

## BUILDER RULES FOR CONSTRUCTION SITES

The Board of Trustees for the New Albany Country Club Community Homeowners Association has adopted the following Construction Site Rules. Please review this document for modifications and updates regularly. Compliance is expected for all properties located in the neighborhood sections of the New Albany Country Club Community. Enforcement of the Construction Site requirements is the responsibility of the community's management company. Any questions or concerns should be directed as follows:

Ohio Equities, LLC.  
Brandy Cross, Architectural Review Liaison  
614.939.8603  
[NewAlbany.Admin@ohioequities.com](mailto:NewAlbany.Admin@ohioequities.com)

Compliance notifications are sent to the builder & owner of each lot with 10 days to remedy the issue. If the issue exists during the reinspection, then fines are immediately imposed on the builder.

The builder is responsible for all sub-contractors and/or activity on the building site.

### REQUIREMENTS

#### A. Construction Beginning Before Complete Final ARC Approval

Construction of any type) is prohibited until final ARC approval has been obtained. Complete final ARC approval is defined as having approval of all of the following submission elements:

1. Final Elevations
2. Final Site Plan
3. Exterior Materials Form (with exception of door and window shop drawings)

Beginning construction prior to full approval will result in a **One Thousand Dollar (\$1,000.00) fine**.

The "Procedure for Notice of Violations and Fines" shall not apply to this guideline. This fine will be immediately assessed for the violation occurrence.

#### B. Communication Failure

Failure to respond to any inquiry from the Association's Management within seven (7) days will result in a fine of One Hundred Dollars (\$100.00) per occurrence. An additional One Hundred Dollars (\$100.00) will be fined for every two weeks that a response is not received.

**C. Street Tree Requirements**

The Builder will deposit \$1,000.00 with the Country Club Community Homeowners Association Management Office upon becoming an approved participating Builder. These funds will be utilized for any damage, fines for tree infractions or deviation from the Street Tree requirements listed.

Builder is responsible for maintaining all trees in good condition. Sod shall not to be installed over the root ball of street trees

Builder shall not remove or relocate any street tree(s) without prior notification to the Management Office with an approval response. It is the Builder's responsibility to familiarize themselves with the policies on street tree relocation and removal. The Management Company will coordinate the removal of street tree(s) if needed for driveway access or curb cuts. The Builder is required to notify the management office of the request for a removal.

Failure to notify the Homeowners Association through the Management Office (listed above) for the removal or relocation of a street tree could result in a fine of Two Hundred Dollars (\$200.00) per incident, plus the cost of tree replacement, if required.

**D. Signage**

Builder is required to utilize the New Albany approved signage on all lots.

Signs shall be properly installed in the ground on the approved post w/finial and maintained in good condition. Broken, damaged, or faded signs shall be removed and replaced immediately. Under no circumstances should signage be leaned against trees, structures or other items.

Builder shall communicate the sign policy to all contractors, material men, and agents. Builder shall maintain site free of unapproved signs of all types. Under no circumstances shall temporary yard signs or messages be allowed.

Failure to adhere to signage requirements will result in a fine of Two Hundred and Fifty Dollars (\$250.00) per occurrence, plus reimbursement costs for providing appropriate signage and/or the removal of unapproved signs with or without notice.

**E. Street Maintenance**

Builder is responsible for providing and maintaining an adequate gravel drive, parking and storage area on the site. Under no circumstances should material of any type be delivered, stored or overflowing into the street.

Builder is responsible for maintaining clean street conditions as determined by the management company. Should mud, dirt, gravel, etc. be tracked onto the street, Builder shall be responsible for removing it and cleaning the roadway immediately.

Failure to adhere to street maintenance requirements will result in a fine of Two Hundred and Fifty Dollar (\$250.00) per occurrence plus reimbursement costs for street to be cleaned. Violations and complaints may also be reported to the City of New Albany.

**F. Property Line Barrier**

Builder is required to install nine-inch (9") wattle barrier (straw colored) along all property lines that adjoin occupied homes. Builder is to coordinate installation with the adjoining property owner(s) prior to the commencement of any construction activity on the site. Should Builder desire to omit the barrier, a written statement from the adjoining property owner(s) is required to be on file with the New Albany Country Club Association prior to any notification of violation.

Snow fences or plastic barrier methods are not permitted.

Builder is responsible for controlling water and silt run-off from the property during construction. This can be done with appropriate grading and or barriers. Violations will be reported to the City of New Albany for appropriate action.

All barriers are to be maintained frequently and shall be aesthetically appropriate at all times. Anchoring of wattles is necessary and can be accomplished using 1 inch x 1 inch x 18-inch wood stakes penetrating through the center of the wattle and into the soil approximately 6 inches. The frequency of anchoring should be a minimum of 4-5 stakes, equally spaced, per 25 feet of wattle installation.

Failure to install appropriate wattle barrier fence will result in a fine of Two Hundred and Fifty Dollars (\$250.00)

**G. Dirt Storage / Weeds / Site Condition**

No dirt piles or storage of dirt is allowed on site after full framing is completed and the foundation inspection is complete. Dirt piles kept on site during the approved period must be stored in the rear of the home to obstruct it from view of the street.

Site shall be maintained free of weeds, trash and debris at all times.

Failure to adhere to dirt and weed trimming requirements will result in a fine of Two Hundred and Fifty Dollars (\$250.00) per occurrence.

**H. Trash Containment**

Builder shall provide only one (1) trash receptacle that is a minimum of ten (10) cubic yards on site at all times. At no time should trash be outside the container or allowed to blow onto other lots or into the street. At no time should the trash receptacle be in the street or adjoining lot. A trash "fence" is not an approved trash containment system.

Site condition is very important and shall be maintained in an orderly and clean manner. Sites should be monitored and cleaned on a daily basis. Littering of food containers and bottles is particularly offensive and will not be tolerated.

Failure to provide containerized trash receptacle and site maintenance will result in a fine of Two Hundred and Fifty Dollars (\$250.00) per occurrence.

## **I. Adjoining/Empty Lots**

Under no circumstances should material, trash containment, bathroom facilities, or vehicles be placed on adjoining lots. Adjoining lots are to be maintained as open green space.

Should a need arise that requires the use of an adjoining lot for construction activity, the builder is required to obtain written permission from the lot owner **and** from the New Albany Country Club Association prior to use of the lot.

**New Albany Country Club Association approval is still required if the adjoining lot has the same owner as the lot under construction.** Should the request be granted, the Builder is responsible for maintaining the lot and returning it to its original condition, including grading and seeding the lot.

**If you receive a notice of items on your owned lot**, but believe it was the act of another; YOU have the responsibility to contact the alleged person/entity. The Association is identifying the issue, but Builder/Owner of the lot can pursue who they believe caused the items to be on the lot at their discretion. Management notices are to the Builder for issue(s) observed and responsibility for the lot belongs to the Builder.

Failure to adhere to these adjoining/empty lot policies will result in a fine of Two Hundred and Fifty Dollars (\$250.00) per occurrence plus reimbursement costs for restoring the lot(s) to original condition, if needed.

## **J. Parking**

Parking is permitted on the curb side of the road only. Under no circumstances should vehicles be parked on the grass shoulder of the road or on adjoining lots unless approved by the adjoining lot owner and the New Albany Country Club Association. If temporary "No Parking" signs are needed, written approval from the New Albany Country Club Association is required.

Under no circumstances should vehicles block or otherwise obstruct the flow of traffic or block neighboring drives or mailboxes.

Overnight parking on the street during construction is prohibited. Vehicles left overnight will be towed.

Failure to adhere to parking requirements will result in a fine of One Hundred Dollars (\$100.00) per occurrence plus reimbursement costs for restoring the area to original condition. Violations and complaints may also be reported to the City of New Albany.

## **K. Site Amenities**

Builder is required to install the standard New Albany yard light(s), mailbox, and other special amenities as required by the Design Requirements.

Builder agrees to cooperate with New Albany Company personnel and their management or representatives in the delivery, installation, and maintenance of site amenities, where applicable.

Builder is responsible for protecting and maintaining any existing site amenities. Any damage that occurs to an existing site amenity is the Builder's responsibility to correct, unless otherwise stated in writing prior to excavation.

Failure to install site amenities will result in a fine of Five Hundred Dollars (\$500.00) per occurrence.

**L. Procedure for Notice of Violation & Fines**

Upon receipt of a written notice from the New Albany Country Club Association that you have violated any of the Construction Site Requirements, you will have fourteen (10) days to correct the violation. If you correct the violation within fourteen (10) days, no fine will be assessed (with the exception of the "Construction Beginning Before Complete Final ARC Approval" guideline). Fines will be immediately assessed if you do not correct the first violation within fourteen (14) days, and/or for any repeat violation of the same lot within ninety (90) days. All fines and costs must be paid within thirty (30) days. Any unpaid fines totaling \$1,000.00 or more will result in the builder being suspended from further ARC reviews.

As the Builder, you are responsible for the acts and omissions of all subcontractors and material men performing work on or delivering materials to the lot and any violations on the lot.

The violation of any provisions of these Construction Site Requirements on the lot will have the following legal rights on the part of the New Albany Country Club Association:

Your suspension or removal as a Participating Builder in The New Albany Country Club Community Association;

A direct cause of action against you by the New Albany Country Club Association for all unpaid fines and costs that have been assessed.

**M. Notification and Additional Documents**

The Construction Site Requirements are in addition to the Declaration of Covenants, Conditions, Restrictions and Easements (CC&R's) and the Design Guideline Requirements, which are all periodically updated and established for the New Albany Country Club Association. It is Builder's responsibility to familiarize themselves and ensure adherence with these documents.

**N. Notification of Architectural Services Policy**

The 2001 New Albany Country Club Association's Board of Trustees adopted an Architectural Services Policy restricting the Architectural Review Committee (ARC) from providing services to any party found to be in violation of the CC&R's, Design Requirements, and/or Construction Site Requirements as periodically established for the New Albany Country Club Association. This policy prevents the Architecture Review Committee from reviewing any ARC submissions for any builder with outstanding violations.