01	1/19/02	8/17/02
1/16/02	6/21/03	7/19/03
9/18/04	1/15/05	11/19/05
3/18/06	9/20/08	5/16/09
3/20/10	3/19/11	4/21/12
5/16/20	5/20/23	

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(References to the Jo Daviess County Illinois currently adopted International Residential Code for One-and Two-family Dwellings are in parenthesis.)

**PREAMBLE
TO APPLE CANYON LAKE
PROPERTY OWNERS ASSOCIATION
BUILDING AND ENVIRONMENTAL CODE**

INTRODUCTION

This preamble is an integral part of the "The Apple Canyon Lake Building and Environmental Code".

The purpose of the Apple Canyon Lake Building and Environmental Code (The Code) is to provide Property Owners and builders with a complete guide when considering and planning new construction, or when other additions or alterations are required. It has been prepared by the Architectural and Environmental Control Committee (AECC) and approved by the ACLPOA Board of Directors (the Board) as the minimum standard for use at Apple Canyon Lake. It amends the Jo Daviess County, Illinois currently adopted version of the International Residential Code for One- and Two-Family Dwellings.

Nothing in the ACL Building and Environmental Code should be construed to be punitive in nature. It is intended to be a positive formulation to ultimately enhance the value of all our property. The AECC should be thought of as the representative of the ACL Property Owners in the pursuit of a mutually beneficial result.

THE AECC

The AECC is a Committee designated by the Not-for-Profit Act (805 ILCS 105/108.40) made up of volunteers with the majority of the Committee members serving as current elected members of the Board of Directors.

The ACLPOA governing document, *Amended Declaration to Conform to the Common Interest Community Association Act (CICAA)*, Article VII for Apple Canyon Lake Property Owners' Association provides the authority to the AECC to act on behalf of the Association.

Article VII clearly defines the:

- Powers of the Committee.
- Power of Disapproval for AECC to refuse to grant permission.
- Power to Grant Variances, Adopt Rules.
- Power to Charge Fees.
- Review of AECC Action by the Board of Directors.
- Duties of the AECC.
- Composition of the AECC.
- Liability of the AECC and the Association.
- Duty of Inspection.
- Remedies for Unapproved Additions and Alterations.

As stated in Article VII:

Section 1. Powers of the Committee

- (a) Generally.** No Dwelling, Multifamily Structure, Dwelling Accessory Building, Structure, Driveway, Water Facility, Fence, Wall or other structure of any type or kind may be commenced, erected nor shall any exterior addition to or change or alteration be commenced or made on any Lot or on any of the Common Properties or Reserved Properties subject to this Declaration without the prior written approval of the Architectural and Environmental Control Committee (AECC); provided, that, additions, alterations or changes to the Common Properties and Reserved Properties may be made by the Board. Such approval shall be obtained only after written application has been made to the AECC by the Owner of the Lot requesting authorization from the AECC. Such written application shall be in the manner and form prescribed from time to time by the AECC and shall be accompanied by two (2) complete sets of plans and specifications for any such proposed construction or improvement. Such plans

shall include plot plans showing the location of all improvements existing upon said Lot and the location of the improvement proposed to be constructed or placed upon said Lot, each properly and clearly designated; said plans shall also show the building lines shown on the recorded plat of subdivision. Such plans shall set forth the color and composition of all exterior materials proposed to be used, together with any other material or information which the AECC may require from time to time. All plans, drawings and other documentation required to be submitted to the AECC shall be as the AECC may require. There shall also be submitted, where applicable, the permits or approvals required under Article III of the Declaration. (See, Art. III, Sec. 11, Wells and Plumbing.) The AECC shall have the power, subject to the Board's approval, to adopt building codes, guidelines and standards governing the quality, design, workmanship and materials and colors to be used for all proposed construction or improvements.

- (b) Power of Disapproval.** The AECC may refuse to grant permission to construct, place or make the requested improvements when:
- i. The plans, specifications, drawings, or other materials submitted are themselves inadequate or incomplete or show the proposed improvement to be in violation of any of the restrictions contained in this Declaration, or the provisions of any applicable governmental building code, or the codes, guidelines or standards approved by the AECC or the Board of Directors.
 - ii. The design or the siting of a proposed improvement is not in harmony with the general surroundings of the subject Lot or with adjacent buildings or structures.
 - iii. The proposed improvement, or any part thereof, would in the opinion of the AECC be contrary to the interests, welfare or rights of all or part of the Owners.

(c) Power to Grant Variances, Adopt Rules.

- i. The AECC may allow reasonable variances or adjustments of this Declaration where the literal application thereof would result in practical difficulties or unnecessary hardship, provided however, that any such variance or adjustment that is granted is in conformity with the general intent and purposes of this Declaration; and that the granting of the variance or adjustment will not be materially detrimental or injurious to other lots in the development. The granting of a variance in any specific case shall not be construed as a precedent or authorization to compel the granting of a variance in any other case, however similar the circumstances may be.
- ii. The AECC may adopt rules, including rules to be applied in requests for variances, building requirement forms, general building procedure requirements including, but not limited to, adoption or acceptance of national or local building codes, either in whole or in part, for use during the construction of improvements upon the Lots, the Common Properties or the Reserved Properties, provided that all such rules and general requirements be approved by the majority of the Board of Directors prior to implementation and use.

(d) Power to Charge Fees. The AECC shall recommend to the Board of Directors a schedule of fees to be charged to consider the application of any Owner, and a schedule of fees for the inspection services necessary for all improvements, whether performed by the Association or by any outside source. Such fee schedules shall be approved by the Board of Directors from time to time and shall be uniformly charged to all Owners. All funds collected shall be paid to the Association.

(e) Review of AECC Action by the Board of Directors. The Owner of any Lot or Dwelling whose application to the AECC has been denied may, within sixty (60) days of such denial, appeal such denial to the Board of Directors. Such appeal shall be in writing

and shall state all reasons why the AECC's decision was either erroneous as a matter of fact or arbitrary and capricious. At the next regular meeting of the Board of Directors, the Board of Directors shall consider the Owner's appeal and review the AECC's action. The Board of Directors shall either affirm the action of the AECC; refer the matter back to the AECC for further consideration; or determine that the action of the AECC was erroneous as a matter of fact or arbitrary and capricious, in which case the Board of Directors may direct that the application be granted. The action of the Board of Directors shall be final and binding.

Section 2. Duties of the AECC. The AECC shall approve or disapprove proposed improvements within sixty (60) days after all required information has been submitted to it. If AECC fails to approve or disapprove the proposed improvements within sixty (60) days, it shall provide the Owner with a written explanation of the reasons it has failed to act. In acting upon such applications, the AECC members may discuss and act on any such applications either at a regularly scheduled meeting or at a special meeting. Members of the AECC may attend such meetings in person, by video conferencing, or by telephone. One copy of the submitted material shall be retained by the AECC for its permanent file. All notifications to applicants shall be in writing and, in the event that such notification is one of disapproval, it shall specify the reason or reasons for such disapproval.

Section 3. Composition of the AECC. The AECC shall be comprised of not less than three (3) or more than nine (9) representatives who shall be appointed by the Board of Directors, and who shall be subject to removal by the Board of Directors at any time. The Board of Directors shall appoint at least one (1) architect, licensed engineer or building contractor to the AECC, if one is available. The majority of the members of the AECC shall also be Members of the Board of Directors. Any vacancies existing from time to time shall be filled by appointments made by the Board of Directors. The AECC, subject to the Board of Director's approval, may engage such inspectors or

agents to assist it in the performance of its duties and responsibilities. No member of the AECC shall participate in the review of any application in which the member has an interest either as an owner or as the provider of any services for which the member is compensated.

Section 4. Liability of the AECC and the Association. No approval of plans and specifications submitted by an Owner pursuant to this Article by the AECC or Board shall be construed as representing or implying that such plans and specifications shall, if followed, result in properly designed improvements. Such approvals shall in no event be construed as representing or guaranteeing that any Dwelling, Multifamily Structure, Dwelling Accessory Building, Structure, Driveway, Water Facility, Fence, Wall, or other Structure of any type or other improvement built in accordance therewith shall be built in a good and workmanlike manner. Neither the Association, the Board of Directors nor the AECC shall be responsible or liable for any defects in any plans or specifications submitted, revised or approved pursuant to the terms of this Article, any loss or damages to any Natural Person or Legal Entity arising out of the approval or disapproval of any plans or specifications submitted, revised or approved pursuant to the terms of this Article, any loss or damages to any Natural Person or Legal Entity arising out of the approval or disapproval of any plans or specifications, any loss or damage arising from the non-compliance of such plans or specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications.

Section 5. Duty of Inspection. The AECC shall have the power and the right to inspect the work being performed to assure compliance with the applicable provisions of this Declaration and all applicable codes and regulations, and the approved drawings. Approval of plans or work by the AECC shall not be deemed to be a determination that the applicable codes and regulations have been satisfied.

Section 6. Left blank on purpose.

Section 7. Remedies for Un-Approved Additions and Alterations. If an addition, alteration or improvement that requires AECC approval hereunder is made to a Dwelling, Accessory Structure or Lot by an Owner without the prior written approval of the AECC or Board of Directors, then the Association may, at the discretion of the Board of Directors and in addition to all other rights of enforcement provided to the Association as set forth in this Declaration, the Bylaws, rules and regulations or as provided at law or in equity, take any of the following actions:

- (a) Require the Owner to remove the addition, alteration, or improvement and restore the Dwelling, Accessory Structure, or Lot to the condition that existed prior to the making of the addition, alteration, or improvement, all at the Owner's expense; or
- (b) If the Owner refuses or fails to properly perform the work required under subsection (a) hereof, the Board of Directors may cause such work to be done and may charge the Owner for the cost thereof as determined by the Board of Directors; or
- (c) Ratify the action taken by the Owner, and the Board of Directors may, but shall not be required to, condition such ratification upon the same conditions that it may impose upon the giving of its prior approval under this Article.

CONSTRUCTION PLANNING

ACL has been professionally planned to provide residents with a pleasant and relaxing environment in which to live. Throughout the planning and development process, attention has been given to preserving the natural beauty of the land. This care in planning, coupled with attention to quality and detail in the development process, places Apple Canyon Lake in a position to evolve as an aesthetically pleasing community. The degree to which this is achieved is very much dependent upon the attention Property Owners give to the design and sighting of their homes, as well as proper landscaping. Site planning and clearing should be accomplished, insofar as

is feasible, in a manner which respects and preserves the existing natural trees, vegetation and land contours. It is important to secure the advice and services of a competent professional. The Governing Documents require that in advance of building, you submit your plans for review and approval by the AECC.

When planning construction, please keep in mind that Apple Canyon Lake is zoned by Jo Daviess County Illinois as a RP Planned Residential District. The Jo Daviess County Illinois Zoning Ordinance limits and regulates development at Apple Canyon Lake. In addition to ACL Permits, when applicable, proof of Jo Daviess County Health Department approval of the septic system design is required. Proof of Jo Daviess Planning and Development zoning and building permits is required. Thompson Road District requirements may also apply.

The AECC has a period of sixty days (after regularly scheduled AECC Meetings) in which to review and act on the plans. Plans shall be delivered to the Maintenance Department Office at Apple Canyon Lake together with the completed ACL application for a building permit. Applicable fees will be charged upon approval of the permit. Checks shall be made payable to the Apple Canyon Lake Property Owners' Association (ACLPOA). Upon approval, the Building Inspector or AECC designee will notify the ACL Property Owner indicating AECC approval. In the event plans are not approved, revisions may be submitted at no additional charge.

The AECC will not consider the permit issued until a check for the fees has been submitted, and applicable Jo Daviess County, and Thompson Township Road District permits are approved.

At crucial points in the construction process, the Building Inspector or AECC designee will make inspections. An initial inspection will be made after the building has been laid out and a silt fence has been installed before any actual construction is begun. At that time, the property lines and structure locations must be established and staked by an Illinois licensed surveyor according to the approved plans. The owner or

contractor is required to notify the Building Inspector or AECC designee, at the appropriate time for this inspection. The responsibility for conformance with the plans and the ACL Building Code rests with the Property Owner.

Work must begin within one hundred eighty (180) days of issuance, or the permit will be void. The exterior of the building(s) must be completed within one year of the issuance of the building permit.

The ground floor area of any new Dwelling shall be not less than one thousand (1,000) gross square feet, and all new Dwellings shall contain a minimum of fourteen hundred (1,400) gross square feet in total Living Area, unless otherwise approved by the AECC.

The structure's exterior must be harmonious with the surrounding environment. To accomplish this, consideration should be given to the existing natural topography as well as the design of neighboring homes. Building exteriors must be made of concrete, masonry, vinyl, brick, wood, log construction, or such other building materials as may be approved by the AECC. All exteriors must be painted, stained, or finished in colors that are compatible and harmonious with the natural setting and other buildings within the immediate area, as determined by the AECC.

Detached garages should be designed to conform to the main Dwelling. The ground floor gross square footage of the detached garage shall be less than the Dwelling's ground floor Living Space. The maximum gross square footage of a detached garage is nine hundred gsf (900-gsf). Garage doors should be of the overhead type. Driveways should be carefully located for practicality as well as overall aesthetic appearance.

As with all appurtenances, a fence should enhance, rather than detract from the overall appearance of the property. The use of rough-hewn woods or natural plantings as fencing and screening materials is encouraged.

Ground and structure mounted lighting fixtures should be carefully selected for compatibility. Such lighting should be subdued so as not to be

objectionable to adjacent Property Owners. Utilize light fixtures that will illuminate the property without putting objectionable light on the neighbors' property or shine in their windows. Similar to a 60 watt incandescent bulb, lumens may not exceed eight hundred (800) per fixture. Clear glass may not be used.

Erosion and sediment control measures are an essential part of structure construction. Environmental requirements are in The ACL Building Code because Apple Canyon Lake has steep slopes and erodible soil.

It is vital to the health of the Lake that erosion as well as nutrient and chemical runoff be minimized. Also, invasive species need to be avoided. Noxious weed control is expected. For these reasons, a 50-foot lakeshore buffer zone has been established. This Buffer Zone, exclusive of permitted amenities such as docks, boardwalks, and beach areas should be left as is or restored to native vegetation as much as practical. When permitted by the AECC, due to the variations in slope, soils, and terrain, such items as terracing and retaining walls in conjunction with vegetation may be appropriate in some circumstances. All areas have their unique challenges and variation among properties is expected.

The ACL Conservation Commission maintains a list of prohibited plants as well as a non-exclusive list of preferable native vegetation plantings. It is acknowledged that complete restoration is a long-term project and is expected to be ongoing and changing as new techniques become available.

All projects in the ACL Greenway shall be presented to and approved by the Conservation Commission.

The AECC realizes that during construction it may be advantageous to make minor adjustments to approved plans. However, before any changes are made, it is the responsibility of the Property Owner to present any

alterations to the AECC for approval by way of the Building Inspector or AECC designee.

For information, contact the
Apple Canyon Lake Building Inspector
12A352 S. Apple Canyon Road, Apple River, IL 61001.
Phone: 815-491-0900 Fax: 815-292-1107
Email: buildinginspector@applecanyonlake.org

100 ACL BUILDING CODE

(References to the International Residential Code are in parenthesis.)

101.1 BASIS OF THE ACL BUILDING CODE

The International Residential Building Code For One- and Two-Family Dwellings (IRC) is adopted as the official building code of Jo Daviess County Illinois. The ACLPOA Board of Directors has adopted the IRC as adopted by Jo Daviess County Illinois as the official building code of Apple Canyon Lake with these amendments. This code shall be known and may be cited as the Apple Canyon Lake amendments to the IRC herein after referred to as "The ACL Building Code".

101.2 BUILDING INSPECTOR (R104)

Building Inspector (or AECC designee) responsibilities shall include:

- A. Assist the AECC in the performance of its duties by maintaining the owner property files, permit application documentation, AECC meeting dates, agendas, and meeting minutes.
- B. Administer the assignment and payment of permit fees and fines.
- C. Answer ACL Code questions and provide available property information.
- D. Upon receipt of a building permit application, the Building Inspector shall review the project and shall issue to the AECC a determination as to its suitability as to its compliance with the Governing Documents and the ACL Building and Environmental Code.
- E. Permit application review shall consider site planning and clearing should be accomplished, insofar as is feasible, in a manner which

respects and preserves the existing natural trees, vegetation and land contours.

- F. Review available data for project conflicts with existing septic systems.
- G. Perform project site inspections, including setback compliance and verification of erosion control measures prior to construction.
- H. Issue citations and stop work orders as described in the ACL Code.
- I. Administer the septic inspections program, the lot combination program, the variance application program.
- J. Assist the General Manager, the Conservation Commission and the Natural Resource Manager regarding ACL and Jo Daviess Code compliance.
- K. Assist the General Manager and the ACL Board of Directors with Special Projects and Master Planning.

101.3 DEFINITIONS (R202)

The following words, when used in this Code, shall have the following meanings according to the governing document Amended Declaration to Conform to the Common Interest Community Association Act (CICAA), Article I Definitions, Section 1 and Article II.

- A. "*ACL Building Code*" shall mean and refer to the Apple Canyon Lake Building and Environmental Code, as amended from time to time.
- B. "*Adjustment*" Signifies AECC written approval of a departure from an ACL Building Code standard or norm when specifically allowed for in the ACL Building Code.

- C. *“AECC”* See the Amended Declaration to Conform to the Common Interest Community Association Act (CICAA) Article VII Architectural and Environmental Control Committee
- D. *“Article III”* See the Amended Declaration to Conform to the Common Interest Community Association Act (CICAA) Article III General Restrictions.
- E. *“Building Height”* shall mean the vertical distance measured from the top of the foundation to the highest point of the roofline at the street facing elevation of a building.
- F. *“Building Line”* shall mean a setback line on a Lot that is established by the Governing Documents which denotes the Code required depth of a front, side, or rear yard.
- G. *“Driveway”* shall mean the surface area by which vehicles regularly enter and exit any Lot, whether paved or not.
- H. *“Dwelling”* shall mean any building located on any Lot or an individual living unit in a Multifamily Structure designed and intended for the shelter and housing of a single family.
- I. *“Dwelling Accessory Building”* shall mean a subordinate building of a Dwelling, the use of which is incidental to the Dwelling and customary in connection with that use.
- J. *“Garage”* shall mean a Structure, either attached to a Dwelling or constructed as a separate Accessory Structure, designed, and constructed for the primary purpose of storing motor vehicles, boats, or other items of personal property under the provisions belonging to the Owner or Occupant of the Dwelling.
- K. *“Ground Floor Area”* shall mean the Living Space in that story of the Dwelling which is the first story entirely above the established building grade at the building front.

- L. *"Hardship"* Special or specified circumstances that partially or fully exempt a person from performance of a legal obligation to avoid an unreasonable or disproportionate burden or obstacle. Compliance requires action of significant difficulty. The alleged hardship cannot be self-created. Expense is not considered as grounds for a variance.
- M. *"Living Space"* Heated enclosed space within a Dwelling Unit utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes. Living space does not include a basement, garage space, three season room, attic, deck, patio, crawl space, breezeway, etc. Areas with less than 7'-8" headroom shall not be included in the minimum required living space.
- N. *"Lot"* also known as Unit, shall mean any numbered parcel of land, or any separately identified condominium unit, in any subdivision as shown on any plat of The Properties recorded under the provisions of Article II, but not including any of the Common Properties or Reserved Properties.
- O. *"Lot Area"* shall mean the area of a horizontal plane bounded by the vertical planes through front, side, and rear Lot Lines.
- P. *"Lot Line"* shall mean any legal boundary of a Lot as shown on a plat of survey prepared by an Illinois licensed surveyor and recorded with the Jo Daviess County Recorder.
- Q. *"Occupant"* shall mean any person authorized by the Owner to occupy a Dwelling for any period of time, whether with the Owner or alone, or whether as a guest of the Owner or as a tenant. Occupants shall be bound by all the obligations of this Declaration, the Bylaws, and all Rules and Regulations adopted by the Association.
- R. *"Recreational Vehicle"* shall mean and refer to a motor vehicle or trailer equipped with living space and amenities typically

found in a residential living unit including, but not limited to a motor home.

- S. "*Structure*" shall mean anything erected or constructed, the use of which requires more or less permanent location on or in the ground or attached to something having a permanent location on or in the ground.
- T. "*Trailer*" shall mean and refer to a transport vehicle designed to be towed by a motorized vehicle.
- U. "*Unsafe building or structure*" The term unsafe building or structure shall apply to buildings, structures, or portions thereof, with or without an AECC permit existing prior to January 1, 2000 or after or hereafter erected as follows:
 - 1. Those deemed by an agent of the AECC to be structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities, constituting a fire hazard, unsuitable or improper for the use or occupancy to which they are put, constituting a hazard of health or safety because of inadequate maintenance, dilapidation, or abandonment, or otherwise dangerous to life or property.
 - 2. Vacant buildings or structures or portions thereof deemed to constitute a hazard.
- V. "*Variance*" An official AECC permit to do something normally forbidden by the ACL Building Code when the literal application thereof would result in unnecessary hardship or where there are practical difficulties preventing compliance. Granting the variance shall not alter the essential character of the locality.
- W. "*Water Facility*" shall mean any pier, gangway, dock, boat lift, or related facility. A boat house shall not be a "Water Facility" and shall be deemed to be a Dwelling Accessory Building.

102 PERMITS (R105)

102.1 PERMIT REQUIRED

- A. Except for shoreline stabilization or watershed projects as prior approved by the AECC, no Detached Garage, Dwelling Accessory Building, Patio, Deck, Fence, Water Facility, or any other type of Structure shall be erected on or under a lot PRIOR to construction of a Dwelling on the lot. The structures may be erected WITH the Dwelling.
- B. Prior approval in writing by the AECC must be obtained before the start of construction, alteration, or improvements to a Lot. It shall be a violation to commence the construction, addition, alteration, removal, or demolition of a structure without first filing an application in writing with the AECC and obtaining a formal ACL Building Permit.
- C. All structures, additions, alterations, and improvements such as the Dwelling, Detached Garage, Dwelling Accessory Building, Driveway, Demolition, Exterior Remodeling, Septic System, Patio, Deck, Fence, Water Facility or any other type of Structure on or under a lot are subject to the ACL Building Code.
- D. No Structure shall be erected, re-erected, or maintained on any Lot, except one Dwelling designed for occupancy by a single family, which may include an attached Garage as well as one detached Garage, Dwelling Accessory Buildings (as permitted), and Water Facilities. All such shall be for the sole use of the Owners and Occupants of the Dwelling.

- E. No Dwelling, Dwelling Accessory Building, Detached Garage, or any type of Structure may be erected except in such manner and location as provided in the Amended Declaration to Conform to the Common Interest Community Association Act (CICAA) for Apple Canyon Lake Property Owners' Association, the ACL Building Code and as approved in writing by the AECC.
- F. After written building permit application, the AECC may allow a property owner a variance to the ACL Building Code without the consent of property owners of other lots or adjoining or adjacent property to deviate from any of the items set forth in this ACL Building Code for reasons of practical difficulties or particular hardships evidenced by the property owner. Any such variance, which shall be manifested by written building permits, shall not establish a precedent and shall not constitute a waiver of any such code requirement as to other Lots in The Properties.
- G. Any Lot which is designated in any of the documents identified on Exhibit A is intended as a Lot and shall be used for Single Family Dwelling residence purposes only. All structures shall be for the sole use of the property owners of the Dwelling. No Structure, except as specifically authorized elsewhere in this Code and in the Amended Declaration to Conform to the Common Interest Community Association Act (CICAA) Article III General Restrictions, shall be erected, re-erected or maintained on any Lot except:
 - 1. One Dwelling containing no less than 1,000 gross square feet of ground floor living space designed for Single Family occupancy. The structure may include an attached

- garage and other non-living space appropriate to a Dwelling.
 2. One private Detached Garage as permitted containing no more than nine hundred (900) gross square feet for the sole use of the property owner of the Dwelling constructed with or after but not before the Dwelling. The detached garage footprint shall not be larger than the Dwelling's ground floor living space footprint.
 3. Detached accessory building, patio, deck, landscape, retaining wall, driveway, and water facilities as permitted constructed with or after but not before the Dwelling.
- H. Any partitioning, subdivision or remodeling of any residential interior area requires an ACL Building Permit, as well as verification that the existing septic system remains adequate. Inadequate septic system designs shall be enlarged as required to meet Jo Daviess County Health Department and ACL Building Code Standards.
- I. Ground lighting fixtures, antennas, roof solar panels, flag poles or similar devices that are not a part of a Dwelling at time of Dwelling construction require a separate building permit.
- J. No activity in the opinion of the AECC which significantly changes the existing topographic character of the land shall be commenced without first seeking approval of the AECC. This includes any grading, filling, moving, and shaping of the terrain and alterations of natural watersheds. Seeding and planting activities that do not alter the existing ground contours (as defined in Section 126 of this code, Landscaping/Grading) may be exempt if proper erosion control is implemented.

102.2 WATER SUPPLY AND SEWAGE TREATMENT

- A. All plumbing fixtures, dishwashers, toilets and sewage disposal systems shall be connected to a septic tank system constructed by the Owner and approved by the AECC and by the Environmental Health Division of the Jo Daviess County Health Department.
- B. No permit may be considered to be issued until satisfactory proof has been submitted that Jo Daviess County Health Department approved water supply and sewage treatment facilities are or will be utilized.

102.3 CONTINUATION OF PERMIT

- A. Where no work has been started within one hundred eighty (180) days after the issuance of a permit, such permit shall be void. Exterior work must be completed within three hundred sixty-five (365) days after the issuance of a permit, or the permit shall be void. A new permit must be obtained before any work may begin or resume. A fee according to the ACLPOA fee schedule shall be charged for the issuance of the new permit.
- B. A permit may not be transferred by the person to whom it is issued, to another person, without the written approval of the AECC.

102.4 RECORDED PROPERTY

- A. At the time of applying for a permit for the erection of, alteration of, additions to, or moving of any building or structure, all lot

corner posts and structure setbacks must be located and flagged by a surveyor licensed by the State of Illinois to show the boundaries of the lot and the position to be occupied by the proposed building, or by the structure to be altered or added to, or structures to be moved thereon, and the position of any structure or structures that may be on the lot. Before commencing construction, a silt fence must be placed and maintained until the property has been seeded and restored to prevent erosion and encroachment on adjoining properties.

- B. Silt fencing may be required when clearing a lot prior to house construction, the owner or agent must have a licensed surveyor locate and flag all lot stakes before any clearing may take place; and must clearly identify any association property that is adjacent to the lot. After clearing, the owner or agent must immediately seed and mulch the property to prevent erosion. The time of clearing is subject to prior approval of the ACL Building Inspector or AECC designee.

102.5 GPS – AS BUILT MAP

In all new construction, a Global Positioning System (GPS) - as built map is required at the cost of the Property Owner. The map shall show the location of the house, buried utilities, onsite septic system elements, garage or other accessory structures, driveway, LP tank, and any other below or above ground improvement. A permanent site drawing map shall become a part of the Association records.

102.6 APPLICATION FORM

An application for a permit shall be submitted in such form as the AECC may prescribe. Such application shall contain proof of ownership and the full names of the applicants and of the owner, and, if the owner is a corporate body, of its responsible officer. The application shall also briefly describe the proposed work and shall give such additional information as may be required by the AECC for an intelligent understanding of the proposed work.

102.7 THOSE AUTHORIZED TO MAKE APPLICATION

Application shall be made by the owner or agent of the owner, or the architect, engineer or builder employed in connection with the purposed work. It is the sole responsibility of the Property Owner to ensure that all required permits have been obtained and the work is accordingly constructed.

103 THE PLAN REQUIREMENTS (R106)

103.1 PERMIT APPLICATION

A permit application available from the Association Office, Building Inspector or AECC designee is required for any and all construction. An application requires the following items:

- A. Completed ACLPOA permit application with all applicable blanks filled to the satisfaction of the AECC.
- B. Two sets of Sanitary System plans, drawn to scale showing setbacks, side lines and dimensioned according to restrictions, all prepared by licensed professional engineers, licensed to practice in the State of Illinois. Any design must have prior

approval and a valid permit number from the Jo Daviess County Health Department. The Jo Daviess County Code may be more or less stringent than that of Apple Canyon Lake. In such a case, the Jo Daviess County permit does not insure approval under the requirements of this Code.

- C. Two sets of Site Plans as per Code Section 102. This information may be included in the complete set of construction drawings as noted below. Such plans shall include plot plans showing the location of all improvements existing upon said Lot and the dimensioned location of the improvement proposed to be constructed or placed upon said Lot, each properly and clearly designated; said plans shall also show the building setback and easement lines.
- D. Two sets of the Construction Documents and Specifications as per Code Section 102, be it Dwelling, Detached Garage, Accessory Building, or Water Facility construction. Such plans shall set forth size, shape, materials, structure, room net square footages, the color and composition of all exterior materials proposed to be used, together with any other material or information which the AECC may require to show Code compliance.
- E. A check made out to the ACLPOA covering Board of Director approved fees.
- F. If required, Environmental Debris Bond check also made out to the ACLPOA.
- G. Water Tap Fee. This fee is sent directly to the water utility.
- H. Culvert Permit. This fee is sent directly to:
Thompson Township, Road District Office; Phone: 815-845-2391

103.2 INFORMATION REQUIRED

- A. The Architectural Drawings shall comply with the construction document section of the International Residential Code For One- and Two-Family Dwellings as currently adopted by Jo Daviess County, Illinois as amended by The ACL Building Code. It is the responsibility of the Property Owner to be sure the contractor obtains the necessary permits from the Jo Daviess County Planning and Development Department, the Jo Daviess County Health Department, and if applicable, Thompson Township Road District before the ACL Building Permit will be considered issued.
- B. Building Plans shall be at a scale of one-quarter inch (1/4") per foot and shall include floor plans, all exterior elevations, and cross sections as required to indicate the construction of the building(s). Elevations shall show the building heights along with the relationship between existing and proposed grades. Size and spacing of all structural elements shall be identified. A complete description of all exterior materials shall be included. Samples of exterior materials including textures and colors shall be submitted with the application.
- C. Also required is a detailed Site Plan at a scale of at least 20 feet per inch (1"=20'). The site plan shall show property lines, set back lines, the position of all buildings on the property as well as all improved walkways, retaining walls, patios, lighting, decks, fences, above or below ground fuel tanks, utility lines, easements, drives, parking areas, water features, silt fence and the size and location of the elements of the septic system.

103.3 CONSTRUCTION PLANS

In all construction work for which a permit is required, the approved and stamped drawings and plans shall be kept on file at the construction site while the work is in progress.

103.4 ALTERATION OF PLANS

If, during the progress of the execution of the permitted work, it is desired to deviate in any manner affecting the construction or other essentials of the building from the terms of the application or drawing, notice of such intention to alter or deviate shall be given to the Building Inspector or AECC designee. An amended plan showing alteration or deviation may be required to be submitted to the Building Inspector or AECC designee for AECC approval, and written consent shall be obtained before such alteration or deviation shall be made.

103.5 DEMOLITION

- A. A permit is required in the case of demolition. The plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain. Guidelines of ACL Building Code 102.4 must be followed.
- B. Details and methods used for demolition and removal including noise, debris and smoke developed shall be included.
- C. Any foundation, concrete or otherwise, must be removed. Septic tanks must be pumped and either removed or crushed.
- D. The lot must be leveled, graded and seeded within thirty (30) days of demolition. The installation of a silt fence may be required by the Building Inspector or AECC designee.

103.6 CONSTRUCTION DEBRIS

- A. No construction debris will be accepted by or left at the Apple Canyon Lake Recycling Center.
- B. No debris from construction at Apple Canyon Lake shall be left on the job site overnight, excluding construction materials which are partially used and may be reused. The contractor will either remove the debris at the end of each day or place a dumpster on the site to hold the debris.
- C. To ensure compliance with the above, a \$500.00_refundable environmental debris bond deposit will be required at the time of applying for a permit. Failure to comply will result in the Building Inspector or AECC designee issuing one warning. Upon issuance of a citation after the initial warning, the \$500.00 debris bond shall be forfeited. In addition, a "STOP WORK ORDER" will be issued until compliance is assured and another bond is re-deposited.
- D. Because of the implied hazard of burning treated lumber or other materials or unknown content, no construction materials will be burned on Apple Canyon Lake property.

103.7 APPROVAL OF PERMIT IN PART

Nothing in this code shall be construed to prevent the AECC from issuing a permit for the construction of part of a building or structure before the entire plans and detailed statements of said building or structure have been submitted or approved, provided adequate information and detailed statements have been submitted for the same and have been found to comply with this ACL Building Code.

104 LOT

Lot, also known as Unit, shall mean any numbered parcel of land, or any separately identified condominium unit, in any subdivision as shown on any plat of The Properties recorded under the provisions of Article II, but not including any of the Common Properties or Reserved Properties.

104.1 REDUCING OR DIMINISHING LOT AREA

It shall be a violation of the Building and Environmental Code and no Lot Owner, nor anyone acting on a Lot Owner's behalf, may reduce, divide, subdivide, or change the area or change the boundary line(s) of a Lot, also known as Unit. This prohibition applies to any numbered parcel of land and Condominium Units, in any Subdivision, as shown on any Declaration or Supplementary Declaration. This prohibition does not apply to any of the Common Properties or the Reserved Properties, nor shall it apply when the Lot area is changed by reason of a street opening or widening or other public improvement. Apple Canyon Lake Property Owners Association shall not be bound by any decisions of Jo Daviess County or any other applicable municipal authority concerning the reduction, division, subdivision, or change in any Lot boundary lines or Lot area nor shall any such decision otherwise impact a Lot Owner's obligation to pay assessments or membership status.

104.2 LOT COMBINATION AGREEMENT

A. Any two or more numbered lots may be combined by the Property Owner(s) provided that any Lot Combination must be done by written agreement using the ACLPOA form.

- B. The AECC must review all lot combination agreements and may or may not give approval.
- C. If approved by the AECC, the lot combination agreement may then be signed by the Chair of the AECC and the Chair of the Board of Directors. The signatures must be notarized.
- D. The lot combination may then be recorded by the Property Owner with the Jo Daviess County Clerk/Recorder.
- E. After the lot combination agreement is approved by the AECC and is then recorded with the Jo Daviess County Clerk/Recorder, the Property Owner may make improvements to both lots subject to the ACL Building and Environmental Code and Governing Documents. Provided further that any numbered Lots that are combined shall still be treated as separate Lots for purposes of voting, dues, fees, and assessments charged by the Association with each combined Lot continuing to be separately assessed as if no combination had taken place.
- F. Lots do not need to be adjacent to be combined.
- G. Any lot that is combined with another that is not contiguous and adjacent may only be used for a septic system that is approved by the Jo Daviess County Health Department.
- H. Any lot that is combined with another that is not contiguous and adjacent may not have any other improvements except a septic system. This means no buildings, structures or storage whether permanent or temporary above or below ground.

104.3 UTILITY EASEMENTS

- A. Utility Easements are reserved to install, lay, construct, renew, operate and maintain utility pipes and conduits and underground equipment for the purpose of serving The Properties with telephone, electric, water and other utility services.
- B. No Structure or trees shall be placed upon said easement except that said easement may be used for gardens, shrubs, landscaping or other purposes which do not at any time interfere with the uses and rights of the easement. Any trees or bushes that interfere or threaten to interfere with any such use or right may be cut down and removed.

105 UNSAFE BUILDING OR STRUCTURE

105.1 REMOVAL OR MADE SAFE

When a building, structure or site element or any portion thereof is found unsafe upon inspection by the Building Inspector or AECC designee as per 101.3 of this ACL Building Code, the AECC shall order such building or structure or any portion thereof to be made safe and secured or taken down and removed.

105.2 RESTORATION OF UNSAFE BUILDING OR STRUCTURE

A building or structure or part thereof declared unsafe by the AECC may be restored to safe condition, and if reconstructed or restored, shall be made to conform with respect to materials and type of construction to the requirements of this ACL Building Code;

but no change of use or occupancy shall be compelled by reason of such reconstruction or restoration.

105.3 NOTICE OF UNSAFE BUILDINGS OR STRUCTURES

Upon determining that a building or structure or portion thereof is unsafe, the AECC shall serve or cause to be served on the owner or some one of the owners, executors, administrators, agents, or other persons who may have a vested or contingent interest in the same, a written notice containing a description of the building or structure or portion thereof which has been declared unsafe, and an order requiring the same to be made safe and secure or removed, as may be deemed necessary. If the person to whom such notice and order is addressed cannot be found after diligent search, then such notice and order shall be sent by certified or registered mail to the last known address of such person; and a copy of such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate service.

105.4 DISREGARD OF UNSAFE NOTICE

If the person served with a notice or order to remove or repair an unsafe building or structure or portion thereof should fail, within a reasonable time, to comply with the requirements thereof, the AECC shall advise the ACLPOA Board of Directors of all the facts in the case who may institute an appropriate action in the courts to compel compliance.

105.5 EMERGENCY WORK

In case there shall be, in the opinion of the AECC, actual immediate danger of failure or collapse of a building or structure or portion thereof so as to endanger life or property, the AECC may, but shall not be required to, employ such labor and cause the necessary work to be done and render said building or structure or portion thereof, temporarily safe, at the cost of the Property Owner whether the procedure prescribed in this section has been instituted or not.

105.6 VACATING UNSAFE BUILDINGS AND CLOSING STREETS

- A. When a building or structure or portion thereof is in an unsafe condition so that health, safety or welfare is endangered thereby, the AECC may order and require the occupants to vacate the same forthwith.
- B. The AECC may, when necessary for the public safety, temporarily close sidewalks, streets, buildings, structures and places adjacent to such building or structure and prohibit the same from being used.

105.7 RECOVERY COSTS

The ACLPOA may institute proper action against the owner of premises for the recovery of costs incurred in the performance of emergency work.

106 VIOLATIONS (R113)

106.1 ENFORCEMENT – PENALTIES

If an addition, alteration or improvement that requires AECC approval is made to a Dwelling or Lot by an Owner without the prior written approval of the AECC, the AECC may, at the discretion of the Board of Directors and in addition to all other rights of enforcement provided to the Association as set forth in the Declaration of Covenants and Restrictions, the By-Laws, rules and regulations or as provided at law or in equity, take any of the following actions:

- A. Require the Owner to remove the addition, alteration or improvement and restore the Dwelling and Lot to the condition that existed prior to the making of the addition, alteration or improvement, all at the Owner's expense; or
- B. If the Owner refuses or fails to properly perform the work required under subsection (A.) above, the Board of Directors may cause such work to be done and may charge the Owner for the cost of the work as determined by the Board of Directors; or
- C. Ratify the action taken by the Owner, and the Board of Directors may, but shall not be required to, condition such ratification upon the same conditions that it may impose upon the giving of its prior approval.

106.2 STOPPING WORK

Whenever in the opinion of the AECC, by reason of:

- A. unpermitted, defective or illegal work in violation of a provision or requirement of this code or the governing documents
- B. the continuance of a building operation is contrary to the building permit.
- C. the discovery of new construction contrary to the building permit
- D. continuance of a building operation is contrary to public health, safety or welfare.

the Building Inspector or AECC designee shall issue a Stop Work Order, in writing, requiring all construction work to be stopped and requiring suspension of all further construction work until the condition in violation has been demolished or corrected.

107 BUILDING AND ENVIRONMENTAL CODE VIOLATION

107.1 PROCEDURE, APPEAL AND FINE

- A. Upon the report of a code or building permit violation by the Building Inspector or AECC designee, the AECC may direct that a letter of notice shall be sent to the Property Owner, or party responsible (hereinafter sometimes referred to as "violator"), informing that person that a violation has been observed and stating that a response is expected within ten (10) business days of the date of the letter. A time frame, acceptable to the AECC, for correction of the violation is to be provided at this time. The Building Inspector or AECC designee shall monitor the progress and work with the owner to correct the violation and determine if and when a citation is issued.
- B. In the event no timely response is received, or the violation is not corrected, a final notice of violation (citation) will be issued in writing which requires the violator to correct the violation and

pay the fine as indicated in this Code or file an appeal with the ACL Board of Directors.

C. Fines shall be assessed, starting from the date the violation was discovered up to the date that proper application or compliance is made to the AECC as to the amounts and timing, as follows:

1. \$25.00 per day for each non-safety code violation or property maintenance violation.
2. \$100.00 per day for safety code, erosion control or pollution violations. Including but not limited to improper silt fence, blowing/dumping debris in the lake, construction debris not being contained, etc.
3. Flat Fee Fine Schedule Summary
 - a. \$2,500.00 fine for working within the hundred foot (100') shoreline setback without a building permit approved by the AECC.
 - b. \$1,000.00 fine for not following the specific requirements of a variation or not building in accordance with the approved permitted plans.
 - c. \$1,000.00 fine per tree for removal of trees within fifty feet (50') of the water without obtaining a permit and approval from the AECC.

108 NONCONFORMING USES

108.1 LEGAL NONCONFORMING

A. Any new Structure built upon a Lot after the effective date of this Code is subject to the restrictions contained in Article III

and the current applicable building codes. All permitted existing nonconforming building structures built PRIOR to January 1, 2000 are exempt from the requirements stated in this ACL Building Code in accordance with Article III and may be continued subject to the regulations which follow.

- B. All existing nonconforming structures built WITHOUT a written permit issued by the AECC prior, on or after January 1, 2000 are NOT exempt from the requirements stated in the current ACL Building Code in accordance with Article III and must be fully brought into compliance when new work is done unless approved in writing by the AECC.
- C. All existing nonconforming structures built according to a written permit issued by the AECC on or after January 1, 2000 are exempt from the requirements stated in the ACL Building Code in accordance with Article III; provided, however:
 - 1. Minor repairs and routine maintenance may be made on a previously permitted non-conforming building or structure, provided that it does not change its use or increase the size or volume of the building or structure. Major repair work must be approved by the AECC with a new permit, and it is to be brought into conformance with the ACL Building Code
 - 2. If any exempt nonconforming Dwelling, Dwelling Accessory Building, Detached Garage or other Structure is seventy-five percent (75%) or more destroyed and is being reconstructed, restored or replaced it shall, when completed, be in conformance with the requirements of Article III and the current applicable building codes.

109 OFF-SITE CONSTRUCTION (R301)

109.1 REQUIREMENTS

- A. Manufactured, prefabricated, post frame, bardominum framed and mobile homes are not considered to be a Dwelling.
- B. Off-site construction of open-wall components, sections, and panelized modules is permitted for installation within Apple Canyon Lake if the following criteria have been met.
 - 1. Jo Daviess County Illinois permits are issued.
 - 2. The manufacturer agrees upon request to open wall sections or other concealed areas as necessary for inspection on the site.

110 CONSTRUCTION AND SETBACK REQUIREMENTS

110.1 FLOOR AREA (R501)

- A. The minimum total living space of the new Dwelling, as defined in Code 101.3 Definitions, may be no less than one thousand four hundred (1,400) gross square feet.
- B. The ground floor of any new Dwelling shall be the first floor. The ground floor living space may not be less than one thousand (1,000) gross square feet.
- C. The first floor shall be entirely above the highest adjacent grade.

- D. Earth sheltered or below grade Dwellings are not permitted, although this does not preclude sloping backfill against first floor walls less than three feet (3') above floor level.

110.2 BUILDING HEIGHT

- A. No Dwelling shall be erected which has a building height of more than thirty-five feet (35') measured from the top of the foundation to the highest roof ridge line as viewed from the street(s).
- B. No Dwelling Accessory Building, Detached Garage, or other Structure shall exceed seventeen feet (17') in height unless approved in writing by the AECC.
- C. The side wall of a detached Dwelling Accessory Building such as a garage shall not exceed twelve feet (12') in height unless approved in writing by the AECC.

110.3 BUILDING LINES

- A. Front setback is twenty-seven feet (27') from the property line adjacent to any street. This would include both streets on a corner lot.
- B. Side and rear setback is ten feet (10') from side and rear lot line.
- C. Lakefront setback is measured one hundred feet (100') horizontal from any portion of the lake shoreline as established at pool level elevation of eight hundred feet (800') regardless of the survey pin locations of the lot or intervening greenway space between the lot and the lake shoreline.

110.4 LOCATION ON LOT (R302)

- A. Every Dwelling, Detached Garage, Dwelling Accessory Building or other Structure, including any roof overhang, shall be a minimum of twenty-seven feet (27') from the front Lot Line. For corner lots the twenty-seven feet (27') setback shall be applicable to all sides of the Lot which face the street right of way.
- B. Dwellings, Detached Garages, Dwelling Accessory Buildings or other Structures including any roof overhang, and decks and porches attached thereto shall at minimum be set back ten feet (10') from the side and rear lot line.
- C. All Dwellings, Dwelling Accessory Buildings, Detached Garages, Roof Overhangs, attached decks and patios and sanitary systems constructed on any Lot must be not less than one hundred (100) feet from any existing lake edge as established at pool level of eight hundred (800) feet above mean sea level, regardless of the survey pin locations of the lot or intervening greenway space between the lot and the lake shoreline.
- D. No part of a septic system shall encroach into the setbacks.
- E. Driveways, boardwalks, gangways, decks, patios and retaining walls may encroach into the setbacks with written AECC approval.

110.5 ROOF PITCH (701.2A)

Roof pitch on the main structure of all buildings shall not be less than 4:12 (4" rise in 12" of run). This does not include shed roofs, dormers or any secondary roof structure.

110.6 LOT COVERAGE

Not more than thirty percent (30%) of the area of a Lot may be occupied by buildings and structures, including but not limited to a Dwelling, Dwelling Accessory Buildings, Detached Garage, and impervious driveways.

110.7 DRIVEWAY

- A. Before any driveway is constructed or reconstructed, plans and specifications describing such work shall be submitted to the AECC. Driveways shall be located and installed as approved in writing by the AECC.
- B. Culverts and work in the right-of-way must be approved in writing by the Thompson Township Road District.

110.8 WATER FACILITY

No Water Facility may be built or maintained on any Lot without the prior written approval of the AECC. In its discretion the AECC may approve, prohibit or limit the construction or maintenance or location of any Water Facility and the use thereof. Each Owner shall be responsible for keeping any Water Facility located on his or her Lot in good condition and repair. Any Water Facility that is not maintained in good condition and repair shall be removed from The Properties by the Owner, at the Owner's sole expense, following written notice from the AECC.

110.9 QUALITY OF ALL STRUCTURES

- A. Dwellings, Dwelling Accessory Buildings and Detached Garages shall be of a quality of design, workmanship and

materials which are compatible and harmonious with the natural setting of the area and the other structures within Apple Canyon Lake.

- B. All exteriors must be in colors and materials that are compatible and harmonious with the natural setting and other buildings within Apple Canyon Lake and the immediate area, as determined by the AECC.

111 CONNECTIONS TO WATER SYSTEMS (CH. 25)

A common water system has been installed to serve the Property Owners in place of individual wells. No individual wells may be drilled on any lot served by the common water system. It will be necessary for the property owner to file an application with the water utility company in order for the contractor to tap-in to the water system.

112 GARAGES (R309)

112.1 GARAGE PARKING SPACES - Attached/Detached

- A. A private garage may contain no more than four (4) parking spaces for the sole use of the owners or occupants of the Dwelling.
- B. The maximum parking space size is two hundred twenty five (225) gross square feet.
- C. If approved in writing by the AECC, a Detached Garage may have up to a maximum gross square footage of nine hundred (900) gross square feet. However, the gross square footage of

a detached garage shall be smaller than the gross square footage of the Living Space on the ground floor of the Dwelling.

112.2 GARAGE LIVING SPACE - Attached/Detached

- A. No Living Space shall be constructed or maintained in any attached or detached Garage.
- B. No Living Space shall be constructed or maintained in the space above any detached Garage without prior written approval by the AECC.
- C. Any such Living Space shall be for the sole use of the Dwelling Owner or Occupants.
- D. Any such Living Space shall not be rented separately from the rental or occupancy of the Dwelling.
- E. Water and septic systems may be installed if approved by the Jo Daviess County Health Department and the AECC

112.3 GARAGE CONSTRUCTION- Attached/Detached

- A. Attached and Built-in Garages
 - 1. Construction same as required for the Dwelling.
 - 2. The attached garage shall be separated from the dwelling and its attic by not less than two (2) layers of five-eighths inch (5/8") type X gypsum board or its equivalent.
 - 3. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than two (2) layers of five-eighths inch (5/8") type X gypsum board or its equivalent.

4. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall be protected by not less than two (2) layers of five-eighths inch (5/8") type X gypsum board or its equivalent.
5. Any future modification or penetration of the firewall must be properly caulked or resealed to maintain the fire rating.
6. If there is a door opening between garage and Dwelling or habitable room, a 1-3/4" self-closing twenty (20) minute fire rated door is required.
7. Installation of house heating unit or other fuel burning appliance in garage space is not permitted unless a 1-hour fire rated partition separates the space containing the house heating unit from the garage space.

B. One-Story Detached Garages

1. Comply with construction requirements for one-story Dwellings with the following exceptions:
 - a. Bottom of concrete footings or supporting edges of concrete slab not less than 12" below natural grade, for frame garages.
 - b. Studs, maximum spacing 24" O.C.
 - c. Sheathing and building paper may be omitted.
 - d. Corner post may be two 2" X 4", or a 4" X 4".
 - e. Top plate may be single, provided rafters occur over studs and plate at corners is lapped to provide tie.
 - f. Rafter ties at eaves not less than 2" X 4", maximum spacing 6 ft. O.C.

- g. Corner bracing is required, except where wood sheathing is used, and may be applied on the inside surface of studs.
- h. The flooring shall be concrete. Provide a floor drain if required to be in compliance with Jo Daviess County Illinois requirements.

113 EXTERIOR MAINTENANCE (IPMC301)

- A. Property Owners shall maintain their property in accordance with International Property Maintenance Code (Jo Daviess County Illinois adopted as amended) - Chapter 3
- B. On a lot with a Dwelling, grass and weeds shall not exceed eight inches (8") in height.
- C. No items may be temporarily or permanently stored on a vacant Lot. Items include but are not limited to structures, vehicles, equipment, boats, trailers, campers, recreational items, building materials, firewood, or any other similar items.
- D. Violators are subject to a fine in accordance with Code 107 upon citation by the Building Inspector or AECC designee until removal is confirmed by the Building Inspector or AECC designee.

114 LIQUID PROPANE TANKS (NFPA58)

114.1 ABOVE GROUND LP TANKS

- A. If unscreened, the unburied LP Tank must be placed away from street view.

- B. The LP Tank location will comply with the required 10' setback from the side and rear property lines and must comply with NFPA 58 Liquefied Petroleum Gas Code, the NFPA 58 Separation Distances from Buildings illustrated in Aboveground ASME Containers Figure 1.1(b) and Jo Daviess County Code requirements.
- C. The propane tank shall not encroach on or over the setback line, septic system, or other utility lines.
- D. The above ground propane tank shall be screened from street and adjacent lot view by an AECC approved method. Screening materials for the enclosure of the tank shall be rot-resistant solid screening and be compatible with the adjacent Dwelling's siding. Lattice screening is not permitted. The structure shall be constructed to provide a minimum twelve inch (12") clearance on all sides of the tank and the top must be open and unobstructed. For ventilation purposes an eight inch (8") space between the ground and the screening material shall be provided. A thirty-six inch (36") wide gate must be placed at the closest point to the filling area if the tank is screened on four (4) sides. Evergreens may be planted around the enclosure.

114.2 BURIED LP TANKS

- A. Propane tanks for all totally new Dwelling construction must be buried beginning January 1, 2010 unless approved in writing by the AECC for reasons of hardship or practical difficulty.
- B. Propane tanks must be placed and buried in accordance with NFPA 58 Liquefied Petroleum Gas Code and Jo Daviess County Code Title 7 Building Regulations Chapter 10

Underground Petroleum Containers and conform to the recommendations of NFPA 58 Annex K.

C. Buried propane tanks shall be routinely inspected for soundness by the propane gas supplier at least every 3 years.

115 SIGNAGE

Apple Canyon Lake homeowners are required to comply with Chapter 8 of the Jo Daviess County Ordinance which refers to the uniform numbering of buildings in the unincorporated areas of the County. Prior to new home construction on a vacant lot, it shall be the responsibility of the Property Owner to notify Jo Daviess County of intent to build and request the installation of 911 signage.

116 SEPARABILITY

It is hereby declared to be the intention of the Apple Canyon Lake Association Board of Directors that the several provisions of this comprehensive code are separable, and if any court of competent jurisdiction shall adjudge any provision of this comprehensive code to be invalid, such judgment shall not affect any other provisions of this comprehensive code not specifically included in said judgment.

117 PATIOS, DECKS, SWIMMING POOLS AND BOARDWALKS

117.1 PATIOS

A patio is an exterior, land-based floor system, constructed of concrete, stone or brick pavers. Patios smaller than sixty-four (64)

gross square feet are exempt from permitting, unless the horizontal surface is more than twenty-four inches (24") above grade at any point. Patios must comply with the building setbacks (see 110.3 BUILDING LINES and 110.4 LOCATION ON LOT) and must be permitted and approved in writing by the AECC prior to construction. Driveways are excluded from patios (See 110.7 Driveways).

117.2 DECKS

A deck is an exterior, land-based floor system, constructed of wood, or similar, and may include railings and/or benches. Decks must comply with the building setbacks (see 110.3 BUILDING LINES and 110.4 LOCATION ON LOT), and must be permitted, and approved in writing by the AECC prior to construction.

117.3 ATTACHED DECK OR PATIO

An attached deck or patio is one that is within one foot (1') of the Dwelling.

117.4 DETACHED DECK OR PATIO

- A. A detached deck or patio is a deck or patio that is not within one foot (1') of the Dwelling.
- B. A detached deck or patio NOT within the one hundred feet (100') lake front set back
 - a. Only one detached deck and one detached patio are allowed unless approved in writing by the AECC.
 - b. Each may not exceed six hundred gross square feet (600)
 - c. Any side may not exceed twenty-five feet (25') in length.

- C. A detached deck or patio within the one hundred (100') lake front set back
 - a. Only one detached deck and one detached patio are allowed unless approved in writing by the AECC.
 - b. Each or in combination may not exceed six hundred (600) gross square feet.
 - c. Any side may not exceed twenty five feet (25') in length.

117.5 OUTDOOR POOLS, SWIMMING POOLS, HOT TUBS, SPAS

- A. An outdoor Pool used for landscaping, swimming, hot tub, spa or bathing shall conform to the requirements of IRC Chapter 42 Appendix G and this section provided that these regulations shall not be applicable to any such pool less than 24 inches deep, except when such pools are equipped with a water recirculating system or involve structural materials. Pool depth is the distance between the pool floor and the top of the perimeter wall or perimeter overflow system lip. A pool and its equipment shall not encroach on or over setback areas without written AECC approval. Accompanying decks and patios shall comply with Section 117 of this Code.
- B. Wading pools as defined are exempt. Wading Pool means a pool intended only for small children. It is not used for swimming or instruction in swimming. The maximum depth is less than twenty-four inches (24"). The structure is not permanent. It is not located on a vacant lot.
- C. An outdoor pool and supporting assemblies shall not be constructed, installed, enlarged, or altered without written approval by the AECC. The approval of authorities having

jurisdiction over pools shall be obtained prior to receiving a permit from the AECC. Copies of the approvals shall be filed as part of the supporting data for the permit application. Plans showing dimensions, colors, equipment, fixed accessories and construction materials and distance to property lot lines, buildings, walks, fences, wastewater treatment systems, as well as details of the water supply system, drainage, and disposal systems. Detailed plans of structures, vertical elevations and sections through the pool showing depth shall be included.

- D. During construction of a pool, the permanent, or a temporary enclosure without any openings except for a gate, shall be in place prior to any water being placed in a pool designed to contain twenty-four inches (24") or more of water in depth at any point. The Building Inspector or designated representative must approve the temporary enclosure method.
- E. An outdoor pool designed to contain twenty-four inches (24") or more of water in depth at any point, shall be permanently protected by a gated enclosure surrounding the pool area. The outdoor swimming pool, hot tub or spa shall be completely enclosed in accordance with IRC Appendix G, Section AG105 Barrier Requirements. No fence shall be located, erected, constructed or maintained closer to a pool than three feet (3'). The wall of a house or building facing a pool may be used as a portion of such fence.
- F. A natural barrier, pool cover, or other protective device approved in writing by the AECC may be acceptable if the degree of protection afforded by the substituted device of structure is not less than the protection afforded by the standard barrier.

117.6 BOARDWALK

A boardwalk is a type of structure used primarily to provide access from one location to another. A boardwalk may be constructed of wood, tinted concrete, stone or brick pavers; larger than 32 square inches, or similar, and it may include stairs. It may not exceed five (5) feet in width. A boardwalk may not extend over the shoreline. A boardwalk may encroach upon standard setbacks with written AECC approval. Any boardwalk closer than 10 feet to the shoreline may not exceed 25 feet in length.

118 EXTERIOR LIGHTS

- A. Elevated farm lights, flood lights, and high intensity security lights shall not be used. Mercury Vapor, Metal Halide, High Pressure Sodium and High Intensity Discharge lamps are not permitted.
- B. Building and ground lighting shall be installed so as to limit objectionable off-site glare. Fixture bulb lumens shall not exceed 800.
- C. Post lights should not exceed 6' in height to the top of light fixture, and the light source must be directed downward and of sufficiently low wattage (800 lumens or 60 watt incandescent maximum) to reduce glare. Direct glare shall be minimized through the use of sufficient shrouding or opaque glass so that the light bulb is not visible through the glass and cannot exceed 800 lumens (60 watt incandescent).
- D. No fixtures with clear glass lenses will be allowed.
- E. Use of lights as landscape and architectural accent is allowed as long as the light and glare does not emit beyond the property line.
- F. Prior to the new installation or replacement of exterior lights consult with the Building Inspector. The Building Inspector must

approve the installation of any type of outside light and has the authority to determine if the light is in violation of this section. Removal or shielding of the light may be required.

119 FENCES

- A. Fences are permitted within property lines.
- B. Fences may be constructed of natural finished wood, woven wire, chain link or vinyl fencing, in a color approved by the AECC.
- C. The maximum height of fences shall be fifty inches (50").
- D. Fences shall have at least fifty percent (50%) of their vertical faces open, i.e., not solid.
- E. Woven wire or chain link type fences are allowed only within the rear and side building setback lines and not along the front setback. The woven wire or chain link fence shall be painted or coated with a color approved in writing by the AECC.

120 SATTELLITE DISH/ANTENNA

- A. No roof or building mounted satellite dish/antenna larger than thirty-six (36") inches is permitted.
- B. No more than two (2) roof or building mounted satellite dish/antennas are permitted.
- C. Any existing non-conforming satellite antennas are "grandfathered" until replacement and shall comply under the nonconforming provision of the Code (108).

121 SOLAR ENERGY (M2302)

- A. Solar energy systems shall comply with the ACL Solar Energy Policy.
- B. The solar panel array shall be roof mounted.
- C. Anyone erecting a solar array is required to obtain written approval from the AECC. The request for written approval must

include plot plan, specifications, Jo Carroll Energy approval and Jo Daviess permits, and location of array on the roof plan and engineering calculations proving required size.

- D. Care should be taken to see that placement will not diminish the natural beauty of Apple Canyon Lake.
- E. For the purposes of this Code, solar panel arrays are considered to be a structure.

122 TEMPORARY STRUCTURES

- A. As described in 110.9 of the Building Code, no trailer, vehicle, basement of an incomplete building, tent, shack, accessory building, garage, or temporary building or structure of any kind may be used at any time as a Dwelling, either temporary or permanent.
- B. A permitted temporary trailer, building or structure used during any construction, including repair, remodeling or renovation on any Lot, shall be on the same Lot where the construction is being performed, unless the prior written approval of another location is granted by the AECC.
- C. All temporary structures shall be removed upon completion of construction.

123 PIERS, DECKS, BOAT LIFTS, SHORELINE CONSTRUCTION (L-100)

123.1 PIER

A pier is a floor system over the water to allow access to a boat. A pier may not extend past the shoreline in excess of twenty-four (24) feet or be wider than five (5) feet. It may include up to one (1) storage box, not to exceed 6' L x 4' W x 2'6" H, be of a natural or an AECC approved material, in an earth tone color. Piers shall have a minimum of 8 square inches of reflective material, visible

from any direction on the lake. The pier shall be identified with the owner's lot numbers. A pier may extend past the shoreline in excess of twenty-four (24) feet for reasons of lake depth with written AECC approval.

123.2 GANGPLANK

A gangplank is a portion of a pier which crosses the shoreline and may not exceed five (5) feet in width. Pier length starts at the point where the gangplank crosses the shoreline.

123.3 SEQUENTIAL FLOATING DOCK

An 8' - 4" x 20' maximum sequential flex technology (SFT) system may be used in place of a conventional boat lift. A 15' x 20' SFT maximum perpendicular to the shoreline may be used in place of a conventional boat lift and a pier.

123.4 SHORELINE

- A. The shoreline is defined as any portion of the lake shoreline as established at pool level elevation of eight hundred feet (800') regardless of previous lot pin position.
- B. No concrete is allowed within 5 feet of the shoreline.
- C. To help prevent aquatic plant growth, no fertilizing of lawns within 100 feet of the shoreline is permitted. It is expected that noxious weeds will be controlled.

123.5 SHORELINE BUFFER ZONE

- A. The shoreline buffer zone is an area 50 foot horizontal from the shoreline, to be left as is, or restored to native vegetation as much as practical except for a deck, a patio, boardwalks, a beach, riprap and retaining walls. All these projects require the written approval of the AECC.
- B. When required due to the variations in slope, soils, and terrain, such items as terracing and retaining walls in conjunction with vegetation may be permitted with written AECC approval.
- C. Trees, alive or dead, shall not be cut down or trimmed within 50' of the shoreline without written AECC approval.
- D. Excluded structures include, but are not limited to sheds, boathouses, roofed structures of any type, large boat storage or shelters, parking areas, or ramps.

124 EXCAVATION (R401)

124.1 CRAWL SPACES (R408)

- A. Floor: Four (4) inches of stone plus a ten (10) mil vapor barrier.
- B. Cross ventilation or mechanical ventilation is required.
- C. Minimum twenty-four (24) inches by twenty-four (24) inches access and light switched at point of entry.
- D. Show beam and column sizes and locations.
- E. Show size, direction and spacing of joists above.
- F. Minimum R-13 insulation required in floors above unheated crawlspaces.

- G. A minimum height of twenty-four (24) inches is required between bottom of floor joists and top of grade inside crawl space.

125 LANDSCAPING EROSION CONTROL (R401)

125.1 APPLICABILITY

This Code shall be applicable to work that involves:

- A. Any earthwork or lot grading whether performed as a single project or as a series of projects on an existing developed Apple Canyon Lake property or lot.
- B. The potential for changing the discharge point, quantity, or concentration of storm water at the property line.
- C. The construction of a retaining wall any portion of which is higher than four feet or that exceeds twenty-five (25) feet in total length.
- D. Any modification to the ground profile of an existing lot that involves one or any more of the above criteria shall require a permit. Seeding and planting activities that do not alter the existing ground contours are exempt.
- E. Use of creosote treated material is prohibited at Apple Canyon Lake. Existing structures containing creosote will be allowed to remain. When being replaced, a permit is required and an AECC approved alternate material must be used.

125.2 EROSION SEDIMENT CONTROL PROCEDURES

- A. Before commencing construction, a silt fence (per ACL detail) must be placed along the lot lines or as noted on the approved plans. The silt fence must be maintained until the property has been seeded and restored to prevent erosion and encroachment on adjoining properties.
- B. Leave the soil bare for the shortest time possible. All excavated soil must be rough graded and reseeded with perennial rye grass or equivalent. This is to control erosion until final grading and landscaping.
- C. The use of erosion control blankets is allowed as long as the blankets do not contain any plastic materials.
- D. Immediately after the backfilling of the foundation and septic system, seeding and a suitable mulch of hay or straw or equivalent is to be spread over the exposed soil area to aid in erosion control before seed germination. Mulch shall be a minimum of one (1") to three inches (3") in depth. The Property Owner is responsible for having the mulch installed.
- E. All boardwalks and steps on slopes are to be of serpentine design and disturbed ground must be seeded and mulched immediately to minimize erosion. Expedient restoration of any disturbed slope by heavy planting of vegetative cover or mulch is required.
- F. Property Owners' gardens must be mulched when out of growing season.
- G. The contractor has ninety (90) days from the time of groundbreaking to restore the ground cover. If the final ground cover cannot be completed within the ninety (90) day period, a

temporary ground cover must be applied in accordance with items B, C, and D above. Failure to comply with the above may result in forfeiture of the environmental debris bond.

126 EARTHWORK CONSTRUCTION

126.1 REQUIREMENTS

- A. The maximum embankment slope for any improvement shall be limited to the lesser of:
 - a. 4:1 horizontal to vertical.
 - b. the maximum natural gradient existing on the lot.
- B. The maximum embankment slope permitted at the setback line is 4:1 horizontal to the vertical.
- C. The embankment toe or grading limit for excavation shall not encroach into the building setback without written approval by the AECC.
- D. No open ditch shall have a gradient in excess of 5% without a ditch liner or stabilization.
- E. Underground utilities must be located by contacting J.U.L.I.E and copying the ACL Building Inspector or the AECC designee.
- F. The Property Owner(s) of the adjacent land downgrade from the project shall be notified of the project and acknowledgment furnished with the permit application.
- G. Retaining walls in excess of six (6) feet in height shall be designed by a licensed engineer and stamped drawings submitted with the permit application.

- H. Temporary erosion control plan to contain sediment during construction shall be developed and submitted to the AECC with the permit application.
- I. The regulated project under this Code shall be presented to the Building Inspector or AECC designee in a suitable graphic format to completely depict the scope of work, including the temporary erosion control plan. As a minimum, the plan or sketch shall include:
 - a. The horizontal limits of the proposed project relative to the lot boundaries and setbacks
 - b. Contours or flow arrows showing existing drainage path(s)
 - c. The project's impact to the existing drainage path at the property line
 - d. Appropriate plan metric features such as buildings, fences utilities and other permanent features
 - e. The erosion control plans showing slit fences, straw bales, or other erosion control devices and details.
 - f. A sufficiently detailed plan including construction materials, ground treatments, and any conversion of previous surfaces to impervious.

127 SANITARY SYSTEMS (S101)

127.1 REQUIREMENTS

- A. Sanitary systems for Dwellings at Apple Canyon Lake must be of a design approved by the Jo Daviess County Health Department and the AECC for use in our lake-oriented

community with its special soil and sub-surface conditions. All builders, owners, or agents must submit plans for approval to the Jo Daviess County Health Department who will issue permits for systems meeting the special requirements of each individual lot. The sanitary system shall be designed by a State of Illinois licensed engineer or licensed surveyor. Percolation testing shall be conducted in the same area. The location of the septic system shall be clearly shown on the site plan submitted to the AECC with the application for a building permit. No portion of the sanitary system shall be located within the lot setback areas. The sanitary system shall be located a minimum of 100 feet from the nearest lake front waterline. No portion of any accessory structure, driveway, patio, etc. shall be placed over the septic field.

- B. All septic systems shall be sized in accordance with Jo Daviess County Private Sewage Disposal Ordinances and with the Illinois Subchapter r: Water and Sewage Part 905 Private Sewage Disposal Code, with the following additional requirement: In houses with unfinished areas, the septic system design load shall be increased by one bedroom for every three hundred fifty (350) gross square feet of unfinished area suitable for development into living space (not including garages or other non-living space).
- C. The minimum replacement septic tank size allowed is one thousand five hundred (1,500) gallons.
- D. Garages or other unheated spaces are not classified as "LIVING SPACE".
- E. A house may be classified as a four-bedroom unit but be designed to have more than four bedrooms occupied on occasion. In this instance, the number of bathrooms multiplied by five hundred (500) will be used to determine the required

septic tank volume (minimum 1,500 gal.) while allowing the drain field to be designed for four bedrooms. Annual systems inspections may be required by the AECC when issuing a permit in which concessions are made to these requirements.

127.2 SEPTIC TANK INSTALLATION

- A. Septic systems shall be constructed and installed in accordance with Title 77: Public Health Chapter I: Department of Public Health Subchapter r: Water and Sewage Part 905 Private Sewage Disposal Code and Jo Daviess County Health Department Private Sewage Disposal Ordinances. A Jo Daviess County Health Department permit is mandatory before constructing a new septic system.
- B. AEROBIC TREATMENT UNIT (ATU) shall not be installed or replaced with an ATU if the existing ATU fails.
- C. Septic tanks may be constructed of materials other than portland cement concrete with a manufacturer's certification that the tank to be furnished has been designed for use as a residential septic tank in Illinois.
- D. All accessory components installed beyond the discharge of the septic tank, i.e., filters, distribution boxes, pipe or fittings shall be constructed of plastic. **CONCRETE UNITS ARE NOT ALLOWED.**
- E. Shop repaired concrete units shall not be installed. Minor surface repairs may be made in the field only after authorization by the Jo Daviess County Environmental Health Division.

127.3 SEPTIC INSPECTIONS

- A. Inspections shall be performed in conformance with the ACL SEPTIC INSPECTION PROGRAM. Effective January 1, 2000, all property owners of lots improved with Dwellings, occupied and unoccupied, located in Apple Canyon Lake Subdivision shall be required to obtain periodic inspections and pumping of the sewage treatment systems located on said lots. Such inspections shall be conducted by an independent contractor licensed by the state and registered at ACL who is qualified and experienced in performing such inspections and related sewage treatment system installation, maintenance, and repair. The results of the inspections shall be reported to the AECC using the Apple Canyon Lake On Site Sewage Treatment System Inspection Report form. New systems shall be inspected every six (6) years from the time of occupancy or replacement. Any house built in 2000 and after will be required to have the septic system pumped and inspected every six (6) years.
- B. Exceptions: Any septic system servicing a Dwelling that is used for rental purposes shall be pumped and inspected EVERY THREE (3) YEARS.
- C. DUE TO THE NEED FOR CONTINUOUS OPERATION, THE AEROBIC TREATMENT UNIT (ATU) requires evaluation and maintenance at least once EVERY SIX (6) MONTHS. The system may be evaluated by a Private Sewage Disposal System Installation Contractor, a licensed Environmental Health Practitioner, an Illinois licensed Professional Engineer, a representative of the Department, or an agent of the Department or local health department. The property owner of an ATU may not conduct the inspection, report, and

maintenance. If the required inspections and maintenance are not performed, the system is in violation of the Illinois PART 905 PRIVATE SEWAGE DISPOSAL CODE SECTION 905.20 GENERAL REQUIREMENTS and this Code.

- D. The purpose of said inspections shall be to demonstrate to ACLPOA that the property owner's sewage treatment system is in good working order. The inspections shall be conducted for the purpose of determining whether or not the system contains any defects or malfunctions that materially hinder the suitability of the system for the purpose intended.
- E. Said inspections and pumping shall be required regardless of the type of sewage treatment system utilized by the property owner. Such systems subject to inspection include but not by way of limitation, conventional septic tanks and absorption fields and mechanical or aerobic treatment systems and any other systems from time to time utilized by property owners as approved by Jo Daviess County Health Department.
- F. Only inspections conducted by a contractor licensed by the state shall be acceptable to the AECC. Said contractor shall be an independent contractor retained by the lot owner-member and is not the contractor or employee of ACLPOA. It shall be the obligation of the individual property owner to have such inspections and pumping conducted to pay the contractors for all services rendered and not the obligation of ACLPOA.
- G. It shall be the obligation of the property owner to provide the AECC with written evidence of said inspection and pumping using the Apple Canyon Lake On Site Sewage Treatment System Inspection Report form. Such documentation shall be signed by the authorized representative of the company conducting the inspection. Minimally, such documentation shall

certify to the management of ACLPOA the type and kind of system inspected, and the condition of the system inspected, and whether or not any defects or malfunctions were observed. In systems having tanks, the inspection certificate shall indicate whether or not, at the time of the inspection, the tank was pumped. Any tank found to be leaking must be reported to the Building Inspector or AECC designee and scheduled to be replaced within thirty (30) days. ATU systems shall be reported to the AECC.

- H. All two (2) piece septic tanks being inspected and pumped shall be opened and inspected to determine if the tank is leaking. If the tank is found to be leaking, it must be reported to the Building Inspector or AECC designee and replaced within thirty (30) days.

127.4 CONVENTIONAL SYSTEMS

- A. Mandatory inspection and pumping every six (6) years.
- B. Conventional systems frequently utilize a septic tank with baffles and absorption fields of various types.
- C. Written designation of system type must be made at the time of inspection and communicated to the ACLPOA Building Department.
- D. On the first year designated for system inspection under the terms of this Code and on each subsequent fifth year, or more frequent, a written inspection report copy must be submitted to the ACLPOA Building Department by the inspecting contractor within seven (7) days of the inspection using the standard ACL report form. The body of this report shall specify the date and location at which the inspection was made, as well as any

significant deficiencies in need of repair. If requested by the AECC, include the exact location of the septic system in the report.

127.5 FAILURE TO COMPLY

- A. The required inspection of conventional systems as specified herein shall be conducted no later than August 1 in the year specified according to the inspection table maintained by the ACLPOA Building Department. Said inspection report shall be delivered to ACLPOA Building Department Office within seven (7) days of the required inspection. The required copy of a valid annual service agreement in full force and effect to mechanical systems shall be delivered to ACLPOA Building Department no later than August 1 of each year.
- B. Any Property Owner subject to the rules set forth in this Code who fails or refuses to obtain the required inspection and to produce written evidence thereof or to provide the required copy of an annual service agreement, as the case may be, in acceptable form to the ACLPOA Building Department within the time period specified above may result in the imposition of a \$100.00 fine and a per diem penalty of \$100.00 for each day the Property Owner is in a state of noncompliance and may be required to pay reasonable attorney fees and court costs of ACLPOA necessitated in compelling compliance. When the fine reaches \$2,000.00, the Association will lien the property.
- C. In addition, any Property Owner found not to be in compliance as aforesaid may also be subject to other sanctions, including but not limited to, suspension of membership privileges and amenities.

D. ACLPOA shall have the right to enforce compliance of the rules set forth in this Code in a Court of any competent jurisdiction at law or in equity and before any administrative or regulatory agency, bureau or other governmental entity and to pursue, without limitation, every other right to the fullest extent by law permitted to do.

127.6 GPS SEPTIC LOCATION FEE

The cost of the GPS location fee will be billed to the Property Owner by AECC at the time of the initial inspection under the septic inspection program. This fee will also be billed to Property Owners having their septic system inspected out of sequence as established in the table maintained by the Maintenance Department.

Revised

**Apple Canyon Lake
Property Owners Association**



**Apple Canyon Lake
Building and Environmental Code**

Adopted January 2006

Amended 3-18-06 Amended 9-20-08

Amended 05-16-09 Amended 03-20-10

Amended 03-19-11 Amended 04-21-12

Adopted 05-16-2020

Adopted 05-20-2023

Adopted 11-16-2024

~~October 19, 2024~~ November 16, 2024

Deleted: May 20, 2023

**14A157 Canyon Club Drive
Apple River, IL 61001**

**(815) 492-0900: ACLPOA Building Inspector
(815) 492-2238: ACLPOA Office**

This booklet contains all Board of Directors approved amendments and/or revisions to the Apple Canyon Lake Building and Environmental Code through ~~May 20, 2023~~ November 16, 2024

The Apple Canyon Lake Building and Environmental Code adopted January 2006 and all amendments thereto are hereby deleted and replaced with the terms of this title effective coincident with the effective date hereof.

Deleted: May 20, 2023

~~October 19, 2024~~ November 16, 2024

The Apple Canyon Lake Building and Environmental Code was adopted by the ACLPOA Board of Directors on 11/20/82.

The Building and Environmental Code was subsequently revised and approved by the ACLPOA Board of Directors on 12/17/88, prescribing minimum standards necessary for the building of any structure, garage, Dwelling, accessory building, septic systems, piers, and docks at Apple Canyon Lake.

Since 12/17/88 the Apple Canyon Lake Building and Environmental Code has periodically been amended or revised by the ACLPOA Board of Directors. Dates include:

8/19/89	2/17/90	2/15/92
5/15/93	8/21/93	5/24/94
9/21/96	5/16/98	1/01/99
2/19/00	3/18/00	5/20/00
7/15/00	9/16/00	12/16/00
3/17/01	1/19/02	8/17/02
1/16/02	6/21/03	7/19/03
9/18/04	1/15/05	11/19/05
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3/20/10	3/19/11	4/21/12
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(References to the Jo Daviess County Illinois currently adopted International Residential Code for One-and Two-family Dwellings are in parenthesis.)

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**PREAMBLE
TO APPLE CANYON LAKE
PROPERTY OWNERS ASSOCIATION
BUILDING AND ENVIRONMENTAL CODE**

INTRODUCTION

This preamble is an integral part of the "The Apple Canyon Lake Building and Environmental Code".

The purpose of the Apple Canyon Lake Building and Environmental Code (The Code) is to provide Property Owners and builders with a complete guide when considering and planning new construction, or when other additions or alterations are required. It has been prepared by the Architectural and Environmental Control Committee (AECC) and approved by the ACLPOA Board of Directors (the Board) as the minimum standard for use at Apple Canyon Lake. It amends the Jo Daviess County, Illinois currently adopted version of the International Residential Code for One- and Two-Family Dwellings.

Nothing in the ACL Building and Environmental Code should be construed to be punitive in nature. It is intended to be a positive formulation to ultimately enhance the value of all our property. The AECC should be thought of as the representative of the ACL Property Owners in the pursuit of a mutually beneficial result.

THE AECC

The AECC is a Committee designated by the Not-for-Profit Act (805 ILCS 105/108.40) made up of volunteers with the majority of the Committee members serving as current elected members of the Board of Directors.

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The ACLPOA governing document, *Amended Declaration to Conform to the Common Interest Community Association Act (CICAA), Article VII* for Apple Canyon Lake Property Owners' Association provides the authority to the AECC to act on behalf of the Association.

Article VII clearly defines the:

- Powers of the Committee.
- Power of Disapproval for AECC to refuse to grant permission.
- Power to Grant Variances, Adopt Rules.
- Power to Charge Fees.
- Review of AECC Action by the Board of Directors.
- Duties of the AECC.
- Composition of the AECC.
- Liability of the AECC and the Association.
- Duty of Inspection.
- Remedies for Unapproved Additions and Alterations.

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Section 1. Powers of the Committee

(a) **Generally.** No Dwelling, Multifamily Structure, Dwelling Accessory Building, Structure, Driveway, Water Facility, Fence, Wall or other structure of any type or kind may be commenced, erected nor shall any exterior addition to or change or alteration be commenced or made on any Lot or on any of the Common Properties or Reserved Properties subject to this Declaration without the prior written approval of the Architectural and Environmental Control Committee (AECC); provided, that, additions, alterations or changes to the Common Properties and Reserved Properties may be made by the Board. Such approval shall be obtained only after written application has been made to the AECC by the Owner of the Lot requesting authorization from the AECC. Such written application shall be in the manner and form prescribed from time to time by the AECC and shall be accompanied by two (2) complete sets of plans and specifications for any such proposed construction or improvement. Such plans

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shall include plot plans showing the location of all improvements existing upon said Lot and the location of the improvement proposed to be constructed or placed upon said Lot, each properly and clearly designated; said plans shall also show the building lines shown on the recorded plat of subdivision. Such plans shall set forth the color and composition of all exterior materials proposed to be used, together with any other material or information which the AECC may require from time to time. All plans, drawings and other documentation required to be submitted to the AECC shall be as the AECC may require. There shall also be submitted, where applicable, the permits or approvals required under Article III of the Declaration. (See, Art. III, Sec. 11, Wells and Plumbing.) The AECC shall have the power, subject to the Board's approval, to adopt building codes, guidelines and standards governing the quality, design, workmanship and materials and colors to be used for all proposed construction or improvements.

- (b) Power of Disapproval.** The AECC may refuse to grant permission to construct, place or make the requested improvements when:
- i. The plans, specifications, drawings, or other materials submitted are themselves inadequate or incomplete or show the proposed improvement to be in violation of any of the restrictions contained in this Declaration, or the provisions of any applicable governmental building code, or the codes, guidelines or standards approved by the AECC or the Board of Directors.
 - ii. The design or the siting of a proposed improvement is not in harmony with the general surroundings of the subject Lot or with adjacent buildings or structures.
 - iii. The proposed improvement, or any part thereof, would in the opinion of the AECC be contrary to the interests, welfare or rights of all or part of the Owners.

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(c) Power to Grant Variances, Adopt Rules.

- i. The AECC may allow reasonable variances or adjustments of this Declaration where the literal application thereof would result in practical difficulties or unnecessary hardship, provided however, that any such variance or adjustment that is granted is in conformity with the general intent and purposes of this Declaration and that the granting of the variance or adjustment will not be materially detrimental or injurious to other lots in the development. The granting of a variance in any specific case shall not be construed as a precedent or authorization to compel the granting of a variance in any other case, however similar the circumstances may be.
- ii. The AECC may adopt rules, including rules to be applied in requests for variances, building requirement forms, general building procedure requirements including, but not limited to, adoption or acceptance of national or local building codes, either in whole or in part, for use during the construction of improvements upon the Lots, the Common Properties or the Reserved Properties, provided that all such rules and general requirements be approved by the majority of the Board of Directors prior to implementation and use.

(d) Power to Charge Fees. The AECC shall recommend to the Board of Directors a schedule of fees to be charged to consider the application of any Owner, and a schedule of fees for the inspection services necessary for all improvements, whether performed by the Association or by any outside source. Such fee schedules shall be approved by the Board of Directors from time to time and shall be uniformly charged to all Owners. All funds collected shall be paid to the Association.

(e) Review of AECC Action by the Board of Directors. The Owner of any Lot or Dwelling whose application to the AECC has been denied may, within sixty (60) days of such denial, appeal such denial to the Board of Directors. Such appeal shall be in writing

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and shall state all reasons why the AECC's decision was either erroneous as a matter of fact or arbitrary and capricious. At the next regular meeting of the Board of Directors, the Board of Directors shall consider the Owner's appeal and review the AECC's action. The Board of Directors shall either affirm the action of the AECC; refer the matter back to the AECC for further consideration; or determine that the action of the AECC was erroneous as a matter of fact or arbitrary and capricious, in which case the Board of Directors may direct that the application be granted. The action of the Board of Directors shall be final and binding.

Section 2. Duties of the AECC. The AECC shall approve or disapprove proposed improvements within sixty (60) days after all required information has been submitted to it. If AECC fails to approve or disapprove the proposed improvements within sixty (60) days, it shall provide the Owner with a written explanation of the reasons it has failed to act. In acting upon such applications, the AECC members may discuss and act on any such applications either at a regularly scheduled meeting or at a special meeting. Members of the AECC may attend such meetings in person, by video conferencing, or by telephone. One copy of the submitted material shall be retained by the AECC for its permanent file. All notifications to applicants shall be in writing and, in the event that such notification is one of disapproval, it shall specify the reason or reasons for such disapproval.

Section 3. Composition of the AECC. The AECC shall be comprised of not less than three (3) or more than nine (9) representatives who shall be appointed by the Board of Directors, and who shall be subject to removal by the Board of Directors at any time. The Board of Directors shall appoint at least one (1) architect, licensed engineer or building contractor to the AECC, if one is available. The majority of the members of the AECC shall also be Members of the Board of Directors. Any vacancies existing from time to time shall be filled by appointments made by the Board of Directors. The AECC, subject to the Board of Director's approval, may engage such inspectors or

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agents to assist it in the performance of its duties and responsibilities. No member of the AECC shall participate in the review of any application in which the member has an interest either as an owner or as the provider of any services for which the member is compensated.

Section 4. Liability of the AECC and the Association. No approval of plans and specifications submitted by an Owner pursuant to this Article by the AECC or Board shall be construed as representing or implying that such plans and specifications shall, if followed, result in properly designed improvements. Such approvals shall in no event be construed as representing or guaranteeing that any Dwelling, Multifamily Structure, Dwelling Accessory Building, Structure, Driveway, Water Facility, Fence, Wall, or other Structure of any type or other improvement built in accordance therewith shall be built in a good and workmanlike manner. Neither the Association, the Board of Directors nor the AECC shall be responsible or liable for any defects in any plans or specifications submitted, revised or approved pursuant to the terms of this Article, any loss or damages to any Natural Person or Legal Entity arising out of the approval or disapproval of any plans or specifications submitted, revised or approved pursuant to the terms of this Article, any loss or damages to any Natural Person or Legal Entity arising out of the approval or disapproval of any plans or specifications, any loss or damage arising from the non-compliance of such plans or specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications.

Section 5. Duty of Inspection. The AECC shall have the power and the right to inspect the work being performed to assure compliance with the applicable provisions of this Declaration and all applicable codes and regulations, and the approved drawings. Approval of plans or work by the AECC shall not be deemed to be a determination that the applicable codes and regulations have been satisfied.

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Section 7. Remedies for Un-Approved Additions and Alterations. If an addition, alteration or improvement that requires AECC approval hereunder is made to a Dwelling, Accessory Structure or Lot by an Owner without the prior written approval of the AECC or Board of Directors, then the Association may, at the discretion of the Board of Directors and in addition to all other rights of enforcement provided to the Association as set forth in this Declaration, the Bylaws, rules and regulations or as provided at law or in equity, take any of the following actions:

- (a) Require the Owner to remove the addition, alteration, or improvement and restore the Dwelling, Accessory Structure, or Lot to the condition that existed prior to the making of the addition, alteration, or improvement, all at the Owner's expense; or
- (b) If the Owner refuses or fails to properly perform the work required under subsection (a) hereof, the Board of Directors may cause such work to be done and may charge the Owner for the cost thereof as determined by the Board of Directors; or
- (c) Ratify the action taken by the Owner, and the Board of Directors may, but shall not be required to, condition such ratification upon the same conditions that it may impose upon the giving of its prior approval under this Article.

CONSTRUCTION PLANNING

ACL has been professionally planned to provide residents with a pleasant and relaxing environment in which to live. Throughout the planning and development process, attention has been given to preserving the natural beauty of the land. This care in planning, coupled with attention to quality and detail in the development process, places Apple Canyon Lake in a position to evolve as an aesthetically pleasing community. The degree to which this is achieved is very much dependent upon the attention Property Owners give to the design and sighting of their homes, as well as proper landscaping. Site planning and clearing should be accomplished, insofar as

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is feasible, in a manner which respects and preserves the existing natural trees, vegetation and land contours. It is important to secure the advice and services of a competent professional. The Governing Documents require that in advance of building, you submit your plans for review and approval by the AECC.

When planning construction, please keep in mind that Apple Canyon Lake is zoned by Jo Daviess County Illinois as a RP Planned Residential District. The Jo Daviess County Illinois Zoning Ordinance limits and regulates development at Apple Canyon Lake. In addition to ACL Permits, when applicable, proof of Jo Daviess County Health Department approval of the septic system design is required. Proof of Jo Daviess Planning and Development zoning and building permits is required. Thompson Road District requirements may also apply.

The AECC has a period of sixty days (after regularly scheduled AECC Meetings) in which to review and act on the plans. Plans shall be delivered to the Maintenance Department Office at Apple Canyon Lake together with the completed ACL application for a building permit. Applicable fees will be charged upon approval of the permit. Checks shall be made payable to the Apple Canyon Lake Property Owners' Association (ACLPOA). Upon approval, the Building Inspector or AECC designee will notify the ACL Property Owner indicating AECC approval. In the event plans are not approved, revisions may be submitted at no additional charge.

The AECC will not consider the permit issued until a check for the fees has been submitted, and applicable Jo Daviess County, and Thompson Township Road District permits are approved.

At crucial points in the construction process, the Building Inspector or AECC designee will make inspections. An initial inspection will be made after the building has been laid out and a silt fence has been installed before any actual construction is begun. At that time, the property lines and structure locations must be established and staked by an Illinois

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licensed surveyor according to the approved plans. The owner or contractor is required to notify the Building Inspector or AECC designee, at the appropriate time for this inspection. The responsibility for conformance with the plans and the ACL Building Code rests with the Property Owner.

Work must begin within one hundred eighty (180) days of issuance, or the permit will be void. The exterior of the building(s) must be completed within one year of the issuance of the building permit.

The ground floor living space of any new Dwelling shall be not less than one thousand (1,000) gross square feet, unless otherwise approved in writing by the AECC.

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The structure's exterior must be harmonious with the surrounding environment. To accomplish this, consideration should be given to the existing natural topography as well as the design of neighboring homes. Building exteriors must be made of concrete, masonry, vinyl, brick, wood, log construction, or such other building materials as may be approved by the AECC. All exteriors must be painted, stained, or finished in colors that are compatible and harmonious with the natural setting and other buildings within the immediate area, as determined by the AECC.

Detached garages should be designed to conform to the main Dwelling. The ground floor gross square footage of the detached garage shall be less than the Dwelling's ground floor Living Space. The maximum gross square footage of a detached garage is nine hundred gsf (900-gsf). Garage doors should be of the overhead type. Driveways should be carefully located for practicality as well as overall aesthetic appearance.

As with all appurtenances, a fence should enhance, rather than detract from the overall appearance of the property. The use of rough-hewn woods or natural plantings as fencing and screening materials is encouraged.

Ground and structure mounted lighting fixtures should be carefully selected for compatibility. Such lighting should be subdued so as not to be

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objectionable to adjacent Property Owners. Utilize light fixtures that will illuminate the property without putting objectionable light on the neighbors' property or shine in their windows. Similar to a 60 watt incandescent bulb, lumens may not exceed eight hundred (800) per fixture. Clear glass may not be used.

Erosion and sediment control measures are an essential part of structure construction. Environmental requirements are in The ACL Building Code because Apple Canyon Lake has steep slopes and erodible soil.

It is vital to the health of the Lake that erosion as well as nutrient and chemical runoff be minimized. Also, invasive species need to be avoided. Noxious weed control is expected. For these reasons, a 50-foot lakeshore buffer zone has been established. This Buffer Zone, exclusive of permitted amenities such as docks, boardwalks, and beach areas should be left as is or restored to native vegetation as much as practical. When permitted by the AECC, due to the variations in slope, soils, and terrain, such items as terracing and retaining walls in conjunction with vegetation may be appropriate in some circumstances. All areas have their unique challenges and variation among properties is expected.

The ACL Conservation Commission maintains a list of prohibited plants as well as a non-exclusive list of preferable native vegetation plantings. It is acknowledged that complete restoration is a long-term project and is expected to be ongoing and changing as new techniques become available.

All projects in the ACL Greenway shall be presented to the Conservation Commission for acceptance. Projects within the Buffer Zone shall also require an ACL Building Permit.

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The AECC realizes that during construction it may be advantageous to make minor adjustments to approved plans. However, before any changes are made, it is the responsibility of the Property Owner to present any

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alterations to the AECC for approval by way of the Building Inspector or AECC designee.

For information, contact the
Apple Canyon Lake Building Inspector
12A352 S. Apple Canyon Road, Apple River, IL 61001.
Phone: 815-~~492~~-0900 Ext. 1413 Fax: 815-292-1107
Email: buildinginspector@applecanyonlake.org

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100 ACL BUILDING CODE

(References to the International Residential Code are in parenthesis.)

101.1 BASIS OF THE ACL BUILDING CODE

The International Residential Building Code For One- and Two-Family Dwellings (IRC) is adopted as the official building code of Jo Daviess County Illinois. The ACLPOA Board of Directors has adopted the IRC as adopted by Jo Daviess County Illinois as the official building code of Apple Canyon Lake with these amendments. This code shall be known and may be cited as the Apple Canyon Lake amendments to the IRC herein after referred to as "The ACL Building Code".

101.2 BUILDING INSPECTOR (R104)

Building Inspector (or AECC designee) responsibilities shall include:

- A. Assist the AECC in the performance of its duties by maintaining the owner property files, permit application documentation, AECC meeting dates, agendas, and meeting minutes.
- B. Administer the assignment and payment of permit fees and fines.
- C. Answer ACL Building Code questions and provide information.
- D. Upon receipt of a building permit application, the Building Inspector shall review the project and shall issue to the AECC a determination as to its suitability as to its compliance with the Governing Documents and the ACL Building and Environmental Code.

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- E. Permit application review shall consider site planning and clearing should be accomplished, insofar as is feasible, in a manner which respects and preserves the existing natural trees, vegetation and land contours.
- F. Review available data for project conflicts with existing septic systems.
- G. Perform project site inspections, including setback compliance and verification of erosion control measures prior to construction.
- H. Issue citations and stop work orders as described in the ACL Code.
- I. Administer the septic inspections program, the lot combination program, the variance application program.
- J. Assist the General Manager, the Conservation Commission and the Natural Resource Manager regarding ACL and Jo Daviess Code compliance.
- K. Assist the General Manager and the ACL Board of Directors with Special Projects and Master Planning.

101.3 DEFINITIONS (R202)

The following words, when used in this Code, shall have the following meanings according to the governing document Amended Declaration to Conform to the Common Interest Community Association Act (CICAA), Article I Definitions, Section 1 and Article II.

- A. "*ACL Building Code*" shall mean and refer to the Apple Canyon Lake Building and Environmental Code, as amended from time to time.

- B. *“Adjustment”* Signifies AECC written approval of a departure from an ACL Building Code standard or norm when specifically allowed for in the ACL Building Code.
- C. *“AECC”* See the Amended Declaration to Conform to the Common Interest Community Association Act (CICAA) Article VII Architectural and Environmental Control Committee
- D. *“Article III”* See the Amended Declaration to Conform to the Common Interest Community Association Act (CICAA) Article III General Restrictions.
- E. *“Building Height”* shall mean the vertical distance measured from the top of the foundation to the highest point of the roofline at the street facing elevation of a building.
- F. *“Building Line”* shall mean a setback line on a Lot that is established by the Governing Documents which denotes the Code required depth of a front, side, or rear yard.
- G. *“Driveway”* shall mean the surface area by which vehicles regularly enter and exit any Lot, whether paved or not.
- H. *“Dwelling”* shall mean any building located on any Lot or an individual living unit in a Multifamily Structure designed and intended for the shelter and housing of a single family.
- I. *“Dwelling Accessory Building”* shall mean a subordinate building of a Dwelling, the use of which is incidental to the Dwelling and customary in connection with that use.
- J. *“Garage”* shall mean a Structure, either attached to a Dwelling or constructed as a separate Accessory Structure, designed, and constructed for the primary purpose of storing motor vehicles, boats, or other items of personal property under the provisions belonging to the Owner or Occupant of the Dwelling.

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- K. "Ground Floor Area" shall mean the footprint of the Occupied Space in that story of the Dwelling which is the first story entirely above the established building grade at the building front.
- L. "Hardship" Special or specified circumstances that partially or fully exempt a person from performance of a legal obligation to avoid an unreasonable or disproportionate burden or obstacle. Compliance requires action of significant difficulty. The alleged hardship cannot be self-created. Expense is not considered as grounds for a variance.
- M. "Living Space" Heated enclosed space within a Dwelling Unit utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes. Living space does not include an unfinished basement, garage space, three season room, attic, deck, patio, crawl space, breezeway, etc. Areas with less than 7'-8" headroom shall not be included in the minimum required living space.
- N. "Lot" also known as Unit, shall mean any numbered parcel of land, or any separately identified condominium unit, in any subdivision as shown on any plat of The Properties recorded under the provisions of Article II, but not including any of the Common Properties or Reserved Properties.
- O. "Lot Area" shall mean the area of a horizontal plane bounded by the vertical planes through front, side, and rear Lot Lines.
- P. "Lot Line" shall mean any legal boundary of a Lot as shown on a plat of survey prepared by an Illinois licensed surveyor Jo Daviess .
- Q. "Occupant" shall mean any person authorized by the Owner to occupy a Dwelling for any period of time, whether with the Owner or alone, or whether as a guest of the Owner or as a tenant. Occupants shall be bound by all the obligations of this

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Declaration, the Bylaws, and all Rules and Regulations adopted by the Association.

- R. "Recreational Vehicle" shall mean and refer to a motor vehicle or trailer equipped with living space and amenities typically found in a residential living unit including, but not limited to, a motor home.
- S. "Structure" shall mean that which is built, erected or constructed the use of which requires more or less permanent location on or in the ground or attached to something having a permanent location on or in the ground.
- T. "Trailer" shall mean and refer to a transport vehicle designed to be towed by a motorized vehicle.
- U. "Unsafe building or structure" The term unsafe building or structure shall apply to buildings, structures, or portions thereof, with or without an AECC permit existing prior to January 1, 2000 or after or hereafter erected as follows:
 - 1. Those deemed by an agent of the AECC to be structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities, constituting a fire hazard, unsuitable or improper for the use or occupancy to which they are put, constituting a hazard of health or safety because of inadequate maintenance, dilapidation, or abandonment, or otherwise dangerous to life or property.
 - 2. Vacant buildings or structures or portions thereof deemed to constitute a hazard.
- V. "Variance" An official AECC permit to do something normally forbidden by the ACL Building Code when the literal application thereof would result in unnecessary Hardship or where there

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are practical difficulties preventing compliance. Granting the variance shall not alter the essential character of the locality.

W. "Water Facility" shall mean any pier, gangway, dock, boat lift, or related facility. A boat house shall not be a "Water Facility" and shall be deemed to be a Dwelling Accessory Building.

102 PERMITS (R105)

102.1 PERMIT REQUIRED

- A. Except for shoreline stabilization or watershed projects as prior approved by the AECC, no Detached Garage, Dwelling Accessory Building, Patio, Deck, Fence, Water Facility, or any other type of Structure shall be erected on or under a lot PRIOR to construction of a Dwelling on the lot. The structures may be erected WITH the Dwelling.
- B. Prior approval in writing by the AECC must be obtained before the start of construction, alteration, improvements to a Lot. It shall be a violation to commence the construction, addition, alteration, removal, or demolition of a structure without first filing an application in writing with the AECC and obtaining a formal ACL Building Permit.
- C. All structures, additions, alterations, and improvements such as the Dwelling, Detached Garage, Dwelling Accessory Building, Driveway, Demolition, Exterior Remodeling, Septic System, Patio, Deck, Fence, Water Facility or any other type of Structure on or under a lot are subject to the ACL Building Code.

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- D. No Structure shall be erected, re-erected, or maintained on any Lot, except one Dwelling designed for occupancy by a single family, which may include an attached Garage as well as one detached Garage, Dwelling Accessory Buildings (as permitted), and Water Facilities. All such shall be for the sole use of the Owners and Occupants of the Dwelling.
- E. No Dwelling, Dwelling Accessory Building, Detached Garage, or any type of Structure may be erected except in such manner and location as provided in the Amended Declaration to Conform to the Common Interest Community Association Act (CICAA) for Apple Canyon Lake Property Owners' Association, the ACL Building Code and as approved in writing by the AECC.
- F. After written building permit application, the AECC may allow a property owner a variance to the ACL Building Code without the consent of property owners of other lots or adjoining or adjacent property to deviate from any of the items set forth in this ACL Building Code for reasons of practical difficulties or particular hardships evidenced by the property owner. Any such variance, which shall be manifested by written building permits, shall not establish a precedent and shall not constitute a waiver of any such code requirement as to other Lots in The Properties.
- G. Any Lot which is designated in any of the documents identified on Exhibit A is intended as a Lot and shall be used for Single Family Dwelling residence purposes only. All structures shall be for the sole use of the property owners of the Dwelling. No Structure, except as specifically authorized elsewhere in this Code and in the Amended Declaration to Conform to the Common Interest Community Association Act (CICAA) Article III

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General Restrictions, shall be erected, re-erected or maintained on any Lot except

1. One Dwelling containing no less than 1,000 gross square feet of ground floor living space designed for Single Family occupancy. The structure may include an attached garage and other non-living space appropriate to a Dwelling
 2. One private Detached Garage as permitted containing no more than gross square feet for the sole use of the property owner of the Dwelling constructed with or after but not before the Dwelling. The detached garage footprint shall not be larger than the Dwelling's ground floor living space footprint
 3. Detached accessory building, patio, deck, landscape, retaining wall, driveway, and water facilities as permitted constructed with or after but not before the Dwelling
- H. Any partitioning, subdivision or remodeling of any residential interior area requires an ACL Building Permit, as well as verification that the existing septic system remains adequate. Inadequate septic system designs shall be enlarged as required to meet Jo Daviess County Health Department and ACL Building Code Standards.
- I. Ground lighting fixtures, antennas, solar panels, flag poles or similar devices that are not a part of a Dwelling at time of Dwelling construction require a separate building permit.
- J. No activity in the opinion of the AECC which significantly changes the existing topographic character of the land shall be commenced without first seeking approval of the AECC. This includes any grading, filling, moving, and shaping of the terrain

and alterations of natural watersheds. Seeding and planting activities that do not alter the existing ground contours (as defined in Section 126 of this code, Landscaping/Grading) may be exempt if proper erosion control is implemented.

102.2 WATER SUPPLY AND SEWAGE TREATMENT

- A. All plumbing fixtures, dishwashers, toilets and sewage disposal systems shall be connected to a septic tank system constructed by the Owner and approved by the AECC and by .
- B. No permit may be considered to be issued until satisfactory proof has been submitted that Jo Daviess County Health Department approved water supply and sewage treatment facilities are or will be utilized.

102.3 CONTINUATION OF PERMIT

- A. Where no work has been started within one hundred eighty (180) days after the issuance of a permit, such permit shall be void. Exterior work must be completed within three hundred sixty-five (365) days after the issuance of a permit, or the permit shall be void. A new permit must be obtained before any work may begin or resume. A fee according to the ACLPOA fee schedule shall be charged for the issuance of the new permit.
- B. A permit may not be transferred by the person to whom it is issued, to another person, without the written approval of the AECC.

102.4 RECORDED PROPERTY

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- A. At the time of applying for a permit for the erection of, alteration of, additions to, or moving of any building or structure, all lot corner posts and structure setbacks must be located and flagged by a surveyor licensed by the State of Illinois to show the boundaries of the lot and the position to be occupied by the proposed building, or by the structure to be altered or added to, or structures to be moved thereon, and the position of any structure or structures that may be on the lot. Before commencing construction, a silt fence must be placed and maintained until the property has been seeded and restored to prevent erosion and encroachment on adjoining properties.
- B. When clearing a lot prior to house construction, the owner or agent must have a licensed surveyor locate and flag all lot stakes before any clearing may take place; and must clearly identify any association property that is adjacent to the lot. After clearing, the owner or agent must immediately seed and mulch the property to prevent erosion. The time of clearing is subject to prior approval of the ACL Building Inspector or AECC designee.

102.5 APPLICATION FORM

An application for a permit shall be submitted in such form as the AECC may prescribe. Such application shall contain proof of ownership and the full names of the applicants and of the owner, and, if the owner is a corporate body, of its responsible officer. The application shall also briefly describe the proposed work and shall

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 In all new construction, a Global Positioning System (GPS) - as built map is required at the cost of the Property Owner. The map shall show the location of the house, buried utilities, onsite septic system elements, garage or other accessory structures, driveway, LP tank, and any other below or above ground improvement. A permanent site drawing map shall become a part of the Association records. ¶

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give such additional information as may be required by the AECC for an intelligent understanding of the proposed work.

102.6 THOSE AUTHORIZED TO MAKE APPLICATION

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Application shall be made by the owner or agent of the owner, or the architect, engineer or builder employed in connection with the purposed work. It is the sole responsibility of the Property Owner to ensure that all required permits have been obtained and the work is accordingly constructed.

103 THE PLAN REQUIREMENTS (R106)

103.1 PERMIT APPLICATION

A permit application available from the Association Office, Building Inspector or AECC designee is required for any and all construction. An application requires the following items:

- A. Completed ACLPOA permit application with all applicable blanks filled to the satisfaction of the AECC.
- B. Two sets of Sanitary System plans, drawn to scale showing setbacks, side lines and dimensioned according to restrictions, all prepared by licensed professional engineers, licensed to practice in the State of Illinois. Any design must have prior approval and a valid permit number from the Jo Daviess County Health Department. The Jo Daviess County Code may be more or less stringent than that of Apple Canyon Lake. In such a case, the Jo Daviess County permit does not insure approval under the requirements of this Code.

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- C. Two sets of Site Plans as per Code Section 102. This information may be included in the complete set of construction drawings as noted below. Such plans shall include plot plans showing the location of all improvements existing upon said Lot and the dimensioned location of the improvement proposed to be constructed or placed upon said Lot, each properly and clearly designated; said plans shall also show the building setback and easement lines.
- D. Two sets of the Construction Documents and Specifications as per Code Section 102, be it Dwelling, Garage, Accessory Building, or Water Facility construction. Such plans shall set forth size, shape, materials, structure, room net square footages, the color and composition of all exterior materials proposed to be used, together with any other material or information which the AECC may require to show Code compliance.
- E. A check made out to the ACLPOA covering Board of Director approved fees.
- F. If required, Environmental Debris Bond check also made out to the ACLPOA.
- G. Water Tap Fee. This fee is sent directly to the water utility.
- H. Culvert Permit. This fee is sent directly to:
Thompson Township, Road District Office; Phone: (815) 291-8394

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103.2 INFORMATION REQUIRED

- A. The Architectural Drawings shall comply with the construction document section of the International Residential Code For One- and Two-Family Dwellings as currently adopted by Jo Daviess County, Illinois as amended by The ACL Building

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Code. It is the responsibility of the Property Owner to be sure the contractor obtains the necessary permits from the Jo Daviess County Planning & Development Department, the Jo Daviess County Health Department, and if applicable, the Thompson Township Road District before the ACL Building Permit will be considered issued.

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- B. Building Plans shall be at a scale of one-quarter inch (1/4") per foot and shall include floor plans, all exterior elevations, and cross sections as required to indicate the construction of the building(s). Elevations shall show the building heights along with the relationship between existing and proposed grades. Size and spacing of all structural elements shall be identified. A complete description of all exterior materials shall be included. Samples of exterior materials including textures and colors shall be submitted with the application.
- C. Also required is a detailed Site Plan at a scale of at least 20 feet per inch (1"=20'). The site plan shall show property lines, set back lines, the position of all buildings on the property as well as all improved walkways, retaining walls, patios, lighting, decks, fences, above or below ground fuel tanks, utility lines, easements, drives, parking areas, water features, silt fence and the size and location of the elements of the septic system.

103.3 CONSTRUCTION PLANS

In all construction work for which a permit is required, the approved and stamped drawings and plans shall be kept on file at the construction site while the work is in progress.

103.4 ALTERATION OF PLANS

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If, during the progress of the execution of the permitted work, it is desired to deviate in any manner affecting the construction or other essentials of the building from the terms of the application or drawing, notice of such intention to alter or deviate shall be given to the Building Inspector or AECC designee. An amended plan showing alteration or deviation may be required to be submitted to the Building Inspector or AECC designee for AECC approval, and written consent shall be obtained before such alteration or deviation shall be made.

103.5 DEMOLITION

- A. A permit is required in the case of demolition. The plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain. Guidelines of ACL Building Code 102.4 must be followed.
- B. Details and methods used for demolition and removal including noise, debris and smoke developed shall be included.
- C. Any foundation, concrete or otherwise, must be removed. Septic tanks must be pumped and either removed or crushed.
- D. The lot must be leveled, graded and seeded within thirty (30) days of demolition. The installation of a silt fence may be required by the Building Inspector or AECC designee.

103.6 CONSTRUCTION DEBRIS

- A. No construction debris will be accepted by or left at the Apple Canyon Lake Recycling Center.
- B. No debris from construction at Apple Canyon Lake shall be left on the job site overnight, excluding construction materials which

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are partially used and may be reused. The contractor will either remove the debris at the end of each day or place a dumpster on the site to hold the debris.

- C. To ensure compliance with the above, a \$500.00_refundable environmental debris bond deposit will be required at the time of applying for a permit. Failure to comply will result in the Building Inspector or AECC designee issuing one warning. Upon issuance of a citation after the initial warning, the \$500.00 debris bond shall be forfeited. In addition, a "STOP WORK ORDER" will be issued until compliance is assured and another bond is re-deposited.
- D. Because of the implied hazard of burning treated lumber or other materials or unknown content, no construction materials will be burned on Apple Canyon Lake property.

103.7 APPROVAL OF PERMIT IN PART

Nothing in this code shall be construed to prevent the AECC from issuing a permit for the construction of part of a building or structure before the entire plans and detailed statements of said building or structure have been submitted or approved, provided adequate information and detailed statements have been submitted for the same and have been found to comply with this ACL Building Code.

104 LOT

Lot, also known as Unit, shall mean any numbered parcel of land, or any separately identified condominium unit, in any subdivision as shown on any plat of The Properties recorded under the

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provisions of Article II, but not including any of the Common Properties or Reserved Properties.

104.1 REDUCING OR DIMINISHING LOT AREA

It shall be a violation of the Building and Environmental Code and no Lot Owner, nor anyone acting on a Lot Owner's behalf, may reduce, divide, subdivide, or change the area or change the boundary line(s) of a Lot, also known as Unit. This prohibition applies to any numbered parcel of land and Condominium Units, in any Subdivision, as shown on any Declaration or Supplementary Declaration. This prohibition does not apply to any of the Common Properties or the Reserved Properties, nor shall it apply when the Lot area is changed by reason of a street opening or widening or other public improvement. Apple Canyon Lake Property Owners Association shall not be bound by any decisions of Jo Daviess County or any other applicable municipal authority concerning the reduction, division, subdivision, or change in any Lot boundary lines or Lot area nor shall any such decision otherwise impact a Lot Owner's obligation to pay assessments or membership status.

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104.2 LOT COMBINATION AGREEMENT

- A. Any two or more numbered lots may be combined by the Property Owner(s) provided that any Lot Combination must be done by written agreement using the ACLPOA form.
- B. The AECC must review all lot combination agreements and may or may not give approval.
- C. If approved by the AECC, the lot combination agreement may then be signed by the Chair of the AECC and the Chair of the Board of Directors. The signatures must be notarized.

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- D. The lot combination may then be recorded by the Property Owner with the Jo Daviess County Clerk/Recorder.
- E. After the lot combination agreement is approved by the AECC and is then recorded with the Jo Daviess County Clerk/Recorder, the Property Owner may make improvements to both lots subject to the ACL Building and Environmental Code and Governing Documents. Provided further that any numbered Lots that are combined shall still be treated as separate Lots for purposes of voting, assessments charged by the Association with each combined Lot continuing to be separately assessed as if no combination had taken place.
- F. Lots do not need to be adjacent to be combined.
- G. Any lot that is combined with another that is not contiguous and adjacent may only be used for a septic system that is approved by the Jo Daviess County Health Department.
- H. Any lot that is combined with another that is not contiguous and adjacent may not have any other improvements except a septic system. This means no buildings, structures or storage whether permanent or temporary above or below ground.

104.3 UTILITY EASEMENTS

- A. Utility Easements are reserved to install, lay, construct, renew, operate and maintain utility pipes and conduits and underground equipment for the purpose of serving The Properties with telephone, electric, water and other utility services.

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B. No Structure or trees shall be placed upon said easement except that said easement may be used for gardens, shrubs, landscaping or other purposes which do not at any time interfere with the uses and rights of the easement. Any trees or bushes that interfere or threaten to interfere with any such use or right may be cut down and removed.

105 UNSAFE BUILDING OR STRUCTURE

105.1 REMOVAL OR MADE SAFE

When a building, structure or site element or any portion thereof is found unsafe upon inspection by the Building Inspector or AECC designee as per 101.3 of this ACL Building Code, the AECC shall order such building or structure or any portion thereof to be made safe and secured or taken down and removed.

105.2 RESTORATION OF UNSAFE BUILDING OR STRUCTURE

A building or structure or part thereof declared unsafe by the AECC may be restored to safe condition, and if reconstructed or restored, shall be made to conform with respect to materials and type of construction to the requirements of this ACL Building Code; but no change of use or occupancy shall be compelled by reason of such reconstruction or restoration.

105.3 NOTICE OF UNSAFE BUILDINGS OR STRUCTURES

Upon determining that a building or structure or portion thereof is unsafe, the AECC shall serve or cause to be served on the owner or some one of the owners, executors, administrators, agents, or other persons who may have a vested or contingent interest in the

same, a written notice containing a description of the building or structure or portion thereof which has been declared unsafe, and an order requiring the same to be made safe and secure or removed, as may be deemed necessary. If the person to whom such notice and order is addressed cannot be found after diligent search, then such notice and order shall be sent by certified or registered mail to the last known address of such person; and a copy of such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate service.

105.4 DISREGARD OF UNSAFE NOTICE

If the person served with a notice or order to remove or repair an unsafe building or structure or portion thereof should fail, within a reasonable time, to comply with the requirements thereof, the AECC shall advise the ACLPOA Board of Directors of all the facts in the case who may institute an appropriate action in the courts to compel compliance.

105.5 EMERGENCY WORK

In case there shall be, in the opinion of the AECC, actual immediate danger of failure or collapse of a building or structure or portion thereof so as to endanger life or property, the AECC may, but shall not be required to, employ such labor and cause the necessary work to be done and render said building or structure or portion thereof, temporarily safe, at the cost of the Property Owner

whether the procedure prescribed in this section has been instituted or not.

105.6 VACATING UNSAFE BUILDINGS AND CLOSING STREETS

- A. When a building or structure or portion thereof is in an unsafe condition so that health, safety or welfare is endangered thereby, the AECC may order and require the occupants to vacate the same forthwith.
- B. The AECC may, when necessary for the public safety, temporarily close sidewalks, streets, buildings, structures and places adjacent to such building or structure and prohibit the same from being used.

105.7 RECOVERY COSTS

The ACLPOA may institute proper action against the owner of premises for the recovery of costs incurred in the performance of emergency work.

106 VIOLATIONS (R113)

106.1 ENFORCEMENT – PENALTIES

If an addition, alteration or improvement that requires AECC approval is made to a Dwelling or Lot by an Owner without the prior written approval of the AECC, the AECC may, at the discretion of the Board of Directors and in addition to all other rights of enforcement provided to the Association as set forth in

the Declaration of Covenants and Restrictions, the By-Laws, rules and regulations or as provided at law or in equity, take any of the following actions:

- A. Require the Owner to remove the addition, alteration or improvement and restore the Dwelling and Lot to the condition that existed prior to the making of the addition, alteration or improvement, all at the Owner's expense; or
- B. If the Owner refuses or fails to properly perform the work required under subsection (A.) above, the Board of Directors may cause such work to be done and may charge the Owner for the cost of the work as determined by the Board of Directors; or
- C. Ratify the action taken by the Owner, and the Board of Directors may, but shall not be required to, condition such ratification upon the same conditions that it may impose upon the giving of its prior approval.

106.2 STOPPING WORK

Whenever in the opinion of the AECC, by reason of:

- A. unpermitted, defective or illegal work in violation of a provision or requirement of this Code or the Governing Documents
- B. the continuance of a building process is contrary to the building permit.
- C. the discovery of new construction contrary to the building permit
- D. continuance of a building process is contrary to public health, safety or welfare.

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the Building Inspector or AECC designee shall issue a Stop Work Order, in writing, requiring construction work to be stopped and requiring suspension of further construction work until the condition in violation has been demolished or corrected.

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107 BUILDING AND ENVIRONMENTAL CODE VIOLATION

107.1 PROCEDURE, APPEAL AND FINE

- A. Upon the report of a code or building permit violation by the Building Inspector or AECC designee, the AECC may direct that a letter of notice shall be sent to the Property Owner, or party responsible (hereinafter sometimes referred to as "violator"), informing that person that a violation has been observed and stating that a response is expected within ten (10) business days of the date of the letter. A time frame, acceptable to the AECC, for correction of the violation is to be provided at this time. The Building Inspector or AECC designee shall monitor the progress and work with the owner to correct the violation and determine if and when a citation is issued.
- B. In the event no timely response is received, or the violation is not corrected, a final notice of violation (citation) will be issued in writing which requires the violator to correct the violation and pay the fine as indicated in this Code or file an appeal with the ACL Board of Directors.
- C. Fines shall be assessed, starting from the date the violation was discovered up to the date that proper application or compliance is made to the AECC as to the amounts and timing, as follows:

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1. \$25.00 per day for each non-safety code violation or property maintenance violation.
2. \$100.00 per day for safety code, erosion control or pollution violations. Including but not limited to improper silt fence, blowing/dumping debris in the lake, construction debris not being contained, etc.
3. Flat Fee Fine Schedule Summary
 - a. \$2,500.00 fine for working within the hundred foot (100') shoreline setback without a building permit approved by the AECC.
 - b. \$1,000.00 fine for not following the specific requirements of a variation or not building in accordance with the approved permitted plans.
 - c. \$1,000.00 fine per tree for removal of trees within fifty feet (50') of the water without obtaining a permit and approval from the AECC

108 NONCONFORMING USES

108.1 LEGAL NONCONFORMING

- A. Any new Structure built upon a Lot after the effective date of this Code is subject to the restrictions contained in Article III and the current applicable building codes. All permitted existing nonconforming building structures built PRIOR to January 1, 2000 are exempt from the requirements stated in this ACL Building Code in accordance with Article III and may be continued subject to the regulations which follow.

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- B. All existing nonconforming structures built WITHOUT a written permit issued by the AECC on or after January 1, 2000 are NOT exempt from the requirements stated in the current ACL Building Code in accordance with Article III and must be fully brought into compliance when new work is done unless approved in writing by the AECC.
- C. All existing nonconforming structures built according to a written permit issued by the AECC on or after January 1, 2000 are exempt from the requirements stated in the ACL Building Code in accordance with Article III; provided, however:
 - 1. Minor repairs and routine maintenance may be made on a previously permitted non-conforming building or structure, provided that it does not change its use or increase the size or volume of the building or structure. Major repair work must be approved by the AECC with a new permit, and it is to be brought into conformance with the ACL Building Code
 - 2. If any exempt nonconforming Dwelling, Dwelling Accessory Building, Garage or other Structure is seventy-five percent (75%) or more destroyed and is being reconstructed, restored or replaced it shall, when completed, be in conformance with the requirements of Article III and the current applicable building codes.

109 OFF-SITE CONSTRUCTION (R301)

109.1 REQUIREMENTS

- A. Manufactured, prefabricated, post frame, bardominum framed and mobile homes are not considered to be a Dwelling.

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B. Off-site construction of open-wall components, sections, and panelized modules is permitted for installation within Apple Canyon Lake if the following criteria have been met.

1. Jo Daviess County Illinois permits are issued.
2. The Property Owner agrees upon request to open wall sections or other concealed areas as necessary for inspection on the site.

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110 CONSTRUCTION AND SETBACK REQUIREMENTS

110.1 FLOOR AREA (R501)

A. The minimum total living space, as defined in Code 101.3 Definitions, of the new Dwelling may be no less than one thousand (1,000) gross square feet.

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B. The ground floor of any new Dwelling shall be the first floor. The ground floor living space may not be less than one thousand (1,000) gross square feet unless approved in writing by the AECC.

C. The first floor shall be entirely above the highest adjacent grade.

D. Earth sheltered or below grade Dwellings are not permitted, although this does not preclude sloping backfill against first floor walls less than three feet (3') above floor level.

110.2 BUILDING HEIGHT

A. No Dwelling shall be erected which has a building height of more than thirty-five feet (35') measured from the top of the

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foundation to the highest roof ridge line as viewed from the street(s).

- B. No Dwelling Accessory Building, Garage, or other Structure shall exceed seventeen feet (17') in height unless approved in writing by the AECC.
- C. The side wall of a detached Dwelling Accessory Building such as a garage shall not exceed twelve feet (12') in height unless approved in writing by the AECC.

110.3 BUILDING LINES

- A. Front setback is twenty-seven feet (27') from the property line adjacent to any street. This would include both streets on a corner lot.
- B. Side and rear setback is ten feet (10') from side and rear lot line.
- C. Lakefront setback is measured one hundred feet (100') horizontal from any portion of the lake shoreline as established at pool level elevation of eight hundred feet (800') regardless of the survey pin locations of the lot or intervening greenway space between the lot and the lake shoreline.

110.4 LOCATION ON LOT (R302)

- A. Every Dwelling, Garage, Dwelling Accessory Building or other Structure, including any roof overhang, shall be a minimum of twenty-seven feet (27') from the front Lot Line. For corner lots the twenty-seven feet (27') setback shall be applicable to all sides of the Lot which face the street right of way.

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B. Dwellings, Garages, Dwelling Accessory Buildings or other Structures including any roof overhang, and decks and porches attached thereto shall at minimum be set back ten feet (10') from the side and rear lot line.

C. All Dwellings, Dwelling Accessory Buildings, Garages, Roof Overhangs, attached decks and patios and sanitary systems constructed on any Lot must be not less than one hundred (100) feet from any existing lake edge as established at pool level of eight hundred (800) feet above mean sea level, regardless of the survey pin locations of the lot or intervening greenway space between the lot and the lake shoreline.

D. No part of a septic system shall be within five (5) feet of a Lot Line.

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E. Driveways, boardwalks, gangways, decks, patios and retaining walls may encroach into the setbacks with written AECC approval.

110.5 ROOF PITCH (701.2A)

Roof pitch on the main structure of all buildings shall not be less than 4:12 (4" rise in 12" of run). This does not include shed roofs, dormers or any secondary roof structure.

110.6 LOT COVERAGE

Not more than thirty percent (30%) of the area of a Lot may be occupied by buildings and structures, including but not limited to a Dwelling, Dwelling Accessory Buildings, Garages, and impervious driveways.

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110.7 DRIVEWAY

- A. Before any driveway is constructed or reconstructed, plans and specifications describing such work shall be submitted to the AECC. Driveways shall be located and installed as approved in writing by the AECC.
- B. Culverts and work in the right-of-way must be approved in writing by the Thompson Township Road District.

110.8 WATER FACILITY

No Water Facility may be built or maintained on any Lot without the prior written approval of the AECC. In its discretion the AECC may approve, prohibit or limit the construction or maintenance or location of any Water Facility and the use thereof. Each Owner shall be responsible for keeping any Water Facility located on his or her Lot in good condition and repair. Any Water Facility that is not maintained in good condition and repair shall be removed from The Properties by the Owner, at the Owner's sole expense, following written notice from the AECC.

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110.9 QUALITY OF ALL STRUCTURES

- A. Dwellings, Dwelling Accessory Buildings and Garages shall be of a quality of design, workmanship and materials which are compatible and harmonious with the natural setting of the area and the other structures within Apple Canyon Lake.
- B. All exteriors must be in colors and materials that are compatible and harmonious with the natural setting and other Dwellings within Apple Canyon Lake, as determined by the AECC.

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111 CONNECTIONS TO WATER SYSTEMS (CH. 25)

A common water system has been installed to serve the Property Owners in place of individual wells. No individual wells may be drilled on any lot served by the common water system. It will be necessary for the property owner to file an application with the water utility company in order for the contractor to tap-in to the water system.

112 GARAGES (R309)

112.1 GARAGE PARKING SPACES - Attached/Detached

- A. A private garage may contain no more than four (4) parking spaces for the sole use of the owners or occupants of the Dwelling.
- B. The maximum parking space size is two hundred twenty five (225) gross square feet.
- C. If approved in writing by the AECC, a Detached Garage may have up to a maximum gross square footage of **nine** hundred **(900)** gross square feet. However, the gross square footage of a detached garage shall be smaller than the gross square footage of the Living Space on the ground floor of the Dwelling.

112.2 GARAGE LIVING SPACE - Attached/Detached

- A. No Living Space shall be constructed or maintained in any attached or detached Garage.
- B. No Living Space shall be constructed or maintained in the space above any detached Garage without prior written approval by the AECC.

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- C. Any such Living Space shall be for the sole use of the Dwelling Owner or Occupants.
- D. Any such Living Space shall not be rented separately from the rental or occupancy of the Dwelling.
- E. Water and septic systems may be installed if approved by the Jo Daviess County Health Department and the AECC

112.3 GARAGE CONSTRUCTION- Attached/Detached

A. Attached and Built-in Garages

1. Construction same as required for the Dwelling.
2. The attached garage shall be separated from the dwelling and its attic by not less than two (2) layers of five-eighths inch (5/8") type X gypsum board or its equivalent.
3. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than two (2) layers of five-eighths inch (5/8") type X gypsum board or its equivalent.
4. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall be protected by not less than two (2) layers of five-eighths inch (5/8") type X gypsum board or its equivalent.
5. Any future modification or penetration of the firewall must be properly caulked or resealed to maintain the fire rating.
6. If there is a door opening between garage and Dwelling or habitable room, a 1-3/4" self-closing twenty (20) minute fire rated door is required.

7. Installation of house heating unit or other fuel burning appliance in garage space is not permitted 1-hour fire rated partition space containing house heating unit garage space.

B. One-Story Detached Garages

1. Comply with construction requirements for one-story Dwellings with the following exceptions:
 - a. Bottom of concrete footings or supporting edges of concrete slab not less than 12" below natural grade, for frame garages.
 - b. Studs, maximum spacing 24" O.C.
 - c. Sheathing and building paper may be omitted.
 - d. Corner post may be two 2" X 4", or a 4" X 4".
 - e. Top plate may be single, provided rafters occur over studs and plate at corners is lapped to provide tie.
 - f. Rafter ties at eaves not less than 2" X 4", maximum spacing 6 ft. O.C.
 - g. Corner bracing is required, except where wood sheathing is used, and may be applied on the inside surface of studs.
 - h. The flooring shall be concrete sloped 1/4" per 12" toward the vehicle garage door. A floor drain, if provided, is required to be in compliance with Jo Daviess County, Illinois requirements.

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113 EXTERIOR MAINTENANCE (IPMC301)

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- A. Property Owners shall maintain their property in accordance with International Property Maintenance Code (Jo Daviess County Illinois adopted as amended) - Chapter 3
- B. On a lot with a Dwelling, grass and weeds shall not exceed eight inches (8") in height.
- C. No items may be temporarily or permanently stored on a vacant Lot. Items include but are not limited to structures, vehicles, equipment, boats, trailers, campers, recreational items, building materials, firewood, or any other similar items.
- D. Violators are subject to a fine in accordance with Code 107 upon citation by the Building Inspector or AECC designee until removal is confirmed by the Building Inspector or AECC designee.

114 LIQUID PROPANE TANKS (NFPA58)

114.1 ABOVE GROUND LP TANKS

- A. If unscreened, the unburied LP Tank must be placed away from street view.
- B. The LP Tank location will comply with the required 10' setback from the side and rear property lines and must comply with NFPA 58 Liquefied Petroleum Gas Code, the NFPA 58 Separation Distances from Buildings illustrated in Aboveground ASME Containers Figure 1.1(b) and Jo Daviess County Code requirements.
- C. The propane tank shall not encroach on or over the setback line, septic system, or other utility lines.

The above ground propane tank shall be screened from street and adjacent lot view by an AECC approved method. Screening materials for the enclosure of the tank shall be rot-resistant solid screening and be compatible with the adjacent Dwelling's siding. Lattice screening is not permitted. The structure shall be constructed to provide a minimum twelve inch (12") clearance on all sides of the tank and the top must be open and unobstructed. For ventilation purposes an eight inch (8") space between the ground and the screening material shall be provided. A thirty-six inch (36") wide gate must be placed at the closest point to the filling area if the tank is screened on four (4) sides.

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114.2 BURIED LP TANKS

- A. Propane tanks for all totally new Dwelling construction must be buried beginning January 1, 2010 unless approved in writing by the AECC for reasons of hardship or practical difficulty.
- B. Propane tanks must be placed and buried in accordance with NFPA 58 Liquefied Petroleum Gas Code and Jo Daviess County Code Title 7 Building Regulations Chapter 10 Underground Petroleum Containers and conform to the recommendations of NFPA 58 Annex K.
- C. Buried propane tanks shall be routinely inspected for soundness by the propane gas supplier at least every 3 years.

115 SIGNAGE

Apple Canyon Lake homeowners are required to comply with Chapter 8 of the Jo Daviess County Ordinance which refers to the uniform numbering of buildings in the unincorporated areas of the County. Prior to new home construction on a vacant lot, it shall be

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the responsibility of the Property Owner to notify Jo Daviess County of intent to build and request the installation of 911 signage.

116 SEPARABILITY

It is hereby declared to be the intention of the Apple Canyon Lake Association Board of Directors that the several provisions of this comprehensive code are separable, and if any court of competent jurisdiction shall adjudge any provision of this comprehensive code to be invalid, such judgment shall not affect any other provisions of this comprehensive code not specifically included in said judgment.

117 PATIOS, DECKS, SWIMMING POOLS AND BOARDWALKS

117.1 PATIOS

A patio is an exterior, land-based floor system, constructed of concrete, stone or brick pavers. Patios smaller than sixty-four (64) gross square feet are exempt from permitting, unless the horizontal surface is more than twenty-four inches (24") above grade at any point. Patios must comply with the building setbacks (see 110.3 BUILDING LINES and 110.4 LOCATION ON LOT) and must be permitted and approved in writing by the AECC prior to construction. Driveways are excluded from patios (See 110.7 Driveways).

117.2 DECKS

A deck is an exterior, land-based floor system, constructed of wood, or similar, and may include railings and/or benches. Decks must comply with the building setbacks (see 110.3 BUILDING LINES and 110.4 LOCATION ON LOT), and must be permitted, and approved in writing by the AECC prior to construction.

117.3 ATTACHED DECK OR PATIO

An attached deck or patio is one that is within one foot (1') of the Dwelling.

117.4 DETACHED DECK OR PATIO

A. A detached deck or patio is a deck or patio that is not within one foot (1') of the Dwelling

B. A detached deck or patio NOT within the one hundred feet (100') lake front set back

- a. Only one detached deck and one detached patio are allowed unless approved in writing by the AECC.
- b. Each may not exceed six hundred gross square feet (600)

C. A detached deck or patio within the one hundred (100') lake front set back

- a. Only one detached deck and one detached patio are allowed unless approved in writing by the AECC.
- b. Each or in combination may not exceed six hundred (600) gross square feet

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117.5 OUTDOOR POOLS, SWIMMING POOLS, HOT TUBS, SPAS

- A. An outdoor Pool used for landscaping, swimming, hot tub, spa or bathing shall conform to the requirements of IRC Chapter 42 Appendix G and this section provided that these regulations shall not be applicable to any such pool less than 24 inches deep, except when such pools are equipped with a water recirculating system or involve structural materials. Pool depth is the distance between the pool floor and the top of the perimeter wall or perimeter overflow system lip. A pool and its equipment shall not encroach on or over setback areas without written AECC approval. Accompanying decks and patios shall comply with Section 117 of this Code.
- B. Wading pools as defined are exempt. Wading Pool means a pool intended only for small children. It is not used for swimming or instruction in swimming. The maximum depth is less than twenty-four inches (24"). The structure is not permanent. It is not permanently located on a vacant lot.
- C. An outdoor pool and supporting assemblies shall not be constructed, installed, enlarged, or altered without written approval by the AECC. The approval of authorities having jurisdiction over pools shall be obtained prior to receiving a permit from the AECC. Copies of the approvals shall be filed as part of the supporting data for the permit application. Plans showing dimensions, colors, equipment, fixed accessories and construction materials and distance to property lot lines, buildings, walks, fences, wastewater treatment systems, as well as details of the water supply system, drainage, and disposal systems. Detailed plans of structures, vertical elevations and sections through the pool showing depth shall be included.

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- D. During construction of a pool, the permanent, or a temporary enclosure without any openings except for a gate, shall be in place prior to any water being placed in a pool designed to contain twenty-four inches (24") or more of water in depth at any point. The Building Inspector or designated representative must approve the temporary enclosure method.
- E. An outdoor pool designed to contain twenty-four inches (24") or more of water in depth at any point, shall be permanently protected by a gated enclosure surrounding the pool area. The outdoor swimming pool, hot tub or spa shall be completely enclosed in accordance with IRC Appendix G, Section AG105 Barrier Requirements. No fence shall be located, erected, constructed or maintained closer to a pool than three feet (3'). The wall of a house or building facing a pool may be used as a portion of such fence.
- F. A natural barrier, pool cover, or other protective device approved in writing by the AECC may be acceptable if the degree of protection afforded by the substituted device of structure is not less than the protection afforded by the standard barrier.

117.6 WALKWAY,

A walkway is a type of structure used primarily to provide access from one location to another. A walkway may be constructed of wood, tinted concrete, stone or brick pavers; larger than 32 square inches, or similar, and it may include stairs. It may not exceed six (6) feet in width. A walkway may not extend over the shoreline. A walkway may encroach upon standard setbacks with written AECC approval.

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118 EXTERIOR LIGHTS

A. Elevated farm lights, flood lights, and high intensity security lights shall not be used. Mercury Vapor, Metal Halide, High Pressure Sodium and High Intensity Discharge lamps are not permitted.

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B. Building and ground lighting shall be installed so as to limit objectionable off-site glare. Fixture bulb lumens shall not exceed .

C. Post lights should not exceed eight (8) feet in height to the top of light fixture, and the light source must be directed downward and of sufficiently low wattage (800 lumens maximum) to reduce glare. Direct glare shall be minimized through the use of sufficient shrouding or opaque glass so that the light bulb is not visible through the glass.

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D. Use of lights as landscape and architectural accent is allowed as long as the light and glare does not emit beyond the property line.

E. Prior to the new installation or replacement of exterior lights consult with the Building Inspector. The Building Inspector must approve the installation of any type of outside light and has the authority to determine if the light is in violation of this section. Removal or shielding of the light may be required.

119 FENCES

A. Fences are permitted within property lines.

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- B. Fences may be constructed of natural finished wood, woven wire, chain link or vinyl fencing, in a color approved by the AECC.
- C. The maximum height of fences shall be fifty inches (50").
- D. Fences shall have at least fifty percent (50%) of their vertical faces open, i.e., not solid.
- E. Woven wire or chain link type fences are allowed only within the rear and side building setback lines and not along or within the front setback. The woven wire or chain link fence shall be painted or coated with a color approved in writing by the AECC.

120 SATELLITE DISH/ANTENNA

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- A. No roof or building mounted satellite dish/antenna larger than thirty-six (36) inches is permitted.
- B. No more than two (2) roof or building mounted satellite dish/antennas are permitted
- C. Any existing non-conforming satellite antennas are "grandfathered" until replacement and shall comply under the nonconforming provision of the Code (108).

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121 SOLAR ENERGY (M2302)

- A. Solar energy systems shall comply with the ACL POA Energy Policy.
- B. The solar panel array shall be roof mounted.
- C. Anyone erecting a solar array is required to obtain written approval from the AECC. The request for written approval must include plot plan, specifications, JCE CO-OP approval and Jo

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Daviess County, Illinois permits, and location of array on the roof plan and engineering calculations proving required size.

- D. Care should be taken to see that placement will not diminish the natural beauty of Apple Canyon Lake.
- E. For the purposes of this Code, solar panel arrays are considered to be a structure.

122 TEMPORARY STRUCTURES

- A. As described in 110.9 of the Building Code, no trailer, vehicle, basement of an incomplete building, tent, shack, accessory building, garage, or temporary building or structure of any kind may be used at any time as a Dwelling, either temporary or permanent.
- B. A permitted temporary trailer, building or structure used during any construction, including repair, remodeling or renovation on any Lot, shall be on the same Lot where the construction is being performed, unless the prior written approval of another location is granted by the AECC.
- C. All temporary structures shall be removed upon completion of construction.

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123 PIERS, DECKS, BOAT LIFTS, SHORELINE CONSTRUCTION (L-100)

123.1 PIER

A pier is a floor system over the water to allow access to a boat. A pier may not extend past the shoreline in excess of twenty-four (24) feet or be wider than six (6) feet. It may include up to one (1) storage box, not to exceed 6' L x 4' W x 2'6" H, be of a natural or

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an AECC approved material, in an earth tone color. Piers shall have a minimum of 8 square inches of reflective material, visible from any direction on the lake. The pier shall be identified with the owner's lot numbers. A pier may extend past the shoreline in excess of twenty-four (24) feet for reasons of lake depth with written AECC approval.

123.2 GANGPLANK

A gangplank is a portion of a pier which crosses the shoreline and may not exceed six (6) feet in width. Pier length starts at the point where the gangplank crosses the shoreline.

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123.3 SEQUENTIAL FLOATING DOCK

An 8' - 4" x 20' maximum sequential flex technology (SFT) system may be used in place of a conventional boat lift. A 15' x 20' SFT maximum perpendicular to the shoreline may be used in place of a conventional boat lift and a pier.

123.4 SHORELINE

- A. The shoreline is defined as any portion of the lake shoreline as established at pool level elevation of eight hundred feet (800') regardless of previous Lot pin positions.
- B. No concrete is allowed within 5 feet of the shoreline.
- C. To help prevent aquatic plant growth, no fertilizing of lawns within 100 feet of the shoreline is permitted. It is expected that noxious weeds will be controlled.

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123.5 SHORELINE BUFFER ZONE

- A. The shoreline buffer zone is an area 50 foot horizontal from the shoreline, to be left as is, or restored to native vegetation as much as practical except for a deck, a patio, boardwalks, ramps and cart parking area a beach, riprap and retaining walls. All these projects require the written approval of the AECC.
- B. When required due to the variations in slope, soils, and terrain, such items as terracing and retaining walls in conjunction with vegetation may be permitted with written AECC approval.
- C. Trees, alive or dead, shall not be cut down or trimmed within 50' of the shoreline without written AECC approval.
- D. Excluded structures include, but are not limited to sheds, boathouses, roofed structures of any type, large boat storage or shelters.

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124 EXCAVATION (R401)

124.1 CRAWL SPACES (R408)

- A. Floor: Four (4) inches of stone plus a ten (10) mil vapor barrier.
- B. Cross ventilation or mechanical ventilation is required.
- C. Minimum twenty-four (24) inches by twenty-four (24) inches access and light switched at point of entry.
- D. Show beam and column sizes and locations.
- E. Show size, direction and spacing of joists above.

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- F. Minimum R-13 insulation required in floors above unheated crawlspaces.
- G. A minimum height of twenty-four (24) inches is required between bottom of floor joists and top of grade inside crawl space.

125 LANDSCAPING EROSION CONTROL (R401)

125.1 APPLICABILITY

This Code shall be applicable to work that involves:

- A. Any earthwork or lot grading whether performed as a single project or as a series of projects on an existing developed Apple Canyon Lake property or lot.
- B. The potential for changing the discharge point, quantity, or concentration of storm water at the property line.
- C. The construction of a retaining wall any portion of which is higher than four feet or that exceeds twenty-five (25) feet in total length.
- D. Any modification to the ground profile of an existing lot that involves one or any more of the above criteria shall require a permit. Seeding and planting activities that do not alter the existing ground contours are exempt.
- E. Use of creosote treated material is prohibited at Apple Canyon Lake. Existing structures containing creosote will be allowed to remain. When being replaced, a permit is required and an AECC approved alternate material must be used.

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125.2 EROSION SEDIMENT CONTROL PROCEDURES

- A. Before commencing construction, a silt fence (per ACL detail) must be placed along the lot lines or as noted on the approved plans. The silt fence must be maintained until the property has been seeded and restored to prevent erosion and encroachment on adjoining properties.
- B. Leave the soil bare for the shortest time possible. As soon as practical, all excavated soil must be rough graded and reseeded with perennial rye grass or equivalent. This is to control erosion until final grading and landscaping.
- C. The use of erosion control blankets is allowed as long as the blankets do not contain any plastic materials.
- D. Immediately after the backfilling of the foundation and septic system, seeding and a suitable mulch of hay or straw or equivalent is to be spread over the exposed soil area to aid in erosion control before seed germination. Mulch shall be a minimum of one (1") to three inches (3") in depth. The Property Owner is responsible for having the mulch installed.
- E. All boardwalks and steps on slopes are to be of serpentine design and disturbed ground must be seeded and mulched immediately to minimize erosion. Expedient restoration of any disturbed slope by heavy planting of vegetative cover or mulch is required.
- F. The contractor has ninety (90) days from the time of groundbreaking to restore the ground cover. If the final ground cover cannot be completed within the ninety (90) day period, a

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temporary ground cover must be applied in accordance with items B, C, and D above. Failure to comply with the above may result in forfeiture of the environmental debris bond.

126 EARTHWORK CONSTRUCTION

126.1 REQUIREMENTS

- A. The maximum embankment slope for any improvement shall be limited to the lesser of:
 - a. 4:1 horizontal to vertical.
 - b. the maximum natural gradient existing on the lot.
- B. The maximum embankment slope permitted at the setback line is 4:1 horizontal to the vertical.
- C. The embankment toe or grading limit for excavation shall not encroach into the building setback without written approval by the AECC.
- D. No open ditch shall have a gradient in excess of 5% without a ditch liner or stabilization.
- E. Underground utilities must be located by contacting J.U.L.I.E and copying the ACL Building Inspector or the AECC designee.
- F. The Property Owner(s) of the adjacent land downgrade from the project shall be notified of the project and acknowledgment furnished with the permit application.
- G. Retaining walls in excess of six (6) feet in height shall be designed by a licensed engineer and stamped drawings submitted with the permit application.

- H. Temporary erosion control plan to contain sediment during construction shall be developed and submitted to the AECC with the permit application.
- I. The regulated project under this Code shall be presented to the Building Inspector or AECC designee in a suitable graphic format to completely depict the scope of work, including the temporary erosion control plan. As a minimum, the plan or sketch shall include:
 - a. The horizontal limits of the proposed project relative to the lot boundaries and setbacks
 - b. Contours or flow arrows showing existing drainage path(s)
 - c. The project's impact to the existing drainage path at the property line
 - d. Appropriate plan metric features such as buildings, fences utilities and other permanent features
 - e. The erosion control plans showing slit fences, straw bales, or other erosion control devices and details.
 - f. A sufficiently detailed plan including construction materials, ground treatments, and any conversion of previous surfaces to impervious.

127 SANITARY SYSTEMS (S101)

127.1 REQUIREMENTS

- A. Sanitary systems for Dwellings at Apple Canyon Lake must be of a design approved by the Jo Daviess County Health Department and the AECC for use in our lake-oriented

community with its special soil and sub-surface conditions. All builders, owners, or agents must submit plans for approval to the Jo Daviess County Health Department who will issue permits for systems meeting the special requirements of each individual lot. The sanitary system shall be designed by a State of Illinois licensed engineer or licensed surveyor. Percolation testing shall be conducted in the same area. The location of the septic system shall be clearly shown on the site plan submitted to the AECC with the application for a building permit. No portion of the sanitary system shall be located within five (5) feet of the Property lot line. The sanitary system shall be located a minimum of 100 feet from the nearest lake front waterline. No portion of any accessory structure, driveway, patio, etc. shall be placed over the septic field.

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- B. All septic systems shall be sized in accordance with Jo Daviess County Private Sewage Disposal Ordinances and with the Illinois Subchapter r: Water and Sewage Part 905 Private Sewage Disposal Code, with the following additional requirement: In houses with unfinished areas, the septic system design load shall be increased by one bedroom for every three hundred fifty (350) gross square feet of unfinished area suitable for development into living space (not including garages or other non-living space).
- C. The minimum replacement septic tank size allowed is one thousand five hundred (1,500) gallons.
- D. Garages or other unheated spaces are not classified as "LIVING SPACE".
- E. A house may be classified as a four-bedroom unit but be designed to have more than four bedrooms occupied on occasion. In this instance, the number of bedrooms multiplied by five hundred (500) will be used to determine the required

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septic tank volume (minimum 1,500 gal.) while allowing the drain field to be designed for four bedrooms. Annual systems inspections may be required by the AECC when issuing a permit in which concessions are made to these requirements.

127.2 SEPTIC TANK INSTALLATION

- A. Septic systems shall be constructed and installed in accordance with Title 77: Public Health Chapter I: Department of Public Health Subchapter r: Water and Sewage Part 905 Private Sewage Disposal Code and Jo Daviess County Health Department Private Sewage Disposal Ordinances. A Jo Daviess County Health Department permit is mandatory before constructing a new septic system.
- B. AEROBIC TREATMENT UNIT (ATU) shall not be installed or replaced with an ATU if the existing ATU fails.
- C. Septic tanks may be constructed of materials other than portland cement concrete with a manufacturer's certification that the tank to be furnished has been designed for use as a residential septic tank in Illinois.
- D. All accessory components installed beyond the discharge of the septic tank, i.e., filters, distribution boxes, pipe or fittings shall be constructed of plastic. **CONCRETE UNITS ARE NOT ALLOWED.**
- E. Shop repaired concrete units shall not be installed. Minor surface repairs may be made in the field only after authorization by the Jo Daviess County Environmental Health Division.

127.3 SEPTIC INSPECTIONS

- A. Inspections shall be performed in conformance with the ACL SEPTIC INSPECTION PROGRAM. Effective January 1, 2000, all property owners of lots improved with Dwellings, occupied and unoccupied, located in Apple Canyon Lake Subdivision shall be required to obtain periodic inspections and pumping of the sewage treatment systems located on said lots. Such inspections shall be conducted by an independent contractor licensed by the state and registered at ACL who is qualified and experienced in performing such inspections and related sewage treatment system installation, maintenance, and repair. The results of the inspections shall be reported to the AECC using the Apple Canyon Lake On Site Sewage Treatment System Inspection Report form. New systems shall be inspected every six (6) years from the time of occupancy or replacement. Any house built in 2000 and after will be required to have the septic system pumped and inspected every six (6) years.
- B. Exceptions: Any septic system servicing a Dwelling that is used for rental purposes shall be pumped and inspected EVERY THREE (3) YEARS.
- C. DUE TO THE NEED FOR CONTINUOUS OPERATION, THE AEROBIC TREATMENT UNIT (ATU) requires evaluation and maintenance at least once EVERY SIX (6) MONTHS. The system may be evaluated by a Private Sewage Disposal System Installation Contractor, a licensed Environmental Health Practitioner, an Illinois licensed Professional Engineer, a representative of the Department, or an agent of the Department or local health department. The property owner of an ATU may not conduct the inspection, report, and

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maintenance. If the required inspections and maintenance are not performed, the system is in violation of the Illinois PART 905 PRIVATE SEWAGE DISPOSAL CODE SECTION 905.20 GENERAL REQUIREMENTS and this Code.

- D. The purpose of said inspections shall be to demonstrate to ACLPOA that the property owner's sewage treatment system is in good working order. The inspections shall be conducted for the purpose of determining whether or not the system contains any defects or malfunctions that materially hinder the suitability of the system for the purpose intended.
- E. Said inspections and pumping shall be required regardless of the type of sewage treatment system utilized by the property owner. Such systems subject to inspection include but not by way of limitation, conventional septic tanks and absorption fields and mechanical or aerobic treatment systems and any other systems from time to time utilized by property owners as approved by Jo Daviess County Health Department.
- F. Only inspections conducted by a contractor licensed by the state shall be acceptable to the AECC. Said contractor shall be an independent contractor retained by the lot owner-member and is not the contractor or employee of ACLPOA. It shall be the obligation of the individual property owner to have such inspections and pumping conducted to pay the contractors for all services rendered and not the obligation of ACLPOA.
- G. It shall be the obligation of the property owner to provide the AECC with written evidence of said inspection and pumping using the Apple Canyon Lake On Site Sewage Treatment System Inspection Report form. Such documentation shall be signed by the authorized representative of the company conducting the inspection. Minimally, such documentation shall

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certify to the management of ACLPOA the type and kind of system inspected, and the condition of the system inspected, and whether or not any defects or malfunctions were observed. In systems having tanks, the inspection certificate shall indicate whether or not, at the time of the inspection, the tank was pumped. Any tank found to be leaking must be reported to the Building Inspector or AECC designee and scheduled to be replaced within thirty (30) days. ATU systems shall be reported to the AECC.

- H. All two (2) piece septic tanks being inspected and pumped shall be opened and inspected to determine if the tank is leaking. If the tank is found to be leaking, it must be reported to the Building Inspector or AECC designee and replaced within thirty (30) days.

127.4 CONVENTIONAL SYSTEMS

- A. Mandatory inspection and pumping every six (6) years.
- B. Conventional systems frequently utilize a septic tank with baffles and absorption fields of various types.
- C. Written designation of system type must be made at the time of inspection and communicated to the ACLPOA Building Department.
- D. On the first year designated for system inspection under the terms of this Code and on each subsequent fifth year, or more frequent, a written inspection report copy must be submitted to the ACLPOA Building Department by the inspecting contractor within seven (7) days of the inspection using the standard ACL report form. The body of this report shall specify the date and location at which the inspection was made, as well as any

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significant deficiencies in need of repair. If requested by the AECC, include the exact location of the septic system in the report.

127.5 FAILURE TO COMPLY

- A. The required inspection of conventional systems as specified herein shall be conducted no later than August 1 in the year specified according to the inspection table maintained by the ACLPOA Building Department. Said inspection report shall be delivered to ACLPOA Building Department Office within seven (7) days of the required inspection. The required copy of a valid annual service agreement in full force and effect to mechanical systems shall be delivered to ACLPOA Building Department no later than August 1 of each year.
- B. Any Property Owner subject to the rules set forth in this Code who fails or refuses to obtain the required inspection and to produce written evidence thereof or to provide the required copy of an annual service agreement, as the case may be, in acceptable form to the ACLPOA Building Department within the time period specified above may result in the imposition of a \$100.00 fine and a per diem penalty of \$100.00 for each day the Property Owner is in a state of noncompliance and may be required to pay reasonable attorney fees and court costs of ACLPOA necessitated in compelling compliance. When the fine reaches \$2,000.00, the Association will lien the property.
- C. In addition, any Property Owner found not to be in compliance as aforesaid may also be subject to other sanctions, including but not limited to, suspension of membership privileges and amenities.

D. ACLPOA shall have the right to enforce compliance of the rules set forth in this Code in a Court of any competent jurisdiction at law or in equity and before any administrative or regulatory agency, bureau or other governmental entity and to pursue, without limitation, every other right to the fullest extent by law permitted to do.

127.6 SEPTIC LOCATION FEE

The cost of the septic location fee will be billed to the Property Owner by AECC as part of the ACL Building Permit Application for a new dwelling or at the time of the final Department of Environmental Health inspection under the septic inspection program.

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Memorandum

To: Board of Directors

Date: November 8, 2024

From: Employee Handbook Ad Hoc Commission

Memo: 2024-85

Topic: 4.15 Video Surveillance and Electronic Monitoring – 1st Reading

Issue: The Employee Handbook Ad Hoc Commission has been working on updating the Employee Handbook. Video Surveillance and Electronic Monitoring is a newly created policy to be placed in the Employee Handbook.

828 ILCS 55/11 added an amendment to the Right to Privacy in the Workplace Act. It requires each employer to give each employee who may be affected by Video Surveillance and Electronic Monitoring written notice.

The Board’s attorney assisted in creating this policy and gave final approval of the document this week with no recommendations for edits.

Recommendation: To read, edit, provide feedback on 4.15 Video Surveillance and Electronic Monitoring. **No vote to be recorded at this time.**

Handbook Copy



4.15 VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

Effective Date: October 15, 2016

Revision Date:

The Board of Directors authorizes the use of video surveillance and electronic monitoring at various facilities throughout Apple Canyon Lake Property Owners' Association ("Association"). The safety of the Association community, common area and facilities are deemed to be important aspects of this community. The Association has added and will continue to add video surveillance and electronic monitoring to help keep property, residents, and employees safe. The Association hopes that the video surveillance and electronic monitoring will provide not only a deterrent to inappropriate behavior but can also be used as a means of identification in the event of damage or criminal activity.

Video Surveillance is the collection of video information for security purposes in common Association areas.

Electronic monitoring is the collection of information of employees' activities or communication by any means other than direct observation, including, but not limited to the use of a computer, telephone, or radio, vehicle GPS, geofencing, and electromagnetic, photo electronic, photo optical, and biometric access systems.

The General Manager is responsible for where cameras are installed and the operation of the video surveillance/electronic monitoring equipment. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Video surveillance/electronic monitoring equipment may be placed in common areas in Association buildings (e.g. hallways, entryways, the front office where members, employees, and guests are permitted to freely come and go), the Association parking lots and other outside areas. Video surveillance/electronic monitoring equipment shall not be used in areas where persons have a reasonable expectation of privacy (e.g. private offices) unless the GM or Board President has reasonable suspicion to believe that an employee is engaged in conduct that either violates the law, violates the legal rights of the Association or other employees, or creates a hostile workplace environment.

Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera, or who physically damages or destroys any equipment, shall be subject to restitution, employee discipline up to and including termination, and to prosecution.

Legible and visible signs shall be placed at the main entrance to buildings and in the areas where video surveillance/electronic monitoring equipment is in use to notify

employees and other individuals that their actions/behaviors are subject to being monitored/recorded.

In cases approved by the General Manager, camera surveillance may be used for investigatory purposes without staff, or public notice, if used for further investigation into misconduct believed to have occurred or believed to be ongoing. Recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceedings, or criminal proceedings, subject to Board of Directors' policy and regulations.

The General Manager will not place video surveillance/electronic monitoring equipment for the purpose of obtaining information for routine staff appraisal/evaluation or monitoring. However, video footage captured in the normal course of surveillance which shows information pertinent to staff performance or conduct may be used for that purpose. Further, such recordings may become a part of a staff member's personnel file.

Access to and viewing of video recordings is limited to authorized personnel by the General Manager and Security and Safety Manager.

Any employee who abuses the Association's Video Monitoring and Electronic Monitoring system may be subject to disciplinary action up to and including termination, within the limitations of any applicable federal, state, or local laws.

By signing this document, you are indicating that you have been notified in writing about video surveillance and electronic monitoring on the ACLPOA property.

Signature

Date

Printed Name

Signature copy



4.15 VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

Effective Date: October 15, 2016

Revision Date:

The Board of Directors authorizes the use of video surveillance and electronic monitoring at various facilities throughout Apple Canyon Lake Property Owners' Association ("Association"). The safety of the Association community, common area and facilities are deemed to be important aspects of this community. The Association has added and will continue to add video surveillance and electronic monitoring to help keep property, residents, and employees safe. The Association hopes that the video surveillance and electronic monitoring will provide not only a deterrent to inappropriate behavior but can also be used as a means of identification in the event of damage or criminal activity.

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Any employee who abuses the Association's Video Monitoring and Electronic Monitoring system may be subject to disciplinary action up to and including termination, within the limitations of any applicable federal, state, or local laws.

By signing this document, you are indicating that you have been notified in writing about video surveillance and electronic monitoring on the ACLPOA property.

Signature

Date

Printed Name



Memorandum

To: Board of Directors

Date: November 8, 2024

From: Rules & Regulations

Memo: 2024-83

Topic: Rules & Regulations Miscellaneous Revisions – 1st Reading

Issue: There are several Rules & Regulations sections (I. Clubhouse, II. Amenity Tags for Property Owners & Guests, and X. Campground) that require revisions to better align with ACLPOA's current operations.

Recommendation: To approve the revised Rules & Regulations sections (I. Clubhouse, II. Amenity Tags for Property Owners & Guests, and X. Campground).
No vote to be recorded at this time.

Covenant

I. CLUBHOUSE

Preamble: The clubhouse is maintained for use of all members and is available on a limited basis for private parties. Contact the Communications & Recreation Manager for information.

A. General

1. Members wishing to schedule the use of space and/or serve food at the Clubhouse are to verify the date and time with the Communications & Recreation Manager.
2. Maximum capacity for the clubhouse is 250 persons.

B. Attire

1. The wearing of proper attire (shirts and shoes) is required in social areas.

C. Private Parties

NOTE: A detailed Rental Rules and Agreement must be signed by Property Owners when renting the clubhouse prior to any rental being permitted.

1. All reservations are to be made through the Communications & Recreation Manager and approved by the General Manager.
2. Reservations are to be made at least one month in advance of event. Association events take precedence.
3. A damage deposit is required upon reservation confirmation. See fee schedule. Refunds of the damage deposit are dependent upon the extent of damage, if any, to the facility occurring during the event.
4. There is a six (6) hour time limit on private parties.

D. Open Clubhouse

1. The Clubhouse serves as a quiet place for members to relax, socialize, watch TV, and use free Wi-Fi provided by the Association.
2. The hours that the Clubhouse is open for owners are posted in the lobby. However, Association events and meetings take precedence.
 - Regularly scheduled events and meetings can be found on the web calendar on the website – www.applecanyonlake.org.

Amended: March 17, 2018

Amended: July 18, 2020

Amended: April 17, 2021

Revised

I. CLUBHOUSE

Preamble: The clubhouse is maintained for use of all members and is available on a limited basis for private parties. Contact the ~~Communications & Recreation Manager~~ **Member Services** for information.

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 - Regularly scheduled events and meetings can be found on the web calendar on the website – www.applecanyonlake.org.

Amended: March 17, 2018

Amended: July 18, 2020

Amended: April 17, 2021

Comment

II. AMENITY TAGS FOR PROPERTY OWNERS & GUESTS

Each Property Owner paying an Owner Amenity Registration Fee (OARF) will receive ten (10) Amenity Tags and five (5) auto stickers. The number of auto stickers issued to those Owners who pay the Trash Assessment and elect to receive Trash Auto Stickers will be reduced accordingly.

These Amenity Tags authorize the use of ACLPOA amenities for Property Owners, their family, guests, or occupants. Persons of all ages must have an Amenity Tag. The Amenity Tag must be worn in a visible location or presented upon request. Additional Annual, Three Day, and One Day Amenity Tags may be purchased from the ACL Office. Owners of multiple lots will pay one OARF but may elect to pay an additional OARF for each multiple lot owned. The tags remain the property of ACLPOA.

Amenity Tags must be presented to enter the Pool, and worn or presented upon request at Nixon Beach, the Sports Complex, Firehouse Fitness, designated walking trails, and while walking the trail system. Tags may be required for private special events throughout the year. Individuals

fishing from the shoreline, or a dock must wear an Amenity Tag or present it upon request. Amenity Tags must be worn or presented upon request while ice fishing. A vehicle sticker or guest parking pass will be required for access to Nixon Beach. Amenity Tags do not have to be worn while on an ACLPOA registered recreational vehicle, including ATVs, golf carts, snowmachines, and boats. Amenity Tags do not need to be worn while in the Campground. A vehicle sticker or guest parking pass will be required for access to the Campground.

Anyone found to be on the Common Properties without an Amenity Tag will be required to leave immediately. They may return with an Amenity Tag.

Dues, Trash, OARF(s), special assessments, interest, lien fees and any other outstanding amounts owed to the ACLPOA must be paid on all properties owned by all owners, designated members or occupants associated with all their properties prior to any owner receiving Amenity Tags, unless the property owner has been approved for the ACLPOA Payment Plan. Without limiting this requirement, but by way of example, if Lot 1 has two owners, persons A and B, and Lot 2 is owned by one owner, person A, then even if the dues on lot 1 have been paid by person A and/or B, neither person A nor person B can receive a boat tag or sticker until the dues for Lot 2 are paid by owner A, regardless of the fact that person B has no ownership interest in Lot 2.

The sale or unauthorized use of Association Amenity Tags is strictly prohibited. Any violation of this will result in a fine for the property owner. All violations will be presented to the Board of Directors. The Board of Directors may at their discretion suspend the membership rights of a property owner for up to ninety (90) days for violation of the Rules and Regulations in addition to the fines.

Adopted: October 12, 2012
October 18, 2014

Amended: April 21, 2013

Amended:

Amended: March 17, 2018
August 20, 2022

Amended: February 20, 2021

Amended:

revised

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Amenity Tags must be presented to enter the Pool, and worn or presented upon request at Nixon Beach, the Sports Complex, Firehouse Fitness, designated walking trails, and while walking the trail system. Tags may be required for private special events throughout the year. Individuals

fishing from the shoreline, or a dock must wear an Amenity Tag or present it upon request. Amenity Tags must be worn or presented upon request while ice fishing. A vehicle sticker or guest parking pass will be required for access to Nixon Beach. Amenity Tags do not have to be worn while on an ACLPOA registered recreational vehicle, including ATVs, golf carts, snowmachines, and boats. Amenity Tags do not need to be worn while in the Campground. A vehicle sticker or guest parking pass will be required for access to the Campground & Sports Complex.

Anyone found to be on the Common Properties without an Amenity Tag will be required to leave immediately. They may return with an Amenity Tag.

Dues, Trash, OARF(s), special assessments, interest, lien fees and any other outstanding amounts owed to the ACLPOA must be paid on all properties owned by all owners, designated members or occupants associated with all their properties prior to any owner receiving Amenity Tags, unless the property owner has been approved for the ACLPOA Payment Plan. Without limiting this requirement, but by way of example, if Lot 1 has two owners, persons A and B, and Lot 2 is owned by one owner, person A, then even if the dues on lot 1 have been paid by person A and/or B, neither person A nor person B can receive a boat tag or sticker until the dues for Lot 2 are paid by owner A, regardless of the fact that person B has no ownership interest in Lot 2.

The sale or unauthorized use of Association Amenity Tags is strictly prohibited. Any violation of this will result in a fine for the property owner. All violations will be presented to the Board of Directors. The Board of Directors may at their discretion suspend the membership rights of a property owner for up to ninety (90) days for violation of the Rules and Regulations in addition to the fines.

*Adopted: October 12, 2012
October 18, 2014*

Amended: April 21, 2013

Amended:

*Amended: March 17, 2018
August 20, 2022*

Amended: February 20, 2021

Amended:

Covenant

X. CAMPGROUND

Preamble: The ACL campground is limited to Property Owners and their authorized guests. An ACL auto sticker or Guest Parking Pass is required for entry to the Campground. RV sites and primitive tent sites are available. RV sites have electric and water hookups. Seasonal Campsites are assigned through the Seasonal Campsite Waiting List for long-term RV camping. A reservation system is used for all short-term, non-seasonal campsites. Reservations are made through the ACL Association Office. No person under the age of 18 is permitted to rent a campsite unless accompanied by an adult.

Campground Opening Date: First weekend in April, weather permitting, or as determined by General Manager.

Campground Closing Date: The last Sunday in October, weather permitting, or as determined by General Manager.

Failure to comply with these rules will result in a fine.

A. General Rules

1. All camping units must arrive in the campgrounds before 10:00 p.m. Check in at ACL Association Office. Campers arriving after the ACL Association Office has closed should make arrangements in advance to have the site ticket left in the dropbox for pickup at check in but must check in prior to noon the next day. All non-seasonal camping units must display a valid site ticket as designated by the ACL Association Office. Failure to display a valid site ticket will result in a fine.
2. Quiet hours are from 10:00 p.m. until 8:00 a.m.
3. The speed limit within the campgrounds is 10 MPH.
4. Boats, golf carts, or ATVs/UTVs in the campground must be registered with the Association and display ID numbers and a current year ACL sticker. All motorized recreational vehicles used in the Campground must follow the Rules & Regulations outlined in Section XI Motorized Vehicles-Recreational. Boats, boat trailers, ATV/ UTV trailers are not permitted to be stored in the campground parking lots for more than two (2) weeks per year or per season. Boat and ATV/UTV trailers stored in the campground parking lot must display ACL ID numbers. Campground parking lot storage is restricted to those currently camping in the Campground. Failure to display ID numbers in the campground parking lot will result a fine.
5. Non-seasonal sites may be reserved on the basis of:
 - a. Reservations must be made by an ACLPOA member or authorized guest. Only one site may be rented at the Property Owner rate per lot. The Property Owner must be staying at the site and make the reservation to receive this rate. All other reservations will be made at Guest rate.
 - b. Reservations may be made no more than 30 days in advance.
 - c. Reservations may not exceed two (2) weeks.
 - d. All applicable fees must be paid at the time a reservation is made.

All RV site reservations canceled are non-refundable. Primitive site reservations canceled with at least 7 days' notice will have fees refunded by ACL gift card; fees for primitive site reservations canceled with fewer than 7 days' notice will not be refunded. The property owner or guest making the reservation must ensure their camper will fit on the site. No campsite changes or modifications are allowed.

- e. Sites must be vacated by the 11:00 a.m. checkout time on the day of the owner's scheduled departure, or an extra day's fee will be assessed. If an incoming rental is displaced due to late removal, a fine will be assessed in addition to the extra day's fee. The Property Owner will be held financially responsible and charged additional fees for early placement or late removal.
6. Campfires must be contained in the fire rings provided for the campsite. Extinguish campfires properly. No garbage or trash shall be placed in the ring.
7. Campers must maintain campsite free of litter, garbage, and debris at all times. Garbage shall be taken to the Recycling Center during their posted hours. A dumpster is provided for the Campground on holiday weekends. Garbage may not be disposed of at the laundry or bathhouse facilities.
8. Domestic pets are allowed in the Campground but must be traditionally or electronically leashed at all times. Campers must pick up after their pet and properly dispose of waste.

Amended: August 20, 2022

Revised

X. CAMPGROUND

Preamble: The ACL campground is limited to Property Owners and their authorized guests. An ACL auto sticker or Guest Parking Pass is required for entry to the Campground. RV sites and primitive tent sites are available. RV sites have electric and water hookups. Seasonal Campsites are assigned through the Seasonal Campsite Waiting List for long-term RV camping. A reservation system is used for all short-term, non-seasonal campsites. Reservations are made through the ACL Association Office. No person under the age of 18 is permitted to rent a campsite unless accompanied by an adult.

Campground Opening Date: First weekend in April, weather permitting, or as determined by General Manager.

Campground Closing Date: The last Sunday in October, weather permitting, or as determined by General Manager.

Failure to comply with these rules will result in a fine.

A. General Rules

1. All camping units must arrive in the campgrounds before 10:00 p.m. ~~Check in at ACL Association Office. Campers arriving after the ACL Association Office has closed should make arrangements in advance to have the site ticket left in the dropbox for pickup at check in but must check in prior to noon the next day.~~ Security will pick up tags and deliver to campground. All non-seasonal camping units must display a valid site ticket as designated by the ACL Association Office. Failure to display a valid site ticket will result in a fine.
2. Quiet hours are from 10:00 p.m. until 8:00 a.m.
3. The speed limit within the campgrounds is 10 MPH.
4. Boats, golf carts, or ATVs/UTVs in the campground must be registered with the Association and display ID numbers and a current year ACL sticker. All motorized recreational vehicles used in the Campground must follow the Rules & Regulations outlined in Section XI Motorized Vehicles-Recreational. Boats, boat trailers, ATV/ UTV trailers are not permitted to be stored in the campground parking lots for more than two (2) weeks per year or per season. Boat and ATV/UTV trailers stored in the campground parking lot must display ACL ID numbers. Campground parking lot storage is restricted to those currently camping in the Campground. Failure to display ID numbers in the campground parking lot will result a fine.
5. Non-seasonal sites may be reserved on the basis of:
 - a. Reservations must be made by an ACLPOA member or authorized guest. Only one site may be rented at the Property Owner rate per lot. The Property Owner must be staying at the site and make the reservation to receive this rate. All other reservations will be made at Guest rate.
 - b. Reservations may be made no more than 30 days in advance.
 - c. Reservations may not exceed two (2) weeks.

- d. All applicable fees must be paid at the time a reservation is made. All RV site reservations canceled are non-refundable. Primitive site reservations canceled with at least 7 days' notice will have fees refunded by ACL gift card; fees for primitive site reservations canceled with fewer than 7 days' notice will not be refunded. The property owner or guest making the reservation must ensure their camper will fit on the site. No campsite changes or modifications are allowed.
- e. Sites must be vacated by the 11:00 a.m. checkout time on the day of the owner's scheduled departure, or an extra day's fee will be assessed. If an incoming rental is displaced due to late removal, a fine will be assessed in addition to the extra day's fee. The Property Owner will be held financially responsible and charged additional fees for early placement or late removal.
- 6. Campfires must be contained in the fire rings provided for the campsite. Extinguish campfires properly. No garbage or trash shall be placed in the ring.
- 7. Campers must maintain campsite free of litter, garbage, and debris at all times. Garbage shall be taken to the Recycling Center during their posted hours. A dumpster is provided for the Campground on holiday weekends. Garbage may not be disposed of at the laundry or bathhouse facilities.
- 8. Domestic pets are allowed in the Campground but must be traditionally or electronically leashed at all times. Campers must pick up after their pet and properly dispose of waste.

Amended: August 20, 2022