

BUILDING REGULATIONS, ADOPTED APRIL 2002

The following regulations are adopted and published as a guide to indicate minimum requirements of construction in keeping with the restrictions applying to Lake Tishomingo, as recorded in Jefferson County, State of Missouri.

- 1.) The LTPOA Board of Directors shall establish a building committee, to consist of the duly-elected building director, and two or three committee members appointed by the LTPOA Board of Directors, The appointed committee members are to be under the supervision of the elected building director, and shall report to said director concerning the progress of all open building permits. As always, any new permits will be reviewed by the building director, and presented to the Board of Directors for consideration.
- 2.) In order for a permit to be considered by the Board of Directors at any regularly scheduled monthly meeting, which are conducted on the second Tuesday of each month, all necessary applications, county permits if needed, site plans, architectural drawings, surveys, and road deposit or bond must be presented to the building director a minimum of ten days prior to that meeting. All of the above listed documents with the exception of the road deposit or bond must be submitted in duplicate, and will become the property of LTPOA.
- 3.) A road deposit or bond must be submitted along with all building permit applications. The amount of the deposit or bond shall be determined by the building director in accordance with the complexity of the project, and the amount of equipment and materials required to complete the project. This deposit shall be in the form of a deposit posted by the property owners in the form of a check or money order, or by surety bond posted by the property owners or their contractors. No building permit will be approved until said bond has been received. This deposit will be held in escrow by the LTPOA until the project has been completed. The deposit may or may not be placed in an interest bearing account at the discretion of the Board of Directors. However, the Board shall not have any obligation to return any sum to the original property owner other than the amount of the deposit itself The cost of repairs, if any, to road surfaces, road shoulders, common ground, or the cleanup of construction residue, shall be withheld from the deposit when construction is completed. Any remaining deposit shall be refunded to the property owners within fifteen days of the completion of the project. The general contractor, or the property owners, if acting as general contractor, will be responsible for maintaining the cleanliness of the site of construction. This includes the orderly storage of all materials, and the removal of any rock mud dirt, and construction scraps from the roadways and common ground at the end of each working day.
- 4.) ALL construction including, but not limited to: buildings, fences, landscaping, exterior or interior remodeling, driveways, walls, docks, boat lifts, gas storage tanks, diving boards, culverts, etc., require a building permit showing the nature, kind, shape, height, materials, and location of such construction, addition, or alteration, and work may not be started until said permit has been approved by vote of the LTPOA Board of Directors. No individual, including, but not limited to, any officer of the LTPOA, or the building director, or any committee member appointed by the Board of Directors shall have the authority to issue a building permit unless the same is approved by resolution of the Board of Directors of Lake Tishomingo Property Owners Association.
- 5.) In the event that a general contractor is to be employed by the property owner, said general contractor must be available to meet with the building director when permit applications are submitted. If any problems occur during the application process, general contractor must be available to address the Board of Directors at the monthly meeting to resolve such problems.

6.) Any extensions or additions to existing structures must be attached to said existing structures in a substantial manner, (i.e. deck, covered walkway, or breezeway) and be of a similar outside finish. Attachment by 2x4, electric connection, retaining wall, or other similar method will not be accepted. No metal extensions or additions are permitted. Extensions or additions measuring less than 100 square feet do not require a Jefferson County Building Permit, however, the property owner will be required to comply with all the rules and regulations of Lake Tishomingo Property Owners Association.

7.) Building director shall inspect all construction sites to address any drainage issues which might affect adjacent property owners, or the lake itself. Property owners or their contractors shall take whatever steps deemed necessary by the building director to control soil or gravel erosion during the construction period.

8.) Within one month after the date of the partial or complete destruction of any residence, property owners will have their lots clear of debris. Within three months of the destruction, property owners will inform the LTPOA as to their intention to rebuild or not. Within six months of the destruction, rebuilding shall begin, or the lots shall be returned to their natural state.

9.) Within one year of the completion of any construction, all driveways, parking areas, etc. shall be paved with asphalt or concrete. If a culvert is required, as determined by building director, said culvert shall be a minimum of 12 inches in diameter, and shall be installed at the proper grade to insure adequate drainage of all ditches.

10.) Any gravel driveway, existing as of the adoption of these new regulations, is grandfathered and property owners may not be forced to pave their driveway, but all property owners are required to take whatever measures necessary to stop gravel from getting onto the roads during rainstorms, or just from general use. Property owners are also responsible for keeping all culverts and ditches cleared to prevent overflow onto roads during heavy rainstorms. If any property owner refuses to comply with these requirements, LTPOA shall have the right to enforce this regulation through legal channels if necessary, and the property owner involved shall be liable for any legal fees or court costs incurred by the LTPOA to enforce this regulation. We encourage all property owners to consider paving at least part of their driveways to halt erosion onto the roads.

11.) Upon completion of any new construction, any and all existing sheds and utility buildings must be permanently removed from the property.

12.) Pet kennels may be erected for the containment of outdoor pets, so long as said kennel does not exceed 10ft. x 10ft. x 8ft. high. Kennel shall be of chain-link construction on all four sides, but a weatherproof roof may be attached. Kennel shall be located as far to the rear of the property as possible, but in all cases, the kennel shall be located behind a line drawn parallel to the rear of the residence. No kennel may be located within 100 feet of the lake shoreline.

13.) No fence or other obstruction shall be allowed on any lot, except a fence not over three and a half feet high and composed of wire with at least three inch mesh, or a wooden fence composed of pickets or rails at least three inches apart.

14.) Both LTPOA and Jefferson County building permits, along with inspection certificates, shall be prominently displayed at the job site until construction is completed.

15.) Any applicant for a building permit must be the owner of record for that particular property, and all assessments must be paid up to date.

16.) All buildings must be on-site, stick-built, construction. No modular or prefabricated buildings will be allowed.

17.) Building permits expire six months from date of issuance, and must be renewed if work is not completed within that time frame.

18.) All residences, sheds, docks, seawalls, and any other structure on a lot within Lake Tishomingo Subdivision are to be maintained in a standard that complies with the stated objective of the Restrictions governing the subdivision that this property be maintained as a high-grade residential development. Any violation of the provisions listed below, as determined by the building committee, shall be enforced by whatever means necessary to achieve compliance.

A.) Residences and any attached structures must be kept in a state of good repair and must be painted or stained in a manner that all parts thereof substantially match in color. The use of plastic sheeting on the exterior of walls or windows as insulation is prohibited,

B.) All lots are to be clear of nonoperating vehicles, boats, trailers, as well as trash, and construction debris.

C.) No nonoperating vehicle, boat, or trailer may be stored or dumped on any lot or roadway within the boundaries of Lake Tishomingo Subdivision, unless they are stored within a structure closed to public view. A nonoperating vehicle shall be defined as follows:

a.) Any vehicle that is in a state of disrepair or disassembly, or is in the state of being dismantled.

b.) Any vehicle missing an engine, hood, trunk lid, doors, or any other part that will make it inoperable.

c.) Any boat or trailer that is in an inoperable state.

D.) All docks and sheds are to be kept in a safe condition and shall maintain an appropriate appearance such that Lake Tishomingo Property Owners Association shall be maintained as a high grade subdivision in accordance with the applicable restrictions.

If any property owner is judged to be in violation of the requirements listed above by the building committee, a notice of violation will be sent to the offending property owner. Property owner will be given thirty days from the date of the notice of violation to correct the problem. If property owner fails to comply with the notice, Lake Tishomingo Property Owners Association shall have the right to take the following steps:

A.) In the case of derelict vehicles, the LTPOA will have the vehicle towed and the property owner will be charged for any reasonable expenses incurred in said removal. If this expense is not paid by the property owner, it shall constitute a continuing lien upon the property against which such charge is made, and will be filed as such.

B.) In the case of docks and sheds, the LTPOA will instruct the maintenance department to remove the structure, and the property owner will be charged for any reasonable expenses incurred in said removal. If this expense is not paid by the property owner, it shall constitute a continuing lien upon the property against which such charge is made, and will be filed as such.

C.) In the case of any other lot cleanup necessary, LTPOA will instruct the maintenance department to clean up the property, and the property owner will be charged for any reasonable expenses incurred in said removal. If this expense is not paid by the property owner, it shall constitute a continuing lien upon the property against which such charge is made, and will be filed as such.

D.) In the case of a maintenance violation on any residence or attached structure, LTPOA shall have the right to file suit through proper legal channels to force the repair.

E.) Any legal costs incurred by LTPOA, in an effort to enforce the above-listed requirements will be paid by the offending property owner.

F.) The Lake Tishomingo Property Owners Association, its agents, or employees shall not be deemed guilty or liable in any manner for trespass or any other act for any injury, abatement, removal, or planting related to the enforcement of these regulations.

1. BUILDING REGULATIONS

A. The exterior of the residence is to be completed in a time period not exceeding six (6) months from the starting date of the construction.

B. Building materials shall not be stockpiled on lots until after building permit is approved. Material shall be piled in a neat and orderly manner.

C. Inspections will be made by the Jefferson County Building Commission on each of the following phases of residential construction:

1. Excavation
2. Foundation
3. Framing
4. Electrical (all electrical wiring shall conform with the National Electrical Code)
5. Plumbing - exposed and plumbing - completed
6. Sewage disposal exposed, and all sewage disposal systems.
7. Any other inspections required by Jefferson County.
8. All construction shall comply with B.O.C.A. Building Codes as accepted by the Jefferson County Building Commission.
9. The Board reserves the right to stop work on any project if it is not in accordance with approved plans and specifications of LTPOA Building Regulations.

2. PLANS AND SPECIFICATIONS

A. Plans and specifications shall be prepared and scaled by a registered professional architect or engineer and include the following:

1. Plot plan must include location of approved well and sewage disposal system and show relationship of proposed structure to existing lot lines.
2. Floor Plan
3. Front, sides, and rear elevations including existing and finished grades.
4. Building line must be established by survey and adhered to by authority of the Board.
5. When a building permit is requested, a stake shall be driven at each corner of the proposed structure to show relationship to lot line and at least one stake must be marked to show height of finished floor.

3. REQUIREMENTS

A. The minimum lot size is 40,000 square feet exclusive of roadway or street easements.

B. Floor space: the area of the foundation of the building must be 1,200 square feet or more (outside dimensions); exclusive of porches, garages, and carports.

C. Dynamiting must be approved by a special permit from Building Committee and the contractor must have a public liability certification of insurance with \$1,000,000 coverage.

D. Plumbing and all other aspects of the construction shall be installed in accordance with the B.O.C.A. Building Code as accepted by the Jefferson County Building Commission.

4. SEWAGE DISPOSAL

A. New Construction: Must have a sewage disposal system designed and constructed as mandated by the Jefferson County Building Commission, in conjunction with the regulations governing Lake Tishomingo Subdivision, before a permit will be issued.

B. Repairs to existing septic tank systems:

1. No lot owner may operate a septic tank system that results in contamination of surface or ground water or presents a nuisance or health hazard.

2. If the LTPOA Board receives a complaint that an existing sewage disposal system is not functioning properly, the Board shall cause an investigation to be made by its representative who shall have the right to enter the premises at reasonable times to determine if there is probable cause that a violation exists.

3. If the Board finds reasonable grounds that a violation of the rules exists, the lot owner shall be notified by registered mail to correct the problem within a reasonable time and the Health Department of Jefferson County shall also be notified of the alleged violation.

4. The lot owner shall then apply for the necessary permit from Jefferson County to correct the problems, and present a copy of said permit to the Board of Directors.

5. If the lot owner fails to take corrective steps within the time limit set by the Board, then necessary legal action shall be taken to enforce its rules. Any costs, including, but not limited to, court costs and attorney fees incurred by LTPOA in an effort to enforce this provision will be paid by the offending property owner.

C. Maintenance of all septic tanks:

It is a recommendation of the LTPOA Board of Directors that all septic tanks be cleaned out by a sewer service company every three years in order to prevent contamination of the Lake and existing private water supplies.

D. Minimum safe distances of separation from septic tank or mechanical unit and from drain field or sand lifter shall be governed by Jefferson County's codes. All sewage facilities must remain 50 feet from the Lake's water edge.

E. No new additional construction will be permitted over existing septic tank or drainage field; landscaping that would interfere with the working of drainage fields also will not be permitted,

5. GUTTERS

A. Gutters and downspouts shall be installed at all residences for roof drainage only.

6. SEA WALLS

A. Sea walls made of concrete or railroad ties must have a concrete footing.

B. Minimum size of footings: 24" x 10" for concrete walls; 20" x 8" for wooden tie walls.

C. Wooden ties must be a minimum of 6" x 6" x 8". No wooden ties that contain creosote, or any other chemicals that could be harmful to the Lake's habitat may be used.

D. Seawalls will be constructed in a manner so as not to materially alter the "face" of the lake, nor to encroach upon lake property or easements.

7. BOAT DOCKS AND LIFTS

A. All new construction will be 35 feet from any other construction such as boat ramps, boat wells, or other boat docks.

- B. A letter of approval from the owner of lot where dock will be constructed shall be attached to application. No dock or lift may be constructed in front of any owner's lot without the owner's permission.
- C. Docks must be maintained and repaired at all times.
- D. Size is not to extend more than 16 feet off shore, 6 feet wide, and top of dock not more than 12 inches above normal water line. Dock shall be perpendicular to the shore.
- E. Concrete or steel construction is advisable. Wood shall not be used except as stringers and decking.
- F. Cantilever construction is advisable. All galvanized pipe to be used for piling should be 1 1/2 inches inside diameter or larger.
- G. Diving boards extending more than 16 feet from shore shall be constructed so that they can be removed or pulled back when not in use.
- H. No deep well slips, boat slides, or boat ramps will be allowed on parkway shoreline.
- I. No floating docks allowed.
- J. Boatlifts must be installed as close as possible to owner's existing boat dock.

8. EMPLOYEES

Employees of lake residents do not have any lake privileges: boating, fishing, swimming, etc.

If a property owner violates the terms of these regulations, and Lake Tishomingo Property Owners Association incurs legal costs in enforcing same, Lake Tishomingo Property Owners Association shall have the right to recover any and all legal fees, court costs, and other expenses incurred in enforcing the terms of any and all regulations set forth herein.