

Choctaw Lake Property Owners Association
BUILDING CODE
(Revised by CLPOA Board of Trustees - January 9, 2018)

The Choctaw Lake Property Owners Association, Inc. (CLPOA) is a nonprofit corporation organized pursuant to the laws of the State of Ohio. The membership is composed of property owners within a certain tract of land known as the “Choctaw Lake Subdivision,” Madison County, Ohio; the association is the governing body thereof. The general nature and purpose of the association are expressly stated in Article Three of its Articles of Incorporation which include:

To provide rules and regulations for each owner’s property to the end that the same may insure to the benefit of the property of the members of this association.

To provide bylaws for the operation of the association, and to improve, promote, and protect all property transferred or deeded to the association and to adopt rules for the improvement, promotion, and protection of the members of the association and the property owners in the development known as Choctaw Lake in Madison County.

It is in conformity with, and in furtherance of the same, that the Association hereby declares the following to be its “Building Code” with reference to the regulation of the planning, design, and construction of all buildings and/or property within the subdivision.

Changes to this document are identified by the date of the revision. Any new construction, addition or modification to a property covered by this document shall be constructed to be following the latest issue. Items of construction that were built prior to the latest revision are assumed to have followed the Building Code in effect at that time. (Revised April 11, 2017).

Items of construction that were built prior to the latest revision are assumed to have followed the Building Code in effect at that time (this sentence is referred to as the “Building Code Grandfather Clause”). Such grandfathered items that are subject to the Building Code which are destroyed, damaged or fall into disrepair may be repaired and benefit from the Building Code Grandfather Clause only if the cost of the repair of the item is less than 60% of the replacement cost, and the repair does not involve a significant change in design or structure. (Effective August 8, 2017).

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1. BUILDING REVIEW COMMITTEE

- A. The Choctaw Lake Property Owners Association, Inc. shall appoint a Building Review Committee to perform the following functions:
- (1) To provide a committee for the review, evaluation, approval and disapproval of proposed plans for the planning, design, and construction of all buildings and/or property improvement within the subdivision;
 - (2) To establish, maintain, and preserve guidelines and standards for the planning, design and construction of all buildings and/or property improvements within the subdivision; and,
 - (3) To enforce the provisions of this code.
- B. The Building Review Committee shall be composed and structured as follows:
- (1) The Building Review Committee shall consist of not less than three (3) members in good standing of the Association.
 - (2) At least one (1) member of the Building Review Committee shall possess knowledge and/or experience in all, or substantially all, aspects of residential construction.
 - (3) The Building Review Committee and the individual members thereof, shall serve at the pleasure of the Association.

2. BUILDING PERMITS

- A. Scope of Permits
- (1) Building Permits shall be required for the construction or alteration of the following items as defined by Section 4 Express Standards of Construction:
 - (a) Houses
 - (b) House Additions
 - (c) Garages & Outbuildings
 - (d) Sheds
 - (e) Boathouses
 - (f) Driveways
 - (g) Fences
 - (h) Decks
 - (i) Patios
 - (j) Docks
 - (k) Seawalls
 - (l) Swimming Pools
 - (m) Siding
 - (n) Patio Roof, porch roof, sun room, screened porch
 - (o) Roofing
 - (p) Other structural alterations not covered above. Other Structures shall be defined as anything with a footer and / or any mechanics applied to it.
 - (2) Building Permit fees and deposits will be paid according to the following schedule:
(Revised 1/96, 9/98, 7/08, 4/17, 9/17))

(a) House Additions up to 300 sq. ft. (including sun rooms and screen porches) deposit	\$200	\$1000
(b) House Additions 301 to 600 sq. ft. (including sun rooms and screen porches)	\$300	\$1000 deposit

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(c) House Additions 601 to 1200 sq. ft. deposit	\$500	\$1000
(d) New Homes and Additions 1201 sq. ft.- and over deposit	\$800	\$1000
(e) Garages deposit	\$300	\$1000
(f) Boathouses	\$300	\$1000 deposit
(g) Patio, Porch & Deck Roofs deposit	\$150	\$ 500
(h) Driveways	\$ 75	
(i) Fences	\$ 75	
(j) Decks	\$ 75	
(k) Patios	\$ 75	
(l) Docks	\$ 75	
(m) Seawalls deposit	\$200	\$ 500
(n) Swimming Pools - Above ground	\$100	
(o) Swimming Pools - In ground	\$200	
(p) Siding	\$ 75	
(q) Sheds	\$ 75	
(r) Roofing	\$ 75	
(s) Gazebos & Pergolas	\$ 75	
(t) Other structures	\$ 75	

B. Requirements to Obtain Building Permits

(1) A building permit shall be issued only upon full compliance and satisfaction of the following

requirements:

- (a) Written approval of all plans and specifications from the Building Review Committee, and/or Building Inspector.
- (b) A permit from the Madison County Sewer District for installation of a suitable sewage treatment system (if applicable).
- (c) A zoning permit from Somerford Township and a building permit (if required) from Madison county for any structure with a roof.
- (d) Payment of building permit fee and deposit to CLPOA. The deposit, net of any outstanding balances owed to CLPOA, must be presented when the permit application is made.
- (e) Building plans submitted to the Building Review Committee for approval must have a building permit issued within six months of the approval date. Plans must be resubmitted to the Building Review Committee if the permit is not issued in six months.

(2) No application for a building permit shall be considered or a building permit granted until the owner has paid in full all dues and assessments owed to the Association on any lots owned in the subdivision. If such a permit is granted and the owner's dues and assessments become delinquent during the construction, the building permit shall be considered suspended, null and void as of the date of the delinquency and shall not be reinstated until the delinquent charges are paid.

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- (3) If a check for the building deposit and/or building permit is returned for insufficient funds, the building permit shall be considered suspended, null and void as of the date of the NSF notification and shall not be reinstated until the check(s) are made good. Cash, money orders or cashier's check are the only methods of payment that will be accepted for repayment of the fees. In addition, an NSF charge (the current rate charged by the CLPOA office) must be included in the repayment of fees for the building permit to be reinstated.
- (4) The Board of Trustees may, at its discretion, suspend, revoke or further apply conditions to any building permit or issue a stop-work order for so long as there are any delinquent membership fees, assessments or fines due from the property owner or any contractor to the CLPOA. (Revised August 8, 2017).

3. APPROVAL OR DISAPPROVAL

- A. Same style and design houses are not to be duplicated more than three (3) times on contract or speculation building; this includes existing houses.
- B. No improvement, alteration, construction, addition, or excavation shall be commenced or continued until the Building Review Committee in accordance with this code has first approved the same in writing.

To request approval property owner must submit three sets of drawings, 1/4" = 1'0" scale, on a minimum size of 18" x 24" paper. Projects which require a \$75.00 or less Building Permit Fee do not need to be on drawn on 18" x 24" format, however all details such as structural components still need to be shown.

Drawings are required to contain the following:

- (1) Four elevations - front, back, and both sides
- (2) Structural layout
- (3) Foundation plan
- (4) Floor plans
- (5) Wall cross section
- (6) Plot plan (3 copies to include all drainage, catch basins/surface drainage/location of grinder pump system and property setbacks. 11" x 17" minimum size paper, and drawn to scale.)
- (7) Insulation specifications
- (8) Glass sizes (8% minimum per square footage in room). Windows in all new homes being built are to be of one color, style, design and manufacture (any deviation is to be approved by the Building Review Committee).
- (9) The following types of siding are banned for all construction, unless matching existing siding on an attached addition: pressboard siding, aluminum, Masonite siding and steel siding.
- (10) Existing and proposed land contours and grade (reference CLPOA Drainage Code).
- (11) All buildings, and other improvements, access drives, and other improved areas, and the locations thereof on the site.
- (12) Decks, porches, docks and boathouses on the site.

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- (13) Samples of materials to be used to the extent requested by the Building Committee.
 - (14) Such other information, data, and drawings as may be reasonably requested by the Building Review committee.
 - (15) Specifications shall describe types of construction and exterior materials to be used;
 - including manufacturer thereof, if needed, and shall otherwise be prepared in compliance
 - and conformity with this code.
- C. Approval shall require three (3) signatures of the Building Review Committee based, among other things, upon conformity and harmony of the proposed plans with other structures in the subdivision; the effect of the locations and use of improvements on neighborhood property; and conformity of the plans and specifications to the purpose and general intent of this code.
- D. Neither CLPOA, the Trustees, the Building Review Committee, nor any member thereof, nor any of their respective heirs, personal representatives, successors or assigns, shall be liable to anyone submitting plans for approval due to mistakes in judgment, negligence, or nonfeasance arising out of or regarding the approval or disapproval or failure to approve any plans. Every person and entity who submits plans to the Building Review Committee agrees by submission of such plans, that he or it will not bring any action or suit against the Building Review Committee or CLPOA to act or to recover any damage.

4. EXPRESS STANDARDS OF CONSTRUCTION

- A. Referenced Requirements
 - The current national building code(s) adopted for use by the Madison County Building and Zoning Office and the Restrictive Covenants of the Choctaw Lake Subdivision are made a part hereof to the same extent as if fully rewritten herein, subject to the express provisions herein after set forth.
- B. Modular Construction
 - No modular home construction shall be permitted within this subdivision. For the purposes of this section, the term “Modular” shall refer to a single-family residential structure which is referred to in colloquial terms as a “trailer home” and has been constructed off-site and transported on-site requiring only placement and minor construction prior to occupancy. All other building systems being proposed that are not constructed on-site, but are manufactured and transported to the site for final assembly will require a formal review by the CLPOA Building Review Committee.
- C. Floor Area
 - No residence shall have less than 1200 sq. ft. of living space on the ground floor, or first floor, exclusive of the porch. (Revised April 11, 2017).
- D. Foundation
 - All new homes, garages, or additions shall have a foundation composed of a solid concrete footer minimum size of 16” x 8”, minimum 8” thick walls of either concrete block or solid concrete.

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Not more than two (2) courses of cement block, or 16” of poured concrete may show above ground level at any point in the circumference of the building. No “pargetting” of block for finished product will be approved. All basements shall be tiled on the inside of the foundation with a conductor of not less than four (4) inches in diameter. This shall be considered a minimum requirement and be in adherence to the codes and compliances mentioned in Section 4.A. above.

E. Framing

All framing shall be in accordance with the requirements of Item D. (1) hereof except that in no case shall wood framing material for walls or partitions be less than 2”x 4” nominal. Spacing of 2” x 4” studs and floor joists shall be a maximum of 16” on centers. Resistance to racking in exterior wall construction shall be in accordance with codes and compliances mentioned in Section 4.A, except that steel straps will be unacceptable. All floors and wall systems are to be 16” on center maximum. This includes, but is not limited to: conventional framing, trusses and I-joists. A minimum 3/4” sub-flooring is required and must be T&G plywood, T&G OSB, or solid 1” thick nominal boards.

F. Driveways

Concurrent with the excavation for footers or basements, the driveway must be graded and filled with 2D stone sufficient to provide access for trucks without carrying mud and debris onto the subdivision roadways. The Property Manager will determine requirements for tiling of the drive and treatment of road ditches. Off-street parking for a minimum of three (3) cars must be provided. All new homes and/or garages built will have a driveway of concrete, asphalt, or paver-brick finished surface. All driveways must be kept and maintained. Chip sealed surfaces are not permitted. (Revised August 8, 2017). Any new driveway, driveway add-on, or parking pad must be concrete, asphalt, or paver-brick surface. (Revised April 11, 2017). No gravel parking areas allowed anywhere on property.

G. Electrical

In addition to the requirements of Item D. (1) hereof, electrical installation shall be in accordance with the National Electrical Code.

H. Plumbing

In addition to the requirements of Item D. (1) hereof, all plumbing shall be in accordance with the Ohio State Plumbing Code. All lavatories, toilets, sinks and laundry tubs shall have a secondary shut-off valve in each water supply line.

I. Siding

- (1) Vinyl Siding May Be Used Provided (Effective Nov. 21, 1992)
 - (a) Installation must include a minimum of 7/16” OSB or ½” plywood subsiding beneath all covered surfaces.
 - (b) Vinyl siding must be a minimum thickness of .044 inches.
- (2) Cedar Siding (Effective Nov. 21, 1992)

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No more than one (1) color of pre-stained lap cedar siding may be used at any point during construction. Samples may be requested.

J. Garages (Effective Sep 23, 1994 and Revised Oct 14, 1998)

- (1) At least 400 sq. ft. of primary garage space must be maintained at all times. (Effective Feb. 16, 2000).
- (2) Per the Restrictive Covenants, one detached garage may be constructed. Regardless of house size, the garage size can be 1728 sq. ft.; total garage space (whether attached or a combination of attached and detached) cannot exceed 1728 sq. ft. or 60% of the living area of the home, whichever is greater. A detached garage will be considered the additional storage building as outlined in the Restricted Covenants. It must blend aesthetically with the dwelling.
- (3) Garages on adjacent lots are required to be tied in as a deed restriction of existing house and lot.
- (4) All new garages are required to have a driveway, unless permission is granted by the Building Review Committee and Property Manager of concrete, asphalt, or paver-brick finished surface. A building permit for a garage includes the permit for the driveway. (See Section 4.F)
- (5) A garage shall have a poured foundation and floor. (Revised Aug 8, 2017).

K. Sheds & Storage Buildings

- (1) Maximum shed size is 224 sq. ft. (14 feet x 16 feet), maximum height is thirteen (13) feet.
- (2) A shed (maximum size 224 sq. ft.), by definition, is not a building because it does not have a foundation. (Revised April 11, 2017).
- (3) No metal sheds permitted. (Effective May 24, 1994).
- (4) Sheds must meet the same siding standards as for houses (see 3.B(9)).
- (5) Vinyl sheds with steel structural trusses and supports will be permitted at the discretion of the Building Inspector or Property Manager. No other pre-made vinyl or plastic sheds are permissible.
- (6) Only one shed permitted per property (property includes house lot and all adjacent lots).
- (7) No temporary shed or storage building of any type will be permitted.
- (8) Sheds of any size must be set back fifty (50) feet from the high-water mark and 30 feet from the front property line.
- (9) Sheds shall be a minimum of five (5) feet from the side or rear lot line. (Revised April 11, 2017).

L. Landscaping:

Landscaping is mandatory on all new homes built to include a minimum of twenty-five (25 one-gallon or larger pot size) landscaping plants, shrubs, or trees.

M. Boathouses

- (1) A boathouse is any mooring structure with a roof only; no sidewalls or storage areas; free standing or attached styles are allowed.
- (2) Boathouses must be open on all four sides.
- (3) Boathouses shall not be considered a building for garage or storage purposes within the meaning of the restrictive covenants; boathouses are subject to building setbacks except for Section 10.D (boathouses are excluded from 50 ft. water setback only).

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- (4) The maximum allowable width is 28 ft. from the outermost point of supporting post to supporting post with a maximum of 2 ft. overhang on each side for a total structure dimension of 32 ft. x 32 ft. The maximum overall height from finished grade is 13 ft. No part of the boat house may protrude beyond the current shoreline except for the 2 ft. overhang of the roof.
 - (5) Only one boathouse is permitted per property.
- M. Pergolas, Gazebos & Swings (Effective September 12, 2017)
- (1) A pergola is a square or rectangular structure with an open roof made up of cross beams, no sidewalls or storage areas; a gazebo is a round or octagonal structure with a roof, no sidewalls or storage area and with, typically, a low, open-style perimeter railing.
 - (2) Pergolas and gazebos shall not be considered a building for garage or storage purposes within the meaning of the restrictive covenants; pergolas and gazebos are subject to all building setbacks except for Section 10.D (pergolas and gazebos are excluded from 50 ft. water setback only).
 - (3) The overall allowable dimensions of a pergola or gazebo will be evaluated on a lot by lot basis, based on lot size, sight lines and other criteria. The maximum overall height from finished grade is 13 ft. If a pergola or gazebo is placed within the 50-ft. water setback area, the total roof (both open and closed) area of the any boathouse and together with a pergola or gazebo, cannot exceed 1000 sq. ft.
 - (4) Pergola posts shall be a minimum of 4" x 4" pressure treated lumber. Posts must be placed upon concrete piers and/or bolted to the deck joists. The concrete piers must be placed below the frost line (minimum depth 32"). Posts placed on piers must be securely fastened. Post spacing will conform to the current national building code(s) adopted by the Madison County Building and Zoning Department.
 - (5) The maximum allowable overhang is 2 ft. on each side. No part of a pergola or a gazebo may extend beyond the current shoreline or a lakeside deck, whichever is greater.
 - (6) Only one pergola OR gazebo is permitted per property.
 - (7) Swings are excluded from the 50-ft. water setback. Portable swing sets do not require a building permit. Swings that have a permanent foundation (posts anchored in the ground) require a building permit.
- N. Fences (Effective June 14, 2011)
- (1) No solid fences or living fences may be constructed or planted without special approval from the Property Manager. Landscape planting that, in the opinion of the Property Manager, acts as a living fence is subject to the fence regulations (Effective Aug. 14, 2002).
 - (2) No fence higher than 48" is permitted without special approval from the Building Review Committee.
 - (3) For fences 48" or higher, the fence posts must be placed below the frost line (minimum depth 32"). (Revised August 8, 2017).
 - (4) The finished portion of the fence is to face the outside of the property (Effective Aug. 11, 1999).
 - (5) Prior to the consideration of the Building Review Committee for special approval as noted in sections (1) and (2), all property owners of adjacent lots will be notified in writing, and given an opportunity to object. (Revised August 8, 2017).

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- (6) If there are no objections from the nearby property owners, the final location of a fence must be approved by the Property Manager. If there are any objections, the matter will be referred to the Board of Trustees. (Revised April 11, 2017).
- (7) No above-ground electrified fence of any size is permitted at Choctaw Lake, and no above-ground electrified fence shall be treated as permitted pursuant to the Building Code Grandfather Clause. (Effective July 11, 2017).

O. Docks

- (1) No boat docks, floats or other structures extending into the lake shall be constructed or placed into or on said lake without prior written approval of Choctaw Lake, Inc., its successors or assigns. (Revised January 9, 2018 per Restrictive Covenants, paragraph #6).
- (2) Docks may not extend into the lake more than 24 ft., subject to Property Manager's discretion, from the current shoreline.
- (3) Docks must be removable, no permanent footings permitted.

P. Swimming Pools (Effective May 24, 1994)

- (1) Swimming pools with support structures and requiring electrical pump wiring must have a Building Permit.
- (2) A Madison County Electrical permit must also be obtained and approved by the Building Inspector and Property Manager.

Q. Satellite Dishes (Effective July 8, 2008)

No satellite dishes over 36" in diameter permitted.

R. Patio, Porch & Deck Roofs (Effective Jul 12, 2000)

A building permit is required for the construction of a roof over a patio, porch or deck (attached to a house and open on three sides). (Revised August 8, 2017).

S. Seawalls

A building permit is required for the construction of any seawall. Plans must be submitted for approval by the Property Manager and/or the Building Committee, and must include type of material being used, and location relative to current shoreline and property pins. If the foundation of a proposed boathouse is part of the seawall, then a complete set of plans for the proposed boathouse must be submitted with the seawall plans. Railroad ties cannot be used to build a seawall or repair a seawall.

5. DECK CONSTRUCTION SPECIFICATIONS

A. Foundations

Decks posts shall be a minimum of 4" x 4" pressure treated lumber. Posts must be placed upon concrete piers. The piers must be placed below the frost line (minimum depth 32"). Posts are to be spaced no farther than 8 ft. apart over the length and width of structure. Posts placed on piers must be securely fastened. Post spacing will conform to the current national building code(s) adopted by the Madison County Building and Zoning Department.

Deck beams shall be used in pairs. Deck beams shall be a minimum of 2" x 6" attached to each post with two (2) galvanized carriage bolts. (Revised Aug 8, 2017).

Deck joists shall be attached to the house with a ledger board. Board shall be a minimum of 2" x 6" securely fastened to the house with ½" lag bolts or carriage bolts at the recommended interval for the size of the deck. Flashing shall be put on top of

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the ledger board before the joists are added to prevent moisture from getting behind the board (Effective April 11, 2017).

B. Joists & Ledger Boards

Pressure treated ledger boards are to be a minimum of 2" x 6" and fastened to the house with lag screws placed at least every 3 ft. Joist supports are to be a minimum of 2" x 6" and attached to posts with nuts and bolts (no nails or screws) Revised April 11, 2017). Deck joists are to be a minimum of 2" x 6" and must be securely fastened to deck foundation using standard accepted building practices. Maximum distance between joists is to be 16". Cantilevered deck sections must not exceed (3) feet or 25% of the joist length, whichever is less. Joists must be attached with recommended galvanized hangers and nails or screws.

C. Decking

Typical decking material found in most home centers should be considered acceptable materials (example: 5/4"x4", 5/4"x6", 2"x4", etc.) for deck flooring. Spacing between deck boards is to be a MAXIMUM of 1/4 inch. Decking is to be nailed or screwed every 16 "maximum over lengths of run.

D. Guardrails

Railings are required for any deck or portion of deck exceeding 30" drop off. Railing height is to be a minimum of 36" from decking to top of railing. Guardrails shall have intermediate rails or ornamental closures, which will not allow passage of a 4" diameter ball.

E. Steps & Stairways

Where steps are desired or required, stair treads are to be a minimum of 11" deep, with risers to be a maximum of 8 ¼" high. Stairs should be a minimum of 36" wide. Open sides of stairs with a total rise of more than 30" above the floor or grade below shall have handrails.

F. Deck Skirting

Deck skirting is for cosmetic purposes only. Construction materials must blend aesthetically with the existing dwelling. These standards are to be considered minimum. Requirements may be increased depending on certain specific circumstances at the discretion of the Property Manager. CLPOA, its employees or assigns shall not be held liable for any information printed herein or deleted, nor for the design or structural soundness of any deck, or all other liabilities (Effective Aug. 1990).

6. INSPECTION

A. Inspection shall be made by qualified individuals as designated by the CLPOA Board of Trustees

to determine that the terms of this code have been met. All inspections must be made on site. No portions of the building may be closed to view until the necessary inspections have been made and the work approved. The builder shall incur all inspection costs. One or more of the following will perform the below listed inspections: the Madison County Building Inspector, the Property Manager or his official designee.
(1) When the layout is staked. Lot line pins must be visible and strung.
(2) When the footer excavation is complete.
(3) When basement floor slab is ready to pour.

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- (4) When framing is complete.
 - (5) When rough wiring and plumbing are complete.
 - (6) When building is complete.
 - (7) Ditch tile and drainage requirements before installation. (Note: At all building sites, the road ditch is to be tiled with 12" tile minimum.) They also need to be installed before the \$1000 deposit is released. Mandatory catch basins are to be installed where needed (to be determined by drainage committee and Building Inspector). All gutter downspouts and sump pump discharge pipes must be piped and buried, and either tied into drainage ditch or drain into lake. This will prevent shedding of water on to neighbor's property. Choctaw Lake personnel must inspect all piping before soil is placed over piping.
 - (8) Final inspection when building, grading and landscaping is complete.
- B. If the Building Inspector and/or the Building Review Committee in their sole discretion determine after an inspection that certain work fails to comply with the provisions of this Building Code, they may issue an order stopping all or part of the work until the provisions of the code are fully complied with. This stop-work order shall be served by hand-delivery upon the builder and/or owner or posted conspicuously on the premises. Upon service of the order, the work designated shall stop immediately until the remedial work is performed to the satisfaction of the Building Inspector and/or Building Review Committee. Any failure to strictly comply with the stop-work order shall result in a fine of \$50 per day against the offending party.
- C. No building shall be occupied until the owner receives a written Certificate of Occupancy from the Association evidencing that the building is completed. If the building is occupied without such a Certificate, the owner shall be fined \$50 per day until such Certificate is received. No deposit shall be refunded, in whole or in part, until a final inspection has been completed and a Certificate of Occupancy is granted (if required).
- D. Effective Aug. 16, 1995 and revised Sept 14, 1998, Sept. 9, 2008, April 11, 2017 construction shall be completed on permits \$150 and under 3 months from issue date. All additions, boathouses, garages and new homes over 1,200 square feet shall be completed 6 months from issue date.
- (1) The first day after the permit expires, \$100 will be deducted from the \$1000 deposit. As each additional 30 days pass, \$100 will be deducted. The total time allowed to elapse from the issue date of the first permit is 15 months. Now a second permit must be obtained.
 - (3) The second permit, after 15 months from the issuance of the first permit, will be an additional \$800 with an additional \$1000 deposit. All construction will cease after 15 months from the first permit until the 2nd permit is obtained.
 - (3) All non-deposit permits that expire will require a second permit to be obtained. Second permit fee will be \$150. (Effective July 8, 2008).
- E. Any property owner or contractor who starts construction without the required permit, may be assessed a penalty up to five (5) times the cost of the original permit.

7. CONSTRUCTION SITE MAINTENANCE

- A. A dumpster or barrels for refuse and building materials are required on the site to be used by the construction crew to eliminate an unsightly accumulation and/or scattering of trash in the

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- neighborhood (Effective June 17, 1993).
- B. No burning shall be permitted.
 - C. No outside toilets shall be permitted, unless placed in an inconspicuous location as determined by the Property Manager, or CLPOA Building Inspector.
 - D. Work may not commence before 7:00 A.M. Monday thru Saturday and 9:00 A.M. on Sunday
all exterior work will terminate no later than 7:00 P.M.
 - E. No materials or refuse shall be buried.
 - F. All contractors are responsible for cleaning up any debris, trash and mud on CLPOA roads caused during the normal course of construction by any machinery and vehicles, including large trucks.
 - G. An automatic fine of \$100 for each offense shall be levied against the permit holder, with no warning required.
 - H. If the fine is not paid, it will be deducted from the building deposit.

8. REVIEW OF PROCEEDINGS

- A. The Building Review Committee shall exercise its best judgment to see that all improvements in the subdivision conform to these standards as to the size, external design, quality/type of construction materials, setting, height, grade, and finished ground elevation. The actions of the Building Review Committee, through its approval or disapproval of plans and other information submitted pursuant hereto, shall be conclusive and binding on all interested parties except that deviations may be referred to the CLPOA Board of Trustees for review and final decision.
- B. A final decision of the Building Review Committee may be appealed to the Board of Trustees of the Choctaw Lake Property Owners Association, Inc. The following procedure shall be followed:
 - (1) A statement setting forth in detail the basis of the appeal shall be filed with the Secretary of the Board of Trustees and the Chairman of the Building Review Committee within ten (10) days from the date of the final determination appealed from. Filing may be accomplished by personal delivery or certified mail.
 - (2) The appeal shall be considered at the next regularly scheduled meeting of the Board of Trustees at which time the person filing the appeal must be present.
 - (3) The appeal shall be restricted to the documents upon which the Building Review

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Committee rendered its determination, together with any oral statements offered at the time of hearing.

- (4) The determination of the Building Review Committee shall be conclusive, absent a showing on the part of the party filing the appeal that the determination is not supported by the provisions of this code.

9. EFFECTIVITY

This code shall be effective October 1, 1981.

10. ADDENDUM

- A. The Road right-of-way is the same as the lot line when determining the thirty (30) foot set back, minimum for building construction. Since all road right-of ways at Choctaw Lake are not the same (50, 60, or 70 feet), it is the responsibility of the builder to determine correct property (lot) lines for compliance with this covenant when submitting a building request to the Building Review Committee for approval.
(1) Setbacks start at the lot pin markers and work inward (not at the road).
NOTE: Give or take a foot or two. The road may not be perfectly centered
- B. Road right-of-way widths are shown on the large Choctaw Lake map on display in the office.
(1) Landscaping or Improvement: Please contact the CLPOA Property Manager to inquire if any permits or guidelines are required for this area.
- C. No porch or projection of any building shall extend nearer than:
(1) Ten (10) feet from the property line of any abutting property owner,
(2) Fifty (50) feet from the normal high-water line of Choctaw Lake, except as shown on recorded plats,
(3) Thirty (30) feet from the front property line.
(4) Eaves, being projections, are included in all set back measurements; gutters are not included.
- D. Any building with a roof structure is to comply with easement setback (boathouses, pergolas and gazebos are excluded from fifty (50) foot water set back only). (Revised September 12, 2017).
- E. A foundation location will be consistent with the setbacks of adjoining properties as decided by the Building Review Committee. In cases where the proposed foundations cannot line up, for example, corner lots, irregular shaped lots, pie-shaped lots, or a new home being built that is larger than adjacent homes, etc., the Building Review Committee will make a recommendation as to the approval or disapproval of the plan. The property owner can make appeals to the committee with a decision by the CLPOA's Board of Trustees as the final authority (Effective March 20, 1996).

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Procedure to Obtain Zoning/Building Permits
Through CLPOA and Madison County

11. CHECK LIST FOR NEW HOMES AND OTHER STRUCTURES:

- 1) Submission and approval of 3 sets of plans and plot plan by CLPOA Building Review Committee. The submitted plans must specifically contain the following information in addition to the standard information required by the county and provided by the architect, engineer, and/or contractor:

Footer size, material, and distance below grade

Drainage pipe size and location

Foundation wall thickness, and material (poured concrete, or masonry block),

Termite block when applicable

Sill sealer and sill plate

Anchor bolts and spacing

Structural support beam size, material,

Beam support post(s) size, spacing, and pad size

Floor joist size and spacing

Floor decking size and material

Wall stud size and spacing

Sheathing, for interior, exterior, roof, and foundation when applicable

Insulation values for walls, floors, and ceilings.

Siding materials - samples may be required

Roof and ceiling framing materials, size, and spacing

Roofing materials and underlayment.

Roof pitch

Overhang size, and materials, and gutter

Attic and foundation ventilation

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- 2) Dues and assessments paid and up-to-date (must be a member in good standing-and have no delinquent accounts).
- 3) Obtain a zoning permit from Somerford Township.
- 4) A sewage permit from Madison County Health Department.
- 5) Submission and approval of 2 sets of plans and plot plan by Madison County Building Inspector,
 along with payment of all appropriate Madison County fees
- 6) Payment of building permit fee and deposit to CLPOA / leave 1 set of approved plans.
- 7) Payment of a water tap fee (separate check) to Choctaw Utilities.
- 8) Sign CLPOA building agreement form.
- 9) A 6-month building permit issued from CLPOA.
- 10) Inspections by CLPOA building inspector - must call for inspection:
 - a) Layout
 - b) Drainage, driveway installation
 - c) Landscaping, driveway paving, etc. (FINAL).
- 11) Issue an occupancy permit to the owner.
- 12) CLPOA will return your deposit if completed within 6 months. If the work goes beyond six months, \$100 will be deducted from the deposit for every 30 days, or portion thereof, that the work is not completed. (Revised April 11, 2017).

Other rules may apply.
Please refer to the Madison County Building Code
for a complete listing of rules, regulations, and specifications.