

DIAMONDHEAD

PROPERTY OWNERS ASSOCIATION

ARCHITECTURAL & BUILDING

**REGULATIONS
POLICIES
PROCEDURES**

REGULATIONS POLICIES PROCEDURES

As Approved By The

DIAMONDHEAD PROPERTY OWNERS ASSOCIATION

Board of Directors

June 28, 2012

Revised 11/96

Revised 06/97

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October 20, 1987
Approved 10/22/89
Revised 11/89
Revised 8/92

ACC

DIAMONDHEAD
ARCHITECTURAL CONTROL COMMITTEE
CHARTER

I. AUTHORITY

Article IX of the By-Laws of the Diamondhead Property Owners Association adopted on the 20th day of August, 1983.

II. PURPOSE

To review plans and approve plans submitted for the purpose of home construction, repair, improvement and etc. To monitor major lot preparation activity of any type, which includes but is not limited to clearing, landscaping, logging and septic preparation.

Any of the above activities require a permit to be issued for any lot activity before work begins within the Diamondhead Community.

III. APPOINTMENT

- (A) The President of the Board of Directors will select the chairpersons of each committee. The chairperson and the ex-officio member from the Board will select the remaining committee members.
- (B) Committee members shall be selected prior to the first Board of Directors meeting after the Annual Meeting. Members will serve until the next Annual Meeting and shall serve at the pleasure of the Board of Directors.
- (C) Vacancies shall be filled by the Committee Chairperson and Board representative.
- (D) Vacancies of the Chairperson shall be filled by the President of the Board of Directors.

IV. STRUCTURE

- (A) The committee shall consist of a chairperson selected by the President of the Board of Directors. The Chairperson and the Board representative who is an ex-officio committee member, will select the remaining committee members.
- (B) The Board member and General Manager will both serve as ex-officio members of the committee.

ACC

V. DUTIES

- (A) To review plans for approval under the specifications of the Southern Building Code Congress.
- (B) To assure the Bill of Assurance specifications are enforced.
- (C) To provide inspection of the home construction at intervals as set forth in the Guidelines.
- (D) To maintain adequate records of all funds received and turned over to the D.P.O.A. office.
- (E) To keep the Board of Directors and General Manager informed of the committee activities.
- (F) Conduct activities as prescribed.

VI. LIMITATIONS

- (A) The committee shall not supervise, hire, fire or discipline employees nor make requests of Diamondhead Property Owners Association employees. All communication will be made through the General Manager or the D.P.O.A. Board of Directors.
- (B) The committee shall not commit the Diamondhead Property Owners Association funds nor enter into any agreement that will be binding on the D.P.O.A. without the Board approval.
- (C) No bank accounts or funds may be established nor exist without prior consent and approval of the D.P.O.A. Board of Directors.
- (D) No committee member will misuse the duties of said committee for any personal gain or purpose.

VII. MEETING

Meetings shall be held as frequently as required.

VIII. REPORTS

Verbal and/or written reports shall be submitted to the Board of Directors and may be presented at Property Owners Association Board Meetings, Annual Meeting and Town Meeting.

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I. INTRODUCTION

The purpose of these regulations is to:

1. Maintain general harmony of construction
2. Assure conformity with the natural surroundings
3. Assist in the protection of the homeowner
4. Provide proper interpretation of applicable building codes

II. ARCHITECTURAL CONTROL COMMITTEE

Definition: An Architectural Control Committee (hereinafter designated "ACC") shall be appointed by the Board of Directors of the Diamondhead Property Owners Association (hereinafter designated "DPOA"). The ACC shall have the authority and responsibility to approve or disapprove all residential and/or commercial construction within the confines of what is known as the Diamondhead community.

Function and Authority: The ACC shall have the responsibility for maintaining the general harmony of all construction, fire, and pollution control within the Diamondhead community. The ACC shall have the authority to:

1. Approve or disapprove plans and specifications
2. Request the General Manager of the DPOA to halt construction if there is evidence that construction is not in accordance with approved plans, all relevant building codes, and/or regulations
3. The ACC has the authority to grant variances to these guidelines, providing the variances are not in conflict with the Diamondhead Bill of Assurance or any other applicable building codes

III. ITEMS FOR WHICH A PERMIT IS REQUIRED

1. New residence
2. Additions
3. Remodeling or repairs which include electrical, plumbing or structural modifications
4. Lot preparation or clearing
5. Installation of fuel/propane tanks
6. Installation or replacement of fences
7. Installation or replacement of storage buildings
8. Installation or replacement of pet enclosures
9. Installation or replacement of swimming pools
10. Concrete pads, structures or any utility hookups for trailers and recreational vehicles (including watercraft)
11. Roof repair or replacement
12. Installation or replacement of decks
13. Any and all other construction

IV. BUILDING PERMIT PROCESS

Upon receipt of all the following documents the DPOA office will immediately notify the Chairperson of the ACC or his/her representative and contact the authorized licensed inspector who will review the drawings or plans. A meeting to consider the application for a permit shall be convened as soon as reasonably practical at which time the inspector will submit his/her

recommendations and/or alterations to the drawings or plans. Permit application(s) that are available at the DPOA office are:

- **Building Permit**
- **Fence Permit**
- **Storage Building Permit**
- **Swimming Pool Permit**
- **Reroofing Permit**

A. All of the following must be provided to, and approved by, the ACC before a permit shall be granted:

1. The applicable permit application.
2. Legal evidence of ownership: A copy of the Warranty Deed.
3. Verification that all DPOA fees are current.
4. Plot Plan: Two (2) plot plans shall show the exact location of the construction project on the site, with accurate measurements to all property lines. Show items such as decks, patios, air conditioning condenser unit(s), storage tanks, walks, fences, drives, and minimal landscaping. Any and all other pertinent items in conjunction with construction must be shown. See example for proper plot plan that must be included prior to issuance of any building permit.
5. Survey: Any and all permanent new construction will require a survey designating lot boundaries by pin settings. Survey shall be performed by a certified licensed surveyor.
6. Builder/Contractor Insurance Verification.
7. Sub-Contractor list.
8. Licenses: All workers who are required to be licensed by the State of Arkansas must provide the license number and/or current certification to the ACC prior to performing any work.

Note: State of Arkansas Act 1208, effective January 1, 2012.

9. Workmen's Compensation Certificate: All contractors must furnish to the ACC their Workmen's Compensation certification number and license registration, if applicable.
10. Waiver of Liability (if applicable).

B. Required with permit applications (when applicable):

1. Drawings and/or Plans: The property owner and/or contractor must submit two (2) complete sets of proposed drawings or plans. They must be drawn by an architect, engineer or draftsman. One set will be returned to contractor or property owner with the other set to be retained by the ACC. The ACC drawings and/or plans will be returned to the contractor or property owner upon completion if requested.
2. Electric Distribution Plan: Identify all circuits including load capacity.
3. Elevations: At least two (2) elevations depicting the building and related items in relationship to the grade and rooflines must be shown. Descriptions of major exterior materials and finishes must be provided.

4. Floor Plan: Two (2) sets of complete floor plans specifying all exterior dimensions including decks, porches, carports and garages. No residence shall have less than 1200 square feet of living space on the main floor exclusive of porch area. The square footage area of any basement shall not be included in the total square footage area unless the basement is a walkout basement which has been designed and finished for occupancy.
5. "911 Emergency" Street Address – If the property is located within Garland County, contact the Department of Emergency Management at 501-622-3785. If the property is located within Hot Spring County, contact the Department of Emergency Management at 501-332-4911.
6. Flood Plain Restrictions: No building permit shall be issued prior to proper certification being submitted to the ACC. Property owner/contractor must obtain certification from the county in which the construction will take place. If the property is located within Garland County, contact the Garland County Assessors Office at 501-622-3730. If the property is located within Hot Spring County, contact the Hot Spring County Assessors Office at 501-332-2461.
7. Permit Fee: All deposits and fees must be received prior to any permit being issued. Checks must be made payable to the DPOA.
8. Foundation Cross-Section
9. Wall Section

V. REGULATIONS

A. General Building Guidelines and Restrictions

The purpose of these guidelines and restrictions is to maintain general harmony of construction and to meet the standards required herein with consideration given to general design criteria, proportion and adaptation to the setting, fire safety and pollution control as caused by waste disposal.

1. Septic Tank Effluent Pumping (STEP) System:

The (STEP) System installation shall comply fully with the rules and regulations of the Arkansas Department of Health and Lake Catherine Waterworks and Sewer Facilities Board of Garland County Arkansas, dba Riviera Utilities. The following requirements must be adhered to:

- a. Completed sewer service application with payment of the sewer tap fee must be submitted to Riviera Utilities along with the name and license number of the contractor.
- b. No jobsites may be backfilled until inspected and approved by Riviera Utilities.
- c. Riviera Utilities will install a valve at a point on the property line designated by Riviera Utilities. It will then be the contractor's responsibility to make the final connection to the system at said valve.
- d. The valve shall remain in the closed position until the final Certificate of Occupancy is issued by the building official for the Diamondhead ACC.

A complete set of material and construction specifications for the STEP system is available at the offices of Riviera Utilities, 440 Catherine Park Road, Suite C, Hot Springs, Arkansas 71913. Phone number for Riviera Utilities of Arkansas, Inc. is 501-262-2620.

2. All construction must be in compliance with:

- a. International Residential Code (2003 Edition)
- b. National Electrical Code
- c. Arkansas State Plumbing Code
- d. Diamondhead Bill of Assurance (current revision)
- e. Diamondhead Architectural and Building Regulations (current revision)
- f. Manufacturer's recommendations for installation of materials, equipment, appliances, etc.

3. **Aesthetic Value:** The intent is to preserve the natural beauty, view and general harmony of the Diamondhead community. Due to the irregular terrain of the Diamondhead community, the height of a structure is ambiguous. Therefore, if in the opinion of the ACC, the height of a structure is objectionable, the plans may be disapproved. Temporary carports or garages shall be for the duration of construction only. Metal prefabricated carports or garages, as permanent structures, are not permitted.
4. **Lake Catherine:** Lake Catherine and its shoreline, to the high water mark, is the property of Entergy Inc. Any dock, boathouse, or deck within this area is an encroachment on Entergy Inc. property and requires a permit from Entergy Inc. Any building, boathouse or utility connection of any kind either totally or partially located on the property within the Diamondhead community requires a permit from the ACC.
5. **Combustible Material:** Bulk storage of any combustible and/or flammable materials or fuels shall be in tanks, containers or storage devices specifically designed for that purpose. No bulk storage device shall be closer than twenty (20) feet from the residence or garage structure and no closer than ten (10) feet from any property line. The ACC will closely examine the site of any proposed storage device for safety and appearance. The use of any temporary storage device during construction must be approved by the ACC.
6. **Permit:** Permit shall be posted in a prominent location easily visible from the street in a specified permit holder that must be purchased at the DPOA office.

B. Major Lot Preparation Activity

Includes, but is not limited to, clearing, landscaping, logging and septic preparation. Absolutely no lot preparation or construction shall be commenced until the property owner or building contractor has been issued a lot clearing permit.

C. New Homes

1. **Driveways:** Driveways are required and must be of a paved surface using concrete or asphalt material. The required driveway must extend at least to the property line. An expansion joint is required at the property line. A minimum twelve (12) inch diameter driveway culvert is required unless a variance is granted by the ACC. A variance will only be approved after the proposed driveway location has been inspected by the Diamondhead Road Committee to insure that proper drainage will occur.
2. **Parking:** All new residences must have a covered parking area consisting of either a carport or garage. This area must have a surface that is consistent with the driveway.

The structure must be in harmony with the residence including style, roof, siding, brick, paint, etc.

D. Repairs, Alterations or Remodeling

A permit is required if it affects the structure, plumbing, electrical or aesthetic value, or any repair that would involve a particular code or regulation. If a repair is determined to be an emergency by the property owner, work may commence immediately with the understanding that a permit will be obtained as soon as reasonably practical. If applicable, two (2) copies of the following will be required:

1. Electrical plan
2. Foundation cross section
3. Floor plan
4. Wall section
5. Plot plan

E. Installation or Replacement of a Propane Tank

1. Any and all propane tanks must not be viewable from any road, lake or golf course.
2. A permit is required for any single propane tank larger than 100 lbs. in capacity, or more than two (2) 100 lb. capacity tanks total.
3. A copy of the certification from the installer must be provided to the ACC for tanks larger than 100 lbs. in capacity.
4. Location must be approved by the ACC for tanks larger than 100 lbs. in capacity. A plot plan showing proposed location must be provided to the ACC.

F. Installation or Replacement of Domestic Pet Enclosures

1. A Fence Permit Application must be submitted for a domestic pet enclosure.
2. Any and all pet enclosures must be aesthetically pleasing and will be reviewed on an individual basis.
3. Enclosure shall be of sufficient durability and height to contain the pet at all times.
4. The enclosure shall have a door/gate equipped with a secure latch mechanism to prevent unauthorized release or entry.

G. RV Parking Areas

1. RV parking areas must comply with the latest revision of DPOA Regulation #1999-01-04 which is currently available at the DPOA office.
2. All utility hookups must conform to the International Residential Code (2003 Edition) and will require applicable inspections.

VI. INSPECTIONS

A. Building Inspector

1. A person who has been adequately trained and who is in receipt of a current state license shall be appointed as a non-voting member of the ACC Committee and will perform the duties of Building Inspector.
2. The Building Inspector shall provide a current status report to the ACC Chairperson regarding any and all construction activity within the Diamondhead community by the fifteenth (15th) day of each month for said report to be presented at the monthly town meeting of the DPOA.

3. The Building Inspector, or any current member of the ACC Committee, may enter any building, structure, or premises, or any portion thereof, to perform any duty imposed upon them for the purpose of inspections in respect to all applicable building codes.

B. Inspections

1. All inspections shall require a minimum twenty-four (24) hour advance notice prior to proper inspections being performed.
2. Any and all requested inspections which cannot be completed during the initial requested inspection will be subject to a re-inspection fee.
3. All plumbing inspections must be performed by an inspector licensed by the Arkansas Department of Health and coordinated through Riviera Utilities, Inc. Riviera's contact number is (501) 262-2620.
4. All HVAC inspections must be performed by an inspector licensed by the Arkansas Department of Health. Please call the DPOA office at (501) 262-4470 to arrange for this inspection.
5. All electrical inspections must be performed by an inspector licensed by the Arkansas Electrical Licensing Board. Please call the DPOA office at (501) 262-4470 to arrange for this inspection.
6. Any and all other inspections shall be coordinated through the DPOA office at (501) 262-4470.

C. Non-Compliance

1. In the event of any part or any section of non-compliance of any applicable code(s) that cannot be resolved to the inspector's satisfaction and, after the ACC has reviewed the alleged violation(s) and ascertained in fact that there are building code violations, a "stop work order" recommendation shall be made to the DPOA General Manager. A written notice of such order will be personally delivered or sent via certified mail to the contractor and/or property owner clearly outlining said violation(s) to include an order to immediately halt all further construction activity until such time that the inspector is completely satisfied that the subject corrections has been satisfactorily rectified. A copy of this "stop work order" shall be:
 - a. Placed in the property owner's file located in the DPOA office
 - b. Sent to the Ex-Officio DPOA Board member
 - c. Sent to the proper inspector
 - d. Sent to each member of the ACC Committee

VII. CERTIFICATE OF OCCUPANCY

Occupancy of a new residence shall not be permitted until the structure has completed a satisfactory final inspection and a Certificate of Occupancy has been issued and signed by the building official. A copy of said certificate shall be placed in the homeowner's file at the DPOA office, and Riviera Utilities, Inc. will be notified upon issuance of this certification.

The Certificate of Occupancy must include:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
6. The name of the building official.

7. The edition of the code under which the permit was issued.
8. If an automatic sprinkler system is provided.
9. Any special stipulations and conditions of the building permit.

VIII. RESPONSIBILITIES OF CONTRACTOR

For the purpose of these regulations, a contractor is defined as the person or business entity principally responsible for the work of erecting, remodeling, or repairing a building as outlined in these regulations.

- A. Compliance with Code and Regulations:** The contractor of record is ultimately responsible for compliance to all applicable codes and regulations. Even if an inspector does not note a non-compliance, the contractor is still responsible for his work and for the work of all subcontractors.
- B. Excavations:** It is required that the contractor and/or property owner contact **ARKANSAS ONE CALL** at **1-800-482-8998** for location of any underground utilities prior to any excavation to insure that any or all underground utility lines will not be disturbed or damaged. Road cuts or repairs shall be performed in accordance with DPOA Resolution #2006-09-12. The free flow of water in easement ditches shall not be obstructed in any way.
- C. Debris:** The homeowner or contractor shall be responsible for the daily cleanup and removal of any and all unsightly trash and debris. If any and all unsightly trash and debris is not removed on a daily basis, the ACC retains the authority to require a dumpster or container to be placed at the site. Provided this task is not rigidly adhered to, the DPOA may impose a cleanup fee for each occurrence when either the DPOA or a private contractor performs such trash removal. In addition, homeowners or contractors are responsible for the removal of any or all trash or debris prior to the final inspection from the construction site to an authorized landfill area. Arkansas Department of Environmental Quality, Chapter 6, Regulation 18.602 General Prohibition declares that no person shall cause or permit the open burning of refuse, garbage, trade waste, or other waste material, or shall conduct a salvage operation by open burning.
- D. Restroom Facility:** Upon commencement of construction, a portable restroom facility will be required on all construction sites.
- E. Construction Equipment:** Contractors or owners will insure that all equipment used on construction site shall not be placed in any manner that may impede the flow of traffic. The construction site, insofar as is practical, shall be maintained in a neat and orderly manner consistent with its surroundings. Heavy equipment no longer required on said work site shall be removed immediately.
- F. Penalties:** Any and all violations of these regulations will be reviewed by the ACC and recommendations concerning said violations shall be made to the DPOA General Manager. Recommendations may include prosecution as prescribed by the International Residential Code 2003 Edition, Section R113.3. The Board of Appeals shall be the ACC as provided by the International Residential Code 2003 Edition, Section R112.1.
- G. Community Access:** All contractors and employees of contractors must register upon entering the Diamondhead community through the security gate. After confirmation that the contractor and/or their employees have been listed on the Security Access List, a temporary pass to enter will be provided which must be returned to the security personnel upon departure from the Diamondhead community. An annual vehicle sticker is available and may be purchased through the DPOA office.

IX. STATE, COUNTY & POLITICAL SUBDIVISION RULES AND REGULATIONS

No statements contained herein shall supersede any instructions, regulations, codes or rules of the state, county, township, or any other political subdivision encompassing the Diamondhead community.

X. FORMS (Attached)

- Permit Fee Schedule
- Building Permit Application
- Waiver of Liability
- Insurance Verification
- Subcontractor List
- Sample Plot Plan

Check list/punch list for Building Permit Application

Permit Number _____
Address _____
Telephone number _____
Property Owner _____
Lien Holder _____
Home Owners Insurance Co. _____
Telephone Number _____
Contractor _____
Telephone Number _____

Check off

REQUIRED ITEMS FOR A PERMIT

___ **Permit application**
___ **Copy of the deed**
___ **Current on DH POA Dues**
___ **Plot plan - 2 copies**
___ **Survey when required**
___ **Copy of Builders/Contractors License**
___ **Copy of Workers license when required**
___ **Copy of Workman's Compensation**
___ **Waiver of liability**
___ **Construction Drawings/plans- 2 drawings**
___ **Electrical distribution plan**
___ **Elevation drawings**
___ **Foundation cross-section**
___ **Wall section**
___ **Description of Materials and finishes**
___ **Floor plan with total Sq. Footage**
 of living area-2 copies
___ **Permit location street address**
___ **Flood Plain Certificate if applicable**

Fees and Inspections

___ **Permit fee from schedule** _____
___ **Permit box fee @ \$ 25**

INSPECTIONS

___ **Footer/foundation @ \$ 50**
___ **Slab inspection @ \$ 50**
___ **Framing Inspection @ \$ 50**
___ **Electrical Rough-in @ \$ 50**
___ **Electrical Final @ \$ 50**
___ **HVAC rough-in @ \$ 50**
___ **HVAC final @ \$ 50**
___ **Driveway (if new) @ \$ 50**
___ **FINAL Inspection @ \$ 50**

Revised: Feb. 23, 2012

PERMIT FEE SCHEDULE

<u>PROJECT</u>	<u>FEE</u>
Lot Clearing Permit (refunded upon completion and satisfactory inspection per DPOA Resolution 2006-05-04)	\$250
New Home Permit (includes \$25.00 permit enclosure)	\$575 *
Home additions, remodeling or repairs	\$50 permit fee plus \$50 for each required inspection *
Carports or garages	\$25 service fee plus \$50 for each required inspection *
Installation or replacement of decks	\$25 service fee plus \$50 for each required inspection *
Installation or replacement of driveways, walkways and any poured concrete pads	\$25 service fee plus \$50 for each required inspection *
Installation or replacement of fences	\$25 service fee plus \$50 for each required inspection *
Installation or replacement of fuel tanks	\$25 service fee plus \$50 for each required inspection *
Installation or replacement of pet enclosures	\$25 service fee plus \$50 for each required inspection *
Installation or replacement of pools	\$25 service fee plus \$50 for each required inspection *
Installation or replacement of sheds	\$25 service fee plus \$50 for each required inspection *
Installation of RV structures, poured pads or adding utilities	\$25 service fee plus \$50 for each required inspection *
Roof repair or replacement	\$25 service fee plus \$50 for each required inspection *

Any project requiring inspections(s) will be charged \$25.00 for a Permit enclosure issued with the permit

*** Any and all re-inspections will be charged \$75.00 each**

NOTE: Riviera Utilities, 501-262-2620 is to be contacted for plumbing inspections, water and sewer connections and septic tank requirements. They will determine their fees.

DIAMONDHEAD

PROPERTY OWNERS ASSOCIATION

BUILDING PERMIT APPLICATION

Property Owner: _____ Section: _____ Lot Number: _____
(please print)

Home Phone: _____ Cell Phone: _____ Other: _____

Contractor: _____ License Number: _____

Business Phone: _____ Cell Phone: _____

CONSTRUCTION SITE INFORMATION

Address: _____

Description: (i.e. bedrooms, bathrooms, etc.) _____

Total Square Feet Under Roof: _____ Total Heated Square Feet: _____

Total Unfinished Square Feet: _____ Foundation Type: _____

Waterproofing: _____ Crawl Space Ground Cover: _____

Exterior Finish Type: (i.e. siding, brick, stucco) _____

Attic Insulation R Value: _____ Wall Insulation R Value: _____

Floor Insulation R Value: _____ Flue Lining Material: _____

Signature: _____
(Contractor)

Approval: _____
(ACC Chairperson)

ACC USE ONLY

APPROVED: YES

☐

NO

☐

PERMIT #:

APPROVED BY:

DATE:

APPROVED BY:

DATE:

INSPECTED BY:

DATE:

**WAIVER OF LIABILITY REGARDING RESIDENTIAL BUILDING
CONTRACTORS**

The DPOA refers to the Arkansas State Residential Licensing Law, Act 950 of 1999, and Rules & Regulations of the Residential Contractors Committee, Act 950 of 1999 regarding contractors: Section 17-25-502, (2) "Residential building contractor" means any person, firm, partnership, co-partnership, association, corporation, or other organization or any combination thereof, which for a fixed price, commission, fee or wage, attempts to or submits a bid to construct or contract or undertakes to construct or assumes charge in a supervisory capacity or otherwise manages the construction of a single family residence; and (3) "Single family residence" means any project consisting of one (1) but not more than four (4) units of new construction for residential occupancy, when the cost of the project is twenty thousand dollars (\$20,000) or more. This definition does not apply to sub-contractors of licensed residential building contractors or to remodeling operations.

The undersigned do hereby state that they are the owners of the lot(s) indicated below and they are acting as their own contractor in the construction of a home or an addition to their existing home, and they assume all liability and hold the DPOA harmless from any and all liability associated with the undersigned acting as their own contractor, and specifically state that they are the primary and that no third party is acting as primary contractor. The undersigned also acknowledge that it is a violation of Arkansas law for a third party to act as primary contractor unless that party has been properly licensed by the State of Arkansas.

Owner

Section: _____ Lot: _____

Owner

Date: ____/____/____

BUILDER/CONTRACTOR INSURANCE VERIFICATION

The undersigned builder/contractor verifies there is in place workers compensation coverage on all sub-contractors, laborers, and all other individuals working on the following described property.

The builder/contractor agrees to hold harmless and indemnify the Architectural Control Committee and the Diamondhead Property Owners Association, Inc. for all occurrences that take place on the work site.

LOT NUMBER: _____

SECTION: _____

Further, said builder/contractor acknowledges and agrees that the rules and regulations of the Diamondhead Property Owners Association Architectural Control Committee (ACC) shall be followed. All permits are to be obtained prior to any work beginning. The builder/contractor acknowledges that new homes cannot be occupied until a final inspection is made by the ACC.

Signature: _____
Builder/Contractor

Date: ____/____/____

DIAMONDHEAD

PROPERTY OWNERS ASSOCIATION

INSURANCE VERIFICATION

The undersigned contractor verifies that there is in place workers compensation coverage on all sub-contractors, laborers, and all other individuals working on the following described property.

The contractor agrees to hold harmless and indemnify the Architectural Control Committee and the Diamondhead Property Owners Association, Inc. for any and all occurrences that may take place on the work site.

SECTION _____

LOT NUMBER _____

Further, said contractor acknowledges and agrees that the rules and regulations of the Diamondhead Property Owners Association, Inc. and the ACC shall be followed. All permits are to be obtained prior to commencement of any work.

The contractor acknowledges that any new home located at the aforementioned Section and Lot Number must not be occupied until a final inspection has been performed and a Certificate of Occupancy has been issued.

Contractor _____ (please print)

Contractor _____ (signature)

Date _____

Lien Holder _____

Tele# _____

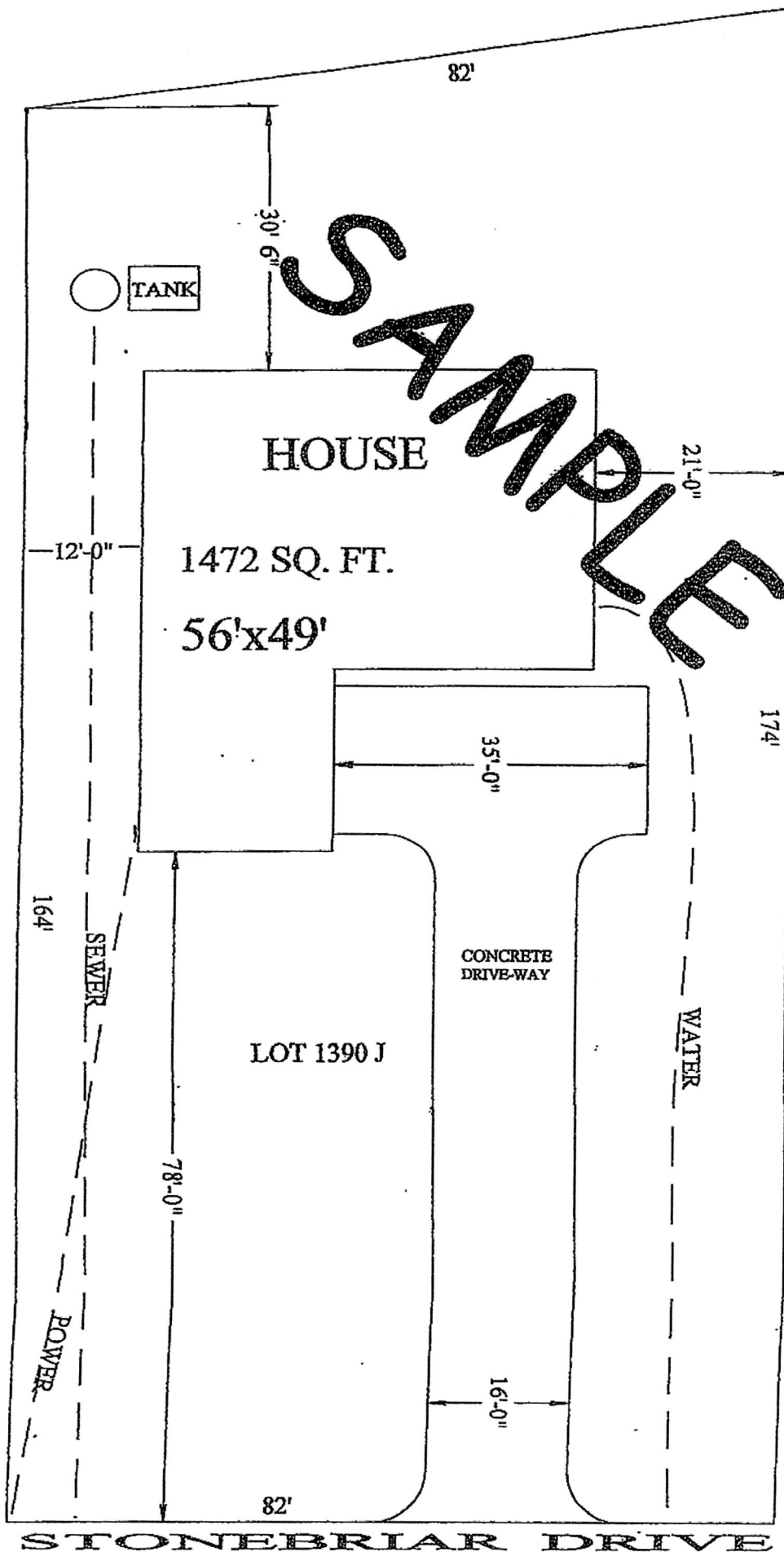
Home Insurance _____

Tele# _____

PROPERTY OWNERS ASSOCIATION

CONTRACTOR'S NAME: _____ **PERMIT NUMBER:** _____
(please print)

[illegible]



STONEBRIAR DRIVE

THE DIAMONDHEAD COMMUNITY

BUILDING PERMIT

PERMIT NO. _____

Date Issued _____

Date Expired _____

Permit Description _____

Section _____ Lot _____ Dumpster Required on Permit Site? Yes No

Owner _____

Address _____

Contractor _____

This permit conveys no right to occupy any street, alley or sidewalk or any part thereof, either temporary or permanently, except as specifically provided for in the building code. The issuance of this permit does not release the applicant from the conditions of any applicable subdivision restrictions. This card shall be protected from the elements until picked up by the Building Inspector at final inspection. Adequate house numbers must be posted at beginning of construction. No burning is allowed of manufactured materials.

MINIMUM OF FOUR CALL INSPECTIONS REQUIRED FOR ALL CONSTRUCTION WORK

1. Foundations or Footings
2. Slab
3. Framing—Prior to Covering Structural Members
4. Final Inspection for Compliance Prior to Occupancy

BUILDING INSPECTION APPROVALS

1.a Footing or Foundations _____
Date _____
Inspector _____

2.a Slab Inspection _____
Date _____
Inspector _____

3.a Framing _____
Date _____
Inspector _____

4.a Final Inspection _____
Date _____
Inspector _____

5.a Certificate of Occ. _____
Date _____
No. _____

POST THIS CARD

Approved plans and plot plan must be retained on the job and this card KEPT POSTED until final inspection has been made. **Work shall not proceed until each division has approved the various stages of construction.** Such building SHALL NOT BE OCCUPIED until FINAL INSPECTION has been made and approved.

PLUMBING INSPECTION APPROVALS PLUMBING PERMIT NO. _____

1.b Under slab Plumbing _____
Date _____
Inspector _____

2.b Tub Set and Top Out Plumbing _____
Date _____
Inspector _____

3.b Final Plumbing Inspection _____
Date _____
Inspector _____

SEWER INSPECTION APPROVAL

Date _____
Inspector _____

HVAC INSPECTION APPROVALS

1.c Rough In _____
Date _____
Inspector _____

2.c Final Inspection _____
Date _____
Inspector _____

ELECTRICAL INSPECTION APPROVALS ELECTRIC PERMIT NO. _____

1.d Rough Electrical _____
Date _____
Inspector _____

2.d Final Inspection _____
Date _____
Inspector _____

DRIVEWAY INSPECTION APPROVAL

Date _____
Inspector _____

UNLAWFUL TO REMOVE OR DEFACE THIS CARD

DIAMONDHEAD PROPERTY OWNERS ASSOCIATION INC.

FINES

**FOR NOT MEETING DIAMONDHEAD
ARCHITECTURAL CONTROL COMMITTEE
(ACC) REQUIREMENTS**

PER RESOLUTION:

2006-06-04

2006-06-04A

2001-12-04

1999-4-04

1997-5-04

1997-4-04

**PASSED BY DH POA BOARD OF
DIRECTORS**

Resolution 2006-06-04

Intent:

To allow for notification and fines for not meeting ACC requirements.

Resolution: Upon notification by the ACC Committee of non-compliance, the G.M. will contact those property owners or contractors failing to obtain a building permit, final inspection, occupancy permit, or other violations.

A similar notification will be made by the G.M. to those failing to obtain a proper permit for a fence, shed, dog pen or run, or not in compliance with ACC Rules & Regulations.

A fine of up to \$50 per day will be assessed to those not coming into compliance unless resolution is made that is agreeable to the ACC. Property owners may schedule a hearing before the ACC, General Manager and board representative in order to present their facts and positions regarding any warning letters or fines levied pursuant to this policy.

The fine, if necessary, can be paid by making arrangements with the G.M. Failure to pay the fine will result in that amount being added to the property owners annual maintenance fees and will be considered a foreclosure lien.

Motion by Jim Knight, seconded by Harry Peterson and passed unanimously.

Source:

Board of Directors Meeting, Jan. 26, 2006

Reference (s):

ACC

Intent:

To stop any construction requiring an ACC issued permit begun without first obtaining a permit, to prevent a new home from being occupied before a Certificate of Occupancy has been issued, handling of code violations and to establish fines and a means of notifying property owner and/or contractor.

Resolution:

- **Construction without a permit-** except for emergency repairs, a 'STOP WORK' order will be issued through the General Manager. The order will be delivered to the owner and contractor and evidence of receipt shall be provided. If work is continued, the owner or contractor will be fined up to \$100 per day. A civil action to collect any fines may be initiated and shall include all court costs and attorney fees incurred by the DPOA. Any fines levied against a property owner shall be considered a financial obligation to the DPOA.
- **Violations of ACC rules and regulations-** the ACC will provide the General Manager a description of the violation and required corrective action. The General Manager will give written notification to the owner and contractor of the violation and required corrective action. If the corrective action has not been completed within 7 days of the notification, a 'STOP WORK' order will be issued and a fine levied as described above.
- **Building code violations-** code violations are to be addressed between the building inspector and the contractor. No inspection is complete until all violations have been corrected. If the contractor and building inspector cannot resolve the problem they may request a meeting with the ACC. Re-inspection fees shall be established by the ACC with DPOA Board of Directors approval.
- **Certificate of Occupancy-** no home shall be occupied [lived in] before a Certificate of Occupancy has been issued. Unless a contractor has provided the property owner and DPOA a written notification to this effect and the home has been occupied ^{THE CONTRACTOR} he shall be subject to a \$100 per day fine until the Certificate of Occupancy has been issued. A civil action to collect any fines may be initiated and shall include all court costs and attorney fees incurred by the DPOA. If the property owner has received a notice from the contractor but allows the home to be occupied, he will be subject to a \$100 per day fine until the Certificate of Occupancy has been issued. A civil action to collect any fines may be initiated and shall include all court costs and attorney fees incurred by the DPOA. Any fines levied against a property owner shall be considered a financial obligation to the DPOA.

For any disputes regarding this resolution a property owner may request a hearing before the ACC, General Manager and the Board representative

Source: Board of Directors meeting (date)

Resolution replaces 1995-06-04, 1997-04-04, 1997-05-04, 1999-04-04, 2001-12-04, 2005-45-04 & 2006-06-04

Rule/Regulation #2001-12-04

Intent

To clarify and define Building Permits & Inspection Requirements

Rule/Regulation

In the event that an owner/contractor fails to obtain the necessary permit for construction, or, it is determined that an owner/contractor is not building the home "to code," the ACC shall immediately contact the Diamondhead General Manager who will notify the owner/contractor of the violation by delivery of a letter to the owner/contractor by the Diamondhead Police Department.

Work on the home shall cease immediately. If a permit has not been issued the owner/contractor shall obtain the necessary permit prior to work recommencing on the project. If building codes have been violated, the owner/contractor shall present to the ACC, in writing, a detailed statement as to the course of action to be employed in returning the project to code. Upon approval of the ACC, repairs shall be made on the code discrepancies prior to resuming construction of the projects.

Should an owner/contractor continue work on the project without first obtaining approval from the Committee, civil action shall be commenced against the owner/contractor seeking an injunction and a fine of \$500.00 per day until the ACC grants the necessary approval. The owner/contractor shall also pay all court costs and attorney fees incurred by the DPOA.

Source

DPOA Board of Directors meeting May 24, 2001

Reference

Architectural Control Committee

Rule/Regulation#1999-4-04

Intent:

To clarify the procedure to be followed in event of a violation of ACC regulations.

Rule/Regulation:

Step 1. The ACC will identify all violations of ACC regulations. The ACC will inform both the contractor and/or owner of any violation and the corrective action required. The General Manager will be kept informed.

Step 2. If corrections are not made, the General Manager will give written notification to both the contractor and/or owner of the violation, what must be done to correct the violation and by when it must be corrected. The ACC will be kept informed.

Step 3. If the situation remains unresolved, legal action, with Board of Directors approval, shall be taken. The ACC will be kept informed.

Source:

Board of Directors resolution, February 25, 1999.

References:

Architectural Control, DPOA Administration

Rule/Regulation#1997-5-04

Intent:

To establish a procedure for home completion and home site code violations.

Rule/Regulation:

A letter will be sent to those in violation of the ACC regulations stating that the violation must be resolved within 30 days or a penalty will be assessed.

The minimum penalty will be \$25 per day and the maximum will be \$100 per day until resolved.

Source:

Board of Directors resolution, June 26, 1997.

References:

Architectural Control

Rule/Regulation#1997-4-04

Intent:

To prevent occupation of new homes before a final inspection is done.

Rule/Regulation:

No one shall be allowed to occupy a new home before a certificate of occupancy, signed by the DPOA building inspector, the ACC member assigned as coordinator for the home or the ACC chairman, is issued.

Any deviation from this directive will result in monetary penalties assessed against the deposit or prosecution as defined in the standard building codes.

Source:

Board of Directors resolution, June 25, 1997.

References:

Architectural Control

**BY-LAWS
OF
THE DIAMONDHEAD PROPERTY OWNERS ASSOCIATION, INC.**

ARTICLE I

NAME AND LOCATION

The name of the corporation is the DIAMONDHEAD PROPERTY OWNERS ASSOCIATION, INC. The principle office of the corporation shall be located at the Diamondhead Property Owners Association office and the mailing address will be 245 Independence, Hot Springs, Arkansas 71913.

ARTICLE II

Section 1. **Annual Membership Meetings.** The annual meeting shall be held at the Lodge at Diamondhead, at 7:30 p.m., on the third Saturday of August of each year.

Section 2. **SPECIAL MEMBERSHIP MEETINGS.** Special meetings may be called by the President, the Board of Directors, or upon the written request of not less than one-tenth (1/10) of the members entitled to vote.

Section 3. **Notice of Membership Meeting.** Written notice of each meeting of the members shall be given by, or at the direction of the Secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least thirty (30) days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and in the case of a special membership meeting, the purpose of the meeting.

Section 4. **Quorum.** One-tenth (1/10) of the members shall constitute a quorum.

Section 5. **Proxies.** Proxies may be used in order to constitute a quorum. Any member in good standing may vote in person or by proxy, except no vote for the election of any director shall be cast by proxy or in person. All proxies shall be revocable, in writing and filed with the Secretary.

Section 6. **Parliamentary Rules.** Robert's Rules of Parliamentary Procedure shall govern and control all matters not specifically covered by these By-Laws.

ARTICLE III

BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. **Number.** The affairs of this Association shall be managed by a Board of nine (9) directors, who must be property owners in good standing at Diamondhead, three (3) of whom shall be non-residents of Diamondhead. In addition, a property owner must have owned property in Diamondhead for at least one year prior to the annual election to be eligible to become a director.

Section 2. **Term of Office.** Each director shall serve a term of three (3) years with three (3) of the nine (9) members of the Board of Directors being elected at each annual meeting. One (1) of the three (3) members elected each year shall be a non-resident of Diamondhead.

Section 3. **Compensation.** No director shall receive compensation for any service he may render in his capacity as a director to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties for the Association.

Section 4. **Resignation.** A Board of Directors may resign at any time by giving notice to the Board, the President, or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 5. **Interim Board Members.** In the event of death, resignation or removal of a director, a successor shall be selected by the remaining members of the Board and shall serve until the next annual election, at which time, a proper nominee will be elected to fill the unexpired term of the original director.

ARTICLE IV

NOMINATION AND ELECTION OF DIRECTORS

Section 1. **Nomination.** Nomination for election to the Board of Directors shall be made by a Nominating Committee. The Nominating Committee shall consist of a Chairman, who shall be the Vice-President of the Board for the coming year and two (2) or more members of the Association. The Nominating Committee shall be appointed by the outgoing Board of Directors at the annual meeting of the members, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each

annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled.

Section 2. **Elections.** Election to the Board of Directors shall be by secret ballot, which must be postmarked not less than ten (10) days prior to the Annual Meeting. Ballots will be opened and tabulated seven (7) days prior to the Annual Meeting by a certified public accounting firm or by any other method approved by the Board of Directors prior to the annual election. The Secretary of the Association shall announce the result of the election during the Annual Meeting, and the ballots and tabulations shall be subject to inspection by any member. No ballot shall be cast by proxy.

ARTICLE V

MEETINGS OF THE BOARD OF DIRECTORS

Section 1. **Regular Board Meeting.** The Board of Directors shall meet during the annual meeting for the purpose of electing officers. Regular monthly meeting shall be held at 7:00 p.m., at the Lodge at Diamondhead on the fourth (4th) Thursday of each month. All meetings of the board shall be open to any member. However, members will not be allowed to actively participate in the meetings unless permission is granted prior to the meeting by the President of the Board.

Section 2. **Special Board Meetings.** Special meetings of the Board of Directors shall be held when called by the President of the Association, or by any two (2) directors, after not less than three (3) days notice to each director. Notice of special meeting shall be posted in conspicuous places in the community in order to notify property owners of the meetings.

Section 3. **Quorum.** A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board, unless specified otherwise in these By-Laws.

Section 4. **Action Taken Without a Meeting.** The directors shall have the right to take emergency action in the absence of a meeting which they could take at a meeting provided that the particular action is ratified at the next regular or special board meeting. Any action so approved shall have the same effect as though taken at a meeting of the directors (exception: Article VI, Section 1 (d)).

ARTICLE VI

POWERS AND DUTIES OF THE BOARD OF DIRECTORS



FENCE PERMIT

ACC USE ONLY

APPROVED: YES

NO

PERMIT #:

APPROVED BY:

DATE:

APPROVED BY:

DATE:

INSPECTED BY:

DATE:

Application & Checklist

Please fill out this form completely supplying all necessary information and documentation to support your request. Your application will not be processed until the application is completed and required documentation provided.

Property Owner: _____ Street Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____

INSTALLER INFORMATION:

☐ Check if fence will be installed by the property owner

Installer: _____ Contact name: _____

Phone #: _____ Mobile #: _____ Fax #: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

E-Mail Address: _____

PROPERTY INFORMATION:

Address: _____ Section: _____ Lot Number: _____

City: _____ State: _____ Zip Code: _____

Information: ☐ Interior Lot ☐ Corner Lot ☐ Lake Lot ☐ Golf Course Lot

Will the fence be installed in the front yard: ☐ Yes ☐ No

Will the fence be installed adjacent to a street or public right-of-way: ☐ Yes ☐ No

FENCE INFORMATION:

1. Is this fence: ☐ New Construction ☐ An extension of existing fence or wall ☐ Replacement

2. Type of fence: ☐ Chain Link ☐ Wood Privacy ☐ Wrought Iron ☐ Retaining Wall ☐ Brick

☐ Other (describe) _____

3. Height of fence: _____ ft.

4. Will the fence enclose a pool or hot tub? ☐ Yes ☐ No

SUBMITTAL CHECKLIST:

- ☐ 1. Application form
☐ 2. Plot Plan (See next page for plot plan requirements.)

A PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED, OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand granting of a permit does not presume to give authority to violate or cancel the provisions or any other state or local law regulating construction or the performance of construction.

SIGNATURE OF PROPERTY OWNER

DATE

SIGNATURE OF CONTRACTOR

DATE

Rev 06/2011



ACC USE ONLY

APPROVED: YES

NO

PERMIT #:

APPROVED BY:

DATE:

APPROVED BY:

DATE:

INSPECTED BY:

DATE:

STORAGE BUILDING PERMIT APPLICATION

PROPERTY OWNER: _____ STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

SECTION: _____ LOT: _____ HOME PHONE: _____ CELL PHONE: _____

I certify that I have reviewed the attached plot plan and do hereby agree that this installation will conform to the provided plot plan.

PROPERTY OWNER'S SIGNATURE: _____ DATE: _____
(This application must be signed by property owner)

.....

(COMPLETE THE FOLLOWING SECTION IF APPLICABLE)

CONTRACTOR: _____ STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

HOME PHONE: _____ CELL PHONE: _____

STREET ADDRESS OF PROJECT: _____

CONTRACTOR'S SIGNATURE: _____ DATE: _____
(This application must be signed by contractor)1. Will exterior be same color as that on existing home? YES ☐ NO ☐2. Will color of roofing material match that as on existing home? YES ☐ NO ☐

3. Types of materials used (roofing, siding, etc.) _____

4. Electrical? YES ☐ NO ☐

5. Licensed Electrician's Name: _____ License #: _____

6. Plumbing? YES ☐ NO ☐

7. Licensed Plumber's Name: _____ License #: _____



ACC USE ONLY	
APPROVED: YES <input type="checkbox"/>	NO <input type="checkbox"/>
PERMIT #:	
APPROVED BY: _____	
DATE: _____	
APPROVED BY: _____	
DATE: _____	

REROOFING PERMIT APPLICATION

PROPERTY OWNER: _____ STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

SECTION: _____ LOT: _____ HOME PHONE: _____ CELL PHONE: _____

PROPERTY OWNER'S SIGNATURE: _____ DATE: _____
 (This application must be signed by property owner)

CONTRACTOR: _____ STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

HOME PHONE: _____ CELL PHONE: _____

STREET ADDRESS OF PROJECT: _____

SCOPE OF WORK: _____

CONTRACTOR'S SIGNATURE: _____ DATE: _____
 (This application must be signed by contractor)

-
1. Complete reroof ☐ or roof repair ☐ ?
 2. Type of reroof or roof repairs material will be made of? _____
 3. Number of roof applications currently installed prior to any reroofing project started? _____
 4. All reroofs and roof repairs must conform to the color and material of existing roof.
 5. All materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 9 of the 2003 International Residential Code.
 6. Any and all reroofing installations must comply with Section R907 of the 2003 International Residential Code.
 7. Entire job site must be cleaned of all waste and debris when completed.

GARLAND COUNTY
STORM WATER RUN-OFF PERMIT

Garland County requires that all new construction must have a storm water run-off permit. The builder is responsible for getting the permit filed and approved.

Builder: Please provide the Storm Water Run-Off Permit Number or, if not required, include a letter from the county stating that the permit is not required. This must be completed prior to the building permit being issued.

STORM WATER RUN-OFF PERMIT NUMBER: _____

IF NOT REQUIRED:

SEE ATTACHED LETTER FROM THE COUNTY _____