

THE ELM AT CLARK CONDOMINIUM ASSOCIATION



Construction Rules and Regulations

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The Elm at Clark Condominium Association Construction Rules and Regulations

These Construction Rules and Regulations are adopted this day, January 1, 2008, in accordance with the authority given to the Board of Directors under the Declaration for the Elm at Clark Condominium Association.

Introduction

These rules and regulations provide minimum guidelines and shall not be construed as an all-inclusive list of rules, procedures or requirements.

The purpose of these rules is to protect the safety and comfort of all residents and to preserve the integrity of the building structure and those elements which are community property. Unit owners are responsible for the action of or any damage caused by their contractors.

At no time during a construction project can any furniture or other personal belongings from the unit be placed into the Common Areas of the building.

Remodeling projects have been divided in three categories, which are defined on the following pages, along with notification and approval requirements. Required fees and security deposits must be delivered to the Management Office prior to the start of any construction. A schedule of fees is available in the Management Office and on the website at <http://TheElmAtClark.Com>

Category 'A' Projects

These projects are primarily decorative in nature. No formal construction review is required. These projects do not affect any common elements, appliances or plumbing, electrical ventilation, telephone or master antenna systems or components. Such projects shall include but are not limited to:

1. Painting and/or wallpapering
2. Installation or removal of carpeting

Category 'A' Requirements: Management should be notified in advance for scheduling.

Category 'B' Projects

These are projects requiring prior Management notification, Board Approval, and Condominium Association inspection. These projects may include items from Category A in addition to items which may affect common elements, appliances or plumbing, electrical, ventilation, telephone or master antenna systems or components. Such projects shall include, but are not limited to:

1. Replacement of kitchen cabinets
2. Removal and replacement of plumbing fixtures or faucets
3. Refrigerator installation involving ice maker or water faucet
4. Dishwasher installation
5. Clothes washer and dryer installation
6. Alteration, termination or re-routing of plumbing, electrical, ventilation, telephone or master antenna, pipes, conduit, wires, ducts or other system components.
7. Removal, relocation or alteration of existing walls, or construction of new walls, partitions, or soffits.

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8. Installation of refinishing of hard surface flooring (marble, ceramic tile, hardwood flooring, etc.)
9. Installation of whirlpool tub, wet bar, etc.
10. Installation of French Doors

Category 'B' Requirements: Written Board approval is required prior to the commencement of any demolition or construction activities. Such Board action may take up to three weeks. Contractors and owners must abide by further requirements, changes, etc., if made part of the Board's approval. Inspection by a Management representative and the Association's architectural representative is required prior to closing up of any walls or other areas concealing plumbing or electrical work or flooring underlayment.

The following items must be submitted to the Board through the Management Office:

1. Drawings of demolition and proposed changes, sealed by a licensed Architect if required by the Chicago Building Code.
2. A written scope of work (specifications),
3. A list of all contractors and subcontractors (names, address, phone numbers) so Management can verify authorization to enter the building and units, and submittal of the contractor's City of Chicago license number.
4. Certificates of insurance for all contractors, confirming compliance with all insurance requirements stated in Article B of the General Conditions.
5. Approximate dates construction will start and finish,
6. Copies of all required permits.
7. Certificate of occupancy (upon final inspection).

Items 1 through 5 above must be submitted prior to Board review and approval. Item 6 may be submitted after Board approval, but must be submitted prior to starting demolition or construction. Item 7 shall be submitted within 30 days of completion of the work, but in no case more than 180 days after Board approval.

Category 'C' Projects

These Projects require prior Management notification, Board approval inspections and signing of a License Agreement. Category C Projects may include items from Categories A and B in addition to a modification or extension into Common Area space. Such projects shall include, but are not limited to:

1. Eliminating or moving unit entry doors
2. Combining of units
3. Modification of any building structural elements

Category 'C' Requirements: Include Category B requirements, plus a signed License Agreement.

Remodeling Guidelines

1. General Conditions

- A. Architectural/Construction Fee: Category 'B' and Category 'C' projects require payment of an Architectural/Construction Fee for the review of project plans and drawings, as well as the inspection during and at the completion of construction.
- B. A Security Deposit is required for all Category 'B' and Category 'C' construction projects. Security deposits will be refunded after verification from the Maintenance Staff and/or the Management Office that no damage was caused to the common elements or elevators during the construction process. Refunding of the security deposit may take up to fifteen (15) business days.
- C. Insurance: The Certificates of Insurance must be submitted to Management before work can begin. Insurance required will be written with a company having at least an "A" policyholder's rating and a minimum Class 10 financial rating as listed in the Best Insurance Guide, latest edition. During the term of the Contract, the Contractors will, at their expense, purchase and maintain insurance as follows:
 - 1. Worker's Compensation
 - a) Basic Policy including occupation disease at Statutory limits
 - b) Employers Liability at Statutory limits
 - c) Contractors having offices or places of hire outside the state of Illinois shall attach or otherwise show an "All States Endorsement".
 - 2. Public Liability (Comprehensive Form):
 - a. Minimum Limits:
 - Bodily Injury: \$1 million each person, \$1 million each occurrence
 - Property Damage: \$1 million each occurrence, \$1 million aggregate
 - b. Included Coverage (Shall be in Comprehensive):
 - i. Premises and Operations
 - ii. Elevators
 - iii. Independent Contractors
 - iv. Contractual
 - v. Completed Operations (Continue coverage in force for one year after completion of work)
 - vi. Bodily Injure -Include personal injury
 - vii. Property Damage -Include Broad Form -write on occurrence bases
 - viii. Property Damage -Remove "XC" exclusion
 - ix. Property Damage -Remove "U" exclusion
 - x. Scaffolding Act liability

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3. Automobile Liability

a. Minimum Limits

- i. Bodily Injury: \$1 million each person; \$1 million each occurrence
- ii. Property Damage: \$1 million each occurrence; \$1 million aggregate

b. Include coverage (Shall be in Comprehensive Form):

- i. Owned vehicles
- ii. Non-owned vehicles
- iii. Hired vehicles
- iv. Property Damage -Write on occurrence basis

Additional insured: The Elm at Clark Condominium Association shall be named as an additional insured on the Contractor's Comprehensive General Liability Policy. Each party shall be notified 30 days prior to the policy being canceled. Contractors must not start work until the proper verification of insurance has been submitted.

- D. Freight Elevators and Dock Area: Transporting of all materials or debris must take place through the freight elevator only and must be scheduled **in** advance through the Management Office. Workmen must use the freight elevator at all times. All materials and equipment must be loaded and unloaded in the loading zone area and immediately transported to the unit. Contractors' vehicles must be removed from the loading zone area after unloading. Failure to comply will result **in** the vehicle being towed at the vehicle owner's expense and the worker being barred from the building.
- E. Work in Accordance with Plans: All work is to be performed in strict accordance with the final plans which have been submitted and approved by the Condominium Association Board of Directors. If changes to the approved plans are to be made, the Board must be notified immediately and plans must be resubmitted for approval before construction can proceed.
- F. Work in Accordance with Applicable Codes: All work will conform to and be performed in accordance with all appropriate requirements and permit restrictions of all government agencies having jurisdiction. Permits, where required, must be obtained and copied to the Management Office.
- G. Work in Accordance with Declaration: The work will conform to and be in accordance with The Elm at Clark Condominium Declaration of Covenants, Conditions, Restrictions and Easements and Association Rules.
- H. Qualification of Contractors Evidence: The Unit Owner or his/her agents must be able to provide evidence that all work is to be performed and completed by a qualified individual capable of performing all work in a safe and workmanlike manner.
- I. Inspection of Work: All work is subject to inspection by Management personnel and the Association's architectural representative. Management reserves the right to stop or cause to delay any work which has not been approved or which deviates from the approved plan.
- J. As-Built Plan: Within 20 days after completion of the work, the owner must supply Management with a final as-built plan and a Certificate of Occupancy issued by the City of Chicago. As-built plans shall be drawn at a 1/4 inch scale in a reproducible medium.

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- K. Exterior Alteration: No alterations may be made to the exterior of the Unit, unless explicitly approved in writing by the Condominium Association Board of Directors.
- L. Damage to Common Elements: The Unit Owner is responsible for any damage or dirt caused by the work to the Common Elements or any other unit. Any damage repair or cleaning done by Management will be charged to the Unit Owner. Contractor is to place clean mats throughout the corridor where carpet may be subject to damage of dirt. Corridor vacuuming is to be done at the end of each workday. At no time may any work take place in the Common Elements. Delivery and removal of materials and debris must be confined to carts and dollies appropriate for transportation over carpeting. Any cart or dolly must fit easily through Common Elements doorways. Carts must be furnished by the contractor. No materials shall be kept in the Common Elements.
- M. Dumpster Use: Prior arrangements are required for the building's dumpster to be used for the removal of construction debris. A charge will be applied for dumpster use depending on the quantity and type of construction taking place. No dumpsters may be brought into the building or parked adjacent to the building other than the building's dumpster.
- N. Garbage Chute: The use of the residential floor garbage chute for the disposal of construction debris is strictly prohibited. Severe fines will be imposed against Unit Owners whose contractors violate this rule.
- O. Restrooms: Unit owners must provide their workmen usage of private bathroom facilities. Public restrooms are not available for use by workmen.
- P. Lunch and Breaks: No eating will be allowed in common areas or on the sidewalks surrounding the building exterior. All food wrappers, bags, bottles, and cans must be disposed of properly immediately after eating. If Management finds it necessary to clean-up, the Owner will be back charged for this service.
- Q. Building Access: Every working day, all trades people must be identified by personal name, company name, and unit number they are working on. Failure to comply will result in inaccessibility to the premises.
 - b. Trades people may only enter the building through the loading dock area.
 - c. At no time will anyone be allowed to enter the following areas:
 - i. Main Building Lobby
 - ii. Work Out Facility
 - iii. Pool Deck Area
 - iv. Laundry Room
 - v. Sales Office
 - vi. Occupied Units
- Q. No Smoking: this building, including all corridors and lobbies, is a non-smoking zone. Any person caught smoking will be told to leave the project/building immediately.
- R. Deliveries: Contractors will be responsible for all their own deliveries. Building security will make reasonable attempts to contact the appropriate people when a delivery arrives. If no one is available to accept the delivery, it will be rejected. Management will not take any responsibility whatsoever for any deliveries.

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- S. Water Riser Shutdown: A written request must be given to Management three working days in advance of any desired water riser shutdown. Management will schedule all water riser shutdowns. Shutdowns are only available from 9am through noon, Tuesday through Thursday. A fee of \$150 is required for any discretionary water riser shutdown payable in advance to the Condominium Association through the Management Office.
- T. Telephone, Cable TV and Master Antenna shutdowns: A written request must be given to Management three working days in advance of any desired telephone, cable TV or master antenna shutdown. Management will schedule all system shutdowns. Shutdowns are only available from 10am through 3pm, Monday through Friday. One riser shutdown for each system will be allowed at no charge. Cost for each subsequent shutdown is \$100, payable in advance to the Condominium Association through the Management Office.

2. Working Hours

- A. Normal working hours available for construction are: 9AM through 5PM Monday through Friday
- B. Trades people will not be allowed in the building before 7:30AM
- C. Permission to work during other than normal work hours may be requested submitting a description of the work to the Management Office seventy-two (72) hours in advance for review and approval. No work will be allowed outside of the normal working hours without written Management approval.

3. Electrical

- A. A licensed electrician must perform all electrical work in a safe and workman-like manner.
- B. Electrical panels must have an obstructed clearance of thirty (30) inches minimum. Adjustable shelves and removable closet rods are considered obstructions.
- C. No wall, floor or ceiling electrical boxes may be buried after the removal of a receptacle or fixture until all wiring has been removed.
- D. Electrical panels must be covered or protected at all times during construction.
- E. Ground Fault Interruption receptacles must be used in all bathrooms, kitchens, laundry, wet bars; and all other areas where Water is used or present. '
- F. All steam showers, sauna or whirlpool electrical components and enclosures must be approved by the Building Management or its agent prior to installation in the Unit.
- G. All work to be completed on telephone lines' must be completed by a qualified' low-voltage telephone line specialist as approved by Management '.
- H. All work to be done on cable TV lines must be completed by the building approved cable company.
- I. Channeling of support columns and shear walls is not permitted.

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- J. Channeling of floor slabs shall not exceed 1 inch in depth or the depth of the reinforcing bars, whichever is less. In no case shall slab reinforcing be cut or disturbed in any way.

4. General Carpentry

- A. All work must be completed by a qualified carpenter in a safe and workman-like manner
- B. A minimum of one (1) layer of 1/2" gypsum board each side over 3 5/8" metal studs, spaced 16" on center is required for all interior partitions.
- C. A minimum of two (2) layers of 1/2" gypsum board each side over 3 5/8" inch metal studs spaced 24" on center with not less than 2" OFC friction fit sound batt insulation or similar material is required for all party walls between units.
- D. A minimum of one (1) layer of 5/8" fire rated gypsum wallboard each side over 3 5/8" metal studs spaced 24" on center is required on all corridor walls.
- E. All doors must consist of metal frames and fire resistant door panels. Treated, fire resistant wood is allowed for the framing of the doorjamb if a custom door is required, Fire treated wood sub flooring is required.
- F. Main entrance doors must be solid core doors with a minimum two-hour fire rating, The doors must be in compliance with the type, color, and style door in which the Association determines to be a building standard.
- G. Debris may not accumulate on the job site. Daily removal of debris from the job site is required. At no time are flammable materials to be stored on the job site.
- H. Door closers are required on all unit entry doors.
- I. Weather-stripping or door sweeps may not be applied to unit entry doors.

5. Plumbing

- A. All plumbing work is to be completed by a licensed plumber in a safe and workman-like manner.
- B. The relocation of water risers, waste lines, open site relief drains or venting stacks is strictly prohibited.
- C. Any connections made to the building venting or plumbing risers must be pre-approved and must be inspected and approved in writing by the Association's architectural representative prior to the walls being closed up.
- D. Individual shut off valves are required for all newly installed fixtures.
- E. Dielectric unions are mandatory on all domestic plumbing fixtures.
- F. Any drain line which exceeds a five-foot run from the fixtures to the main waste line is required to be properly vented.
- G. For Whirlpool, Jacuzzi, Sauna and spa installations, manufacturer's specifications indicating weight of "tub" must be submitted for Board approval, and such items must

be approved for use in the City of Chicago and comply with all city codes. In a maximum loaded state, loads must not exceed the specified floor slab capacities.

H. "Gray Boxes" must be used to feed and drain water for washing machines

6. Mechanical and Structural

- A. Any work to the common mechanical chase or penetration of the structural columns is strictly prohibited.
- B. Connections to any venting system for the purpose of exhausting a dryer, appliance, or downdraft type kitchen exhaust are strictly prohibited. Ventless dryers are required.
- C. All construction, including raised floors, partition walls, and decorative finishes must be detailed to permit removal of and service to HVAC units. Also, a minimum opening of 2" must be maintained in front of all HVAC units for return air.
- D. Superimposed live loads shall not exceed 40 pounds per square foot.
- E. In no case will the cutting of reinforcing bars in concrete structural elements be allowed.

7. Finished Flooring Acoustical Requirements

In order to minimize the transmission of sound between units, all hard flooring such as stone, wood, ceramic tiles, or vinyl must be installed over an underlayment which satisfies the following specifications:

Wood: (see attached building standard detail, Exhibit "A")

- A. Laminate 1/4" thick cork to the entire concrete slab surface with mastic.
- B. Place one layer of 3/4" fire treated plywood on top of the cork.
- C. Install wood floor on top of the plywood making certain that the nails do not penetrate the cork.

Ceramic Tile and Stone Tile: (see attached building standard detail, Exhibit "B")

- A. Laminate 1/4" thick cork to the entire concrete slab surface with mastic.
- B. Install the tile floor
- C. A sealant is required at the perimeter of the entire floor. This joint must be filled with an elastomeric or acoustical sealant.

New Materials: (added 01/01/2009) New floor materials and acoustical materials may be considered, but they must meet or exceed the above requirements and must be approved by the board before use.

Maximum Latexing Allowances

- A. When a light floor finish is used, such as carpet, 3/4" wood, or 3/8" tile, a latex thickness of 3/4" maximum, 1/2" average within a structural bay can be applied to the concrete slab for the purpose of leveling out of the area.
- B. When a heavy floor finish, such as 3/4" stone is used, the allowable latex thickness is limited 1/2" maximum, 3/8" average within a structural bay.

8. Windows

Alterations made to the perimeter window wall system are strictly prohibited. Window treatment hardware must not be attached to the window frames.

9. Miscellaneous

- A. Remodeling construction must be completed within six (6) months of Board approval, or the documentation must be resubmitted.
- B. All units shall have smoke detectors in accordance with applicable City of Chicago codes and laws.
- C. Any questions regarding these Construction Guidelines should be directed to the Management Office at (312) 943-7778

10. Riser Shutdown Request

The Management Office of the Elm at Clark Condominiums must be contacted in writing and must approve water/riser shutdowns. Water/Riser shutdowns must be scheduled seventy-two (72) hours in advance.

The Management Office is located on the ground floor to the left of the elevators, and is open Monday through Friday 9am to 5pm.

The owner of the unit requesting the riser shutdown must agree that they are responsible and will pay for any damages caused to the common areas or units as a result of the work.

All work must be done by licensed and insured contractors. Certificates of Insurance must be submitted to the Management Office and must name the Elm at Clark Condominium Association as additional insured.

The cost of a riser shutdown is \$150. There is an additional fee of \$20 for any rescheduled riser shutdowns.

The "Riser Shutdown Request" form (available from the Management Office or on the website at <http://TheElmAtClark.Com>) must be completed, signed and returned to the Management Office with a check made payable to "The Elm at Clark Condominium Association" in the amount of \$150.

The form and fees must be submitted to the Management Office prior to approval and scheduling the riser shutdown.

11. Installation of Satellite Dishes

In order to keep the aesthetic appearance of The Elm at Clark Condominium Association in a good and orderly manner; the Board has adopted the following rules and regulations:

- A. Any owner interested in installing a satellite dish one meter or less in diameter must notify the Board and obtain instructions for installation within seven (7) days from the date of installation. Satellite dishes greater than one (1) meter in diameter are prohibited.
- B. Satellite dishes may only be installed on portions of property within the owner's exclusive use of control. Satellite dishes cannot be installed on the roof or exterior of the building façade. The Board is requiring satellite dishes to be installed on the balcony, provided it is not attached to the railing nor may it rise above the railing. Any deviations, including on the backside of the roof or plant beds, must be approved by the Board of Directors prior to the installation of the satellite dish.
- C. No more than one (1) antenna of each provider may be installed.
- D. To protect the health, safety and welfare of the residents, all satellite dishes must be professionally installed. The unit owner must provide proof that the contractor is insured and licensed. All wires must be encased in molding which matches the color of the building. If at all possible, please attempt to use existing wires.
- E. In order to protect the health, safety and welfare of the residents and their property the Board reserves the right to inspect the installation and maintenance of the satellite dish. The cost of this inspection may be assessed back to the owner installing the dish.
- F. Once installed, the owner will be responsible for the maintenance of the dish. If additional cost is required to maintain the portion of property on which the dish is installed, the Board may assess this cost back to the unit owner. If it is necessary for the Association to remove the satellite dish to perform maintenance, the owner will advise accordingly.
- G. The unit owner shall at all times keep the satellite dish in good repair. Failure to do so after five (5) notices from the Board may result in the removal of the dish.
- H. The owner shall be responsible to fund the cost of any maintenance, repair or replacement to the property resulting from installation of the satellite dish. In addition, the owner must restore the property to its original condition upon removal of the dish.
- I. The Owner hereby indemnifies and holds harmless the Board of Directors, the Association, its agents and members from any and all claims, controversies or causes of action resulting from the installation or use of this satellite dish, including the payment of any and all costs of litigation and any resulting attorneys' fees. Owners agree to be responsible for any damage to the property or any injury to any individual as a result of the installation of the dish. Upon installation of the dish the owner must execute the "Satellite Dish Agreement" which is available from the Management Office or the website.

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- J. Upon transference of the ownership or occupancy of the unit, the Owner shall inform the successor in title, including any purchaser by Articles of Agreement for Warranty Deed, or tenant, of the existence of these rules and regulations and the obligations set forth herein. If the transferee is unwilling to assume the responsibilities set forth herein, and execute a new "Satellite Dish Agreement", the dish must be removed prior to conveyance.

Exhibit A – Wood Floor Detail

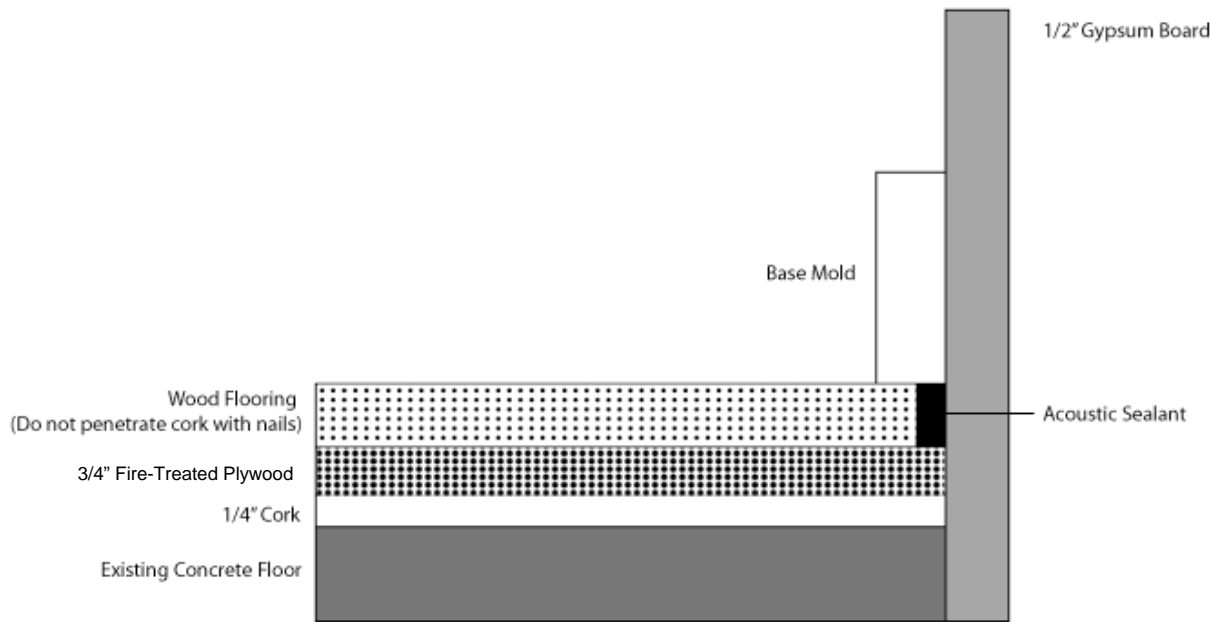
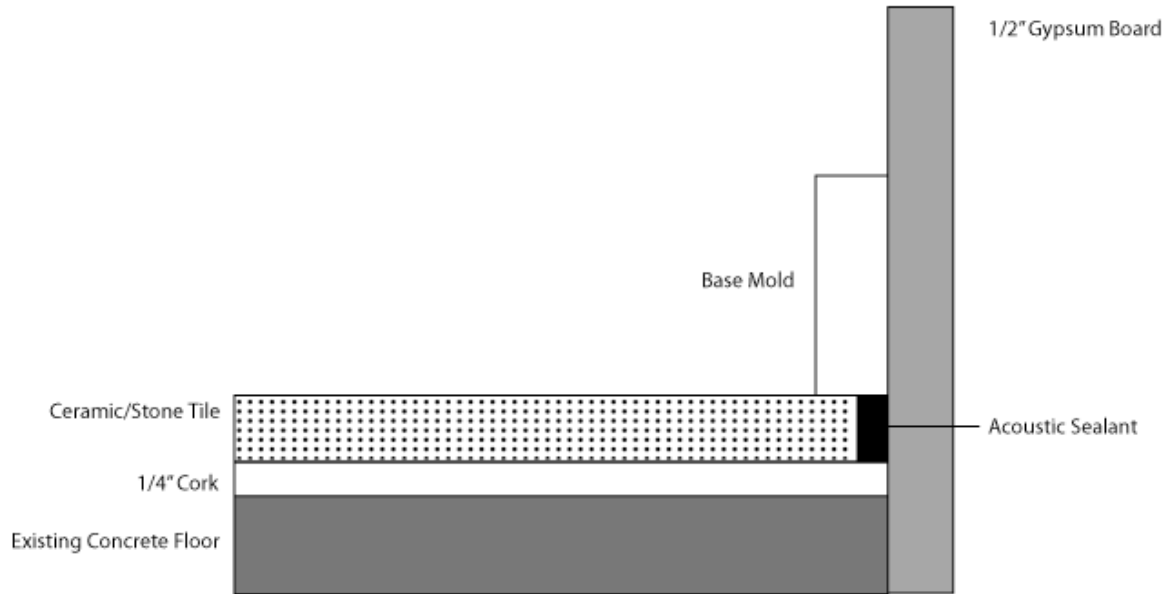


Exhibit B – Ceramic/Stone Tile Floor Detail



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