HIDE-A-WAY LAKE BUILDING CODE

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PREFACE

Most construction within the Hide-A-Way Lake community is regulated and governed by both the Pearl River County Family of International Building Codes and the Hide-A-Way Lake Building Code. Both codes cite the International Residential Code issued by the International Code Council. It is the primary governing code applying to HAWL for both Pearl River County and HAWL.

Most construction, alteration, major repair and demolition of structures within HAWL require building permits from both Pearl River County and HAWL Club, Inc. in order to ensure compliance with the County rules and those unique to HAWL. In some cases of minor construction/alteration a building permit is required from Pearl River County only. In others a building permit is required from HAWL only. The specific building permit requirements for Pearl River County are available from the Pearl River County Department of Planning and Development, Building Division. (Copies of the county New Construction Permit Guidelines pamphlet and the County R105 PERMITS section of their code are available at the HAWL office). The specific building permit requirements for HAWL are contained within this document, the Hide-A-Way Lake Building Code. In both cases the permit issuing office may be contacted and asked if a building permit is required.

The construction documentation submitted with the permit application to both Pearl River County and HAWL should be identical. Submit to the county first. A copy of the approved Pearl River County Building Permit must be attached to the documents when submitted to HAWL for permit.

HAWL will not duplicate construction progress inspections required and conducted by Pearl River County. The exception is any concrete pour which requires prior notification to inspect by HAWL. HAWL does not charge for construction inspections that it requires and conducts.

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SECTION 1 – THE HIDE-A-WAY LAKE BUILDING CODE

1.1 Authority for the HAWL Building Code.

The Hide-A-Way Lake Building Code (referred herein also as the “HAWL Building Code”) has been adopted by the Board of Directors of Hide-A-Way Lake Club, Inc. acting by authority of the Restrictions, Covenants and Conditions of Hide-A-Way Lake Subdivision.

1.2 Purpose of the HAWL Building Code.

The purpose of the HAWL Building Code is to control construction for the benefit and safety of the property owner and to ensure quality and orderly construction that supports the general welfare of the entire Hide-A-Way Lake community to include but not limited to home values, visual harmony, diversity, etc. The HAWL Building Code is intended to support the view that Hide-A-Way Lake is a controlled access community for single family quality dwellings where each house is significantly different and/or visibly unique from any other house within their unit or neighborhood. The code also preserves and promotes the wooded, green nature of the area with space separation of dwellings for privacy and control of structures for pleasing views both from its streets and the lake.

1.3 Architectural Committee.

1.3.1 The Architectural Committee is appointed by the Board of Directors of Hide-A-Way Lake Club, Inc. and charged with the responsibility for reviewing all Building Permit Applications to ensure compliance with the Hide-A-Way Lake Building Code. Construction shall not proceed without this committee's approval of the Building Permit Application and issuance of a Building Permit by the Hide-A-Way Lake Club Manager.

1.3.2 In the event an application is disapproved by the Architectural Committee, the Owner may request a review by the Board of Directors. Such request, to be submitted to the Hide-A-Way Lake Club Manager, must be in writing, addressed to the President of the Board, stating the Owner's justification for an approval. Refer to Paragraph 1.6 "Exceptions to the HAWL Building Code".

1.3.3 The Architectural Committee will revisit the application and the Owner's justification letter if so directed by the Board of Directors. The decision of the Board of Directors in this regard shall be final and conclusive.

1.4 Composition of the HAWL Building Code.

The Hide-A-Way Lake Building Code consists of:

1. The Rules contained herein including Rules related to construction taken from the Restrictions, Covenants and Conditions.

2. The International Residential Code, 2018 Edition, including Appendices A, B, C, D, E, G, H, J, K, and L as published by the International Code Council. The International Residential Code is amended to delete Chapter 1-Administration, or as modified by Pearl River County, the revised provisions of which are covered within the HAWL Code Rules.

1.5 Changes to the HAWL Building Code.

The Board of Directors may make changes or additions to the Rules contained in the HAWL Building Code from time-to-time to keep them current. The Board of Directors cannot change any of the provisions of the Restrictions, Covenant and Conditions. The construction related provisions of the Restrictions, Covenants and Conditions are restated herein underlined and the covenant number provided. For brevity some paraphrasing has been made.

1.6 Exceptions to the HAWL Building Code.

No exception to the HAWL Building Code will be permitted except by variance for health and safety reasons as issued by the Board of Directors of Hide-A-Way Lake Club, Inc. or unless preceded by directives issued by Federal, State, or County regulatory agencies having authority over Hide-A-Way Lake Subdivision.

1.7 Non-compliant Structure.

Structures and site improvements including but not limited to house, garage, carport, outbuilding, dock, boat ramp and boat shelter which were constructed prior to the present Building Code shall be maintained. Renovations shall comply with all current Building Code requirements when permit application is approved by the Architectural Committee. Renovations or modifications to non-compliant structures that change the function and/or character of said structure, in the opinion of the Committee, are not permitted. Proposed renovations that result in compliance with the current Building Code are acceptable.

SECTION 2 – BUILDING PERMIT RULES

2.1 Approval Required.

No building shall be erected on any Lot until plans, specifications, plot plan, and other construction documents thereof have been approved in writing by the Club, its successors, or assigns. (Covenant 32) All construction in Hide-A-Way Lake Subdivision must be authorized by Building Permit(s) and be made in accordance with the Pearl River County and HAWL Building Codes. The Hide-A-Way Lake Club Manager or his designee will physically check to verify that construction has not started prior to Building Permit issuance.

2.2 Failure to Comply.

Failure to comply with the HAWL Building Code may result in Hide-A-Way Lake Club, Inc. obtaining an injunction against the property owner to enforce compliance and all costs incurred by Hide-A-Way Lake Club, Inc., including attorney fee, will be charged against the property owner. The Hide-A-Way Lake Club has a right to levy an administrative assessment on Hide-A-Way Lake Club members and/or contractors who are in violation; and, the Hide-A-Way Lake Club has a right to refuse access to Hide-A-Way Lake property to those contractors. No building permit will be issued for subsequent projects where the Owner and/or Contractor are responsible for an unresolved violation. (Covenant 39 f)

2.3 Work That Requires a Building Permit.

Building Permits are required for demolition, new houses, additions, some alterations, garages, carports, sheds, outbuildings, boat shelters, bulkheads, decks, fences, swimming pools, driveways, sewer service, and large landscape projects that change surface drainage patterns. Building Permits are required for installation of butane and propane systems, fuel tanks, generators, solar systems, batteries and related equipment. Building Permits are not required for interior or exterior maintenance such as re-roofing, painting, or minor interior alterations that do not involve alteration to foundation, load bearing walls or changes to electrical, plumbing or HVAC systems. The owner should consult with the Hide-A-Way Lake Club manager's office if the need for a Building Permit is not clear. Building Permit Application forms are available in the Hide-A-Way Lake Club Manager's Office.

2.4 Processing of Building Permit Applications.

Building Permit Applications and the related construction documents are reviewed for approval by the Architectural Committee of the Board of Director of the Hide-A-Way Lake Club, Inc. The Architectural Committee normally meets on the second and fourth Thursdays of each month with the exception of normally recognized holidays of Christmas, New Year's Day, Independence Day (4th of July) and Thanksgiving. All Building Permit Applications and all supporting documents must be in the Hide-A-Way Lake Club Manager's office by noon of the preceding Monday. Otherwise, review will be delayed until the next meeting. All permits noted as "approved with conditions" must be acknowledged and signed by the lot owner and witnessed by the HAWL Office when the permit is issued.

2.5 Contractor Qualifications.

2.5.1 Mississippi "Residential Builders Law" exempts the property owner and his (her) blood relative from the licensing requirements of that code. Thus the capable property owner may serve as his own general contractor and may perform and/or supervise construction on his own residence without licensing, except for electrical, plumbing, mechanical,

standby generators, solar, propane gas, or HVAC systems. However, the property owner will be required to complete a Pearl River County **HOMEOWNER CERTIFICATE OF COMPLIANCE** attesting to their property ownership and familiarity with the construction codes. Work will be inspected for compliance by Pearl River County.

2.5.2 With the exception of 2.5.1 above, a building contractor employed for New House Construction or House Additions, Alterations or Minor New Construction must have a Residential Building license issued by the State of Mississippi (or equal from another state) for projects costing more than $50,000. For projects costing more than $10,000, but less than $50,000, a Residential Remodeler's license is required. No license is required for projects costing less than $10,000.

2.5.3 New House Construction and House Additions, Alterations, and Minor New Construction projects involving electrical, plumbing, mechanical, standby generators, solar systems, propane gas, electric vehicle charging stations, or HVAC systems requires that the work be done by the appropriate licensed and/or certified trade contractor.

2.5.4 Projects that involve connection for sewer service must be performed by the Pearl River County Utility Authority (PRCUA) or a contractor meeting their certification. Projects involving minor repairs or pumping to an existing on-lot sewage treatment and disposal system must be done by a Certified Installer or Certified Plumber, as appropriate, licensed by the Mississippi State Department of Health. The unlicensed property owner may not perform or superintend this work.

2.5.5 Building Permit Applications shall include the names of the contractors (Building Contractor, Plumbing, Electrical, and HVAC) and their license number as required by this Section 2.5. A partial list of local contractors is available at the HAWL Office.

2.6 Building Permit Fees.

2.6.1 The following work requires Building Permits at the below listed fees. Building Permit fees are set at a level to recover the cost of providing the construction administration and are levied at the time of issuance of the Building Permit. If however, work is started prior to issuance of a Building Permit a penalty fee will also be charged equal to the original fee.

a) New house ----------$750.00

b) House additions and minor new construction----------$100.00

c) Garage, shed, boat shelter or outbuilding----------$50.00

d) Swimming pool----------$50.00

e) Fence----------$40.00

f) Bulkhead----------$50.00

g) Deck or dock----------$50.00

h) Live tree removal (no cost for dead tree) ---------- Each tree: $10

i) Driveways and walkways ----------$40.00

j) Culverts ----------$40.00

k) Anything not covered above, minimum----------$30.00

l) Construction changes ----------No charge

2.6.2 If construction has not been started within six months, the previously issued Building Permit is void and a new Building Permit must be acquired. A new application must be submitted and fees as currently scheduled will be charged. Permit fees, excluding inspection fees for services not rendered, are not refundable even if the owner decides not to proceed with the construction.

2.6.3 All work must be completed within six months of issue of the Building Permit. If construction has been started, an extension may be granted by HAWL Manager.

2.7 Construction Progress Inspections.

2.7.1 HAWL inspection fees are included in the HAWL permit fee. Construction progress inspections are required at the stages of construction listed below:

a) Completion of rough storm water drainage modifications and erosion control.

b) Completion of termite treatment and foundation forming ready for pouring.

c) Completion of the PRCUA sewer connection.

d) Completion of construction including finish grading.

2.7.2 The HAWL Manager's office must be notified one full work day in advance to schedule inspections.

2.8 Construction Changes.

2.8.1 Except as provided herein, the owner shall not make nor authorize a contractor or subcontractor to make any change to the construction for which a HAWL Building Permit has been issued until such time as written authorization for the change has been reviewed by the Architectural Committee and issued by the Hide-A-Lake General Manager.

2.8.2 Except as provided herein, proposed changes to authorized construction shall be submitted for review by the Architectural Committee. A new Building Permit Form, clearly identified as a **Construction Change** shall be submitted. No permit fee will be charged for this review.

2.8.3 A Construction Change Permit is not required for minor interior changes to the authorized construction. A Construction Change Permit is required for all other changes including those to the site drainage, foundations, load bearing structural members and to electrical, plumbing, HVAC and sewer service. Owners should consult with the Hide-A-Way Lake Club Manager to determine the need for applying for a Construction Change Building Permit.

2.8.4 Submit documents and information clearly defining and explaining the proposed change(s) with the Building Permit Form.

SECTION 3 – DESIGN AND CONSTRUCTION DOCUMENT REQUIREMENT RULES

3.1 New House Construction.

3.1.1 This section applies to lots where <u>one single-family dwelling is to be built.</u> (Covenant 27)

3.1.2 Each new house designed and built must be significantly different and/or visibly unique from any other house within that unit or neighborhood.

3.1.3 Two sets of construction documents are to be provided with the completed Building Permit Application form. The construction documents are described below and consist of:

1) **Sewer Service Form.**

2) **Plot Plan.**

3) **Set of Building Plans.**

4) **Site Plans.**

5) **Specification of Materials.**

6) **Landscaping Plan.**

3.1.3.1 **Furnish an executed copy of the Pearl River County Utility Authority (PRCUA) "Sewer Subscription Application and Contract"** form for installation of on-lot components and connection to the PRCUA sewer service.

3.1.3.2 **Plot Plan.** Furnish a professional quality Plot Plan to a minimum scale of one inch (1") = thirty feet (30') that documents the legal description of the property, shows existing improvements (if any) and the existing topographic grade conditions. Items 1) through 8) must be provided by a Licensed Land Surveyor or Registered Civil Engineer. The remaining items may be provided by a Licensed Land Surveyor, Registered Civil Engineer, capable Owner or other Designer. The Plot Plan must show the following:

1) Property lines with dimensions, orientations and intersecting property line markers.

2) True north arrow

3) Unit number, lot number, adjoining lot numbers

4) Name of street(s)

5) Lake (where applicable)

6) Utility easements and building setbacks to clearly define the buildable area. See examples Appendix "D"

7) Drawing graphic scale and date

8) Licensed Land Surveyor's or Registered Civil Engineer's certification with signed stamp

9) Existing overhead and underground utilities, water meter

10) Existing improvements, bulkhead, docks, decks structures, pool, outdoor mechanical equipment

11) Existing on-lot wastewater disposal system or PRCUA sewer service

12) Existing culvert, size, material, head wall and tail wall

13) Existing driveway, parking area; note material

14) Existing fencing; note material and height

15) Existing trees, 5” and larger in diameter

16) Existing culvert invert elevations at each end

17) Existing grade elevations with contour lines at maximum of one foot elevation differential.

18) Existing grade elevations of adjacent street(s), parkways, swales, ditches and adjacent property easements. Extend contour lines of one foot elevation differential.

3.1.3.3 **Set of Building Plans**. Furnish two complete sets of professional quality building plans. Size of drawings and scale may vary if information is legible and acceptable to the Architectural Committee. Draftsmanship should be precise and accurate. Lettering and dimensions should be of such quality as to be easily read. Plans must be stamped with a raised seal by an architect or structural engineer. The set of building plans is to consist of:

1) A separate site plan as described in the subparagraph below.

2) Properly dimensioned floor plan(s) with wall sections and square footage of living area shown. All interior and exterior walls must have studs spaced on 16” centers maximum.

3) Plan(s) with front, rear and side elevations including height dimensions.

4) Foundation plan with sections and any bulkheads and retaining walls.

5) Plan(s) that show electrical, mechanical and roofing layouts and include the proposed location of the air handler. Electric feed to new homes and outbuildings must be installed underground and by a licensed electrician or the utility company. All contractors will show and provide an attic walkway and A/C platform for new homes with attic air handlers, as well as a light with 120 VAC outlet over the air handler.

6) All buildings on pilings or pier foundations must have commercially available skirting around the entire structure.

7) All houses must have attic access.

8) The main electrical disconnect and load center must be notated on the building plan of the house and/or building.

9) All drawings and specifications must be site specific and marked as such. Any generic drawings and/or specifications will be marked as such and do not constitute acceptance of HAWL requirements.

10) Other plan(s) as necessary with details for clarification which can be of any appropriate scale or indicated “not to scale”.

3.1.3.3.1 **Site Plan.** Furnish a Site Plan prepared by a Licensed Land Surveyor, Registered Civil Engineer, Architect, capable Owner or Designer. The designer must refer to Rules for Site Work and Storm Drainage in Section 6 to prepare the Site Plan. The drawings must be a separate drawing of professional quality, give the name of the provider, be of minimum scale one inch (1”) = thirty feet (30’) and show the following:

1) Property lines with dimensions

2) Graphic scale and date.

3) True north arrow

4) Unit number, lot number, adjoining lot numbers

5) Names of street(s)

6) Lake (where applicable)

7) Utility easements and building setbacks to clearly define the buildable area. See examples Appendix “D”

8) Existing site improvements to remain with dimensions to nearest property lines

9) Existing utilities to remain

10) Proposed structures, pool, outbuildings with dimensions to nearest property lines

11) The house footprint and location on the Site Plan will be same as the Building Plans and in the same orientation in reference to the street.

12) Location of existing water meter or proposed meter at location as determined by HAWL manager.

13) Location of sewer service valve box and proposed on site components.

14) Location of proposed outdoor mechanical equipment, generator, fuel tank

15) Location of proposed driveway, parking areas; note material

16) Location of proposed fencing: note material and height

17) Major landscaping, trees to remain and be removed

18) Proposed and existing culverts and area drains with invert elevations. Show head walls and tail walls. (Culverts must be sized by a Licensed Land Surveyor or Registered Civil Engineer.)

19) Finish floor elevations of house and outbuildings. (Section 6.1. Site work and Storm Drainage requires that elevation of concrete floor slabs of house and outbuildings be a minimum of six inches above the level of the highest finish grade adjacent to slab or grade beam.)

20) Finish grade elevation contour lines at maximum of one (1) foot elevation differential or less as necessary to clearly show drainage away from buildings and berms to ditches and swales for the sides and back of property and parkway. Add flow arrows that support the finish grading. Show final cut and fill grade contour lines bold and existing contour lines standard.

21) Erosion control method and placement including use of silt fences and straw wattles during construction as necessary to retain silt on-site, out of ditches and the lake.

22) Area tabulation of new structures(s)

3.1.3.3.1.1 **Site Plan Notes.** On the Site Plan or on a sheet attached there to the following notes are to be included:

1) Rough storm water drainage modifications and erosion control must be made immediately following lot clearing to prevent runoff from draining onto adjacent properties and streets before construction activities begin. Final grading may be delayed until construction activity permits.

2) The contractor shall take erosion control measures and maintain them continuously. The contractor and the lot owner shall exercise due diligence to ensure that drainage is not obstructed or diverted and that any soil and/or building materials (such as top soil, fill dirt, gravel, sand, trash, etc.) are not deposited onto any other property (including drainage ditches, streets and the lake) by rain, wind, or any other means, deliberate or accidental. Should any of this occur, the contractor shall take prompt corrective action to remove the soil and/or building materials from the other property or ditches, restore obstructed or diverted drainage, remove any conditions of impending damage and restore erosion control measures. In the event of noncompliance, the Hide-A-Way Lake Club may issue a stop work order and suspend the Building Permit until such time as corrections have been made. An administrative fee may be levied and all costs incurred by the Hide-A-Way Lake Club should they have to correct the damage will be charged to the property owner.

3) The contractor must not permit Hide-A-Way Lake streets and ditches to accumulate construction debris and soil left by construction vehicles going to or from the construction site. He shall take prompt action to remove such materials including washing down streets if necessary to keep them safe and clean each day. In the event of noncompliance, the Hide-A-Way Lake Club may issue a stop work order and suspend the Building Permit until such time as corrections have been made. An administrative fee may be levied and all costs incurred by the Hide-A-Way Lake Club to correct the damage will be charged to the property owner.

3.1.3.4. **Specification of Materials.**

3.1.2.3.1 Furnish two complete sets of specifications of materials to be used. A completed Description of Materials form is adequate. The specification must show “No water to air heat pump” unless the heat pump is to be used with a closed loop ground source as permitted by Lake Water and Water Wells of Section 6. For the sewer service the words “PRCUA on-list components” is adequate.

3.1.2.3.2 Copies of Description of Materials form are available in the Hide-A-Way Lake Club office.

3.1.3.5 **Landscaping Plan.**

All new homes must include landscaping, with a minimum of grass/sod, covering all but the home, outbuildings, and parking/driveway areas within the property lines as well as the parkway. Driveway and parking areas to be defined by pavement or gravel like material.

3.2 House Additions, Alterations and Minor New Construction.

3.2.1 This section applies to construction on lots with existing houses for which additions, alterations or minor new construction are proposed.

3.2.2 Two sets of construction documents are to be provided with the completed Building Permit Application form. One set of photographs of the existing house or other structure showing the area of the proposed addition or alteration is also required. The extent to which construction documents are required depends on the extent of new proposed construction and is described in subsections below. The required construction documents consist of:

1) **Sewer Service Form**

2) **Plot Plan**

3) **Building Plans**

4) **Site Plans**

5) **Specification of Materials**

3.2.2.1 **Sewer Service Form**.

This form is not required unless connection to the sewer service is proposed. If proposed, furnish an executed copy of the PRCUA "Sewer Subscription Application and Contract" form for installation of on-lot components and connection to the PRCUA sewer service.

3.2.2.2 **Plot Plan.**

Furnish a plot plan the same as required for new house construction, (3.1.3.2) to the extent described in the below subparagraphs.

3.2.2.2.1 If the addition, alteration or minor new construction DOES NOT CHANGE property rainwater drainage, provide 3.1.3.2 Plot Plan Items 1) through 8) that shows the property. Include Item 11) existing wastewater disposal system. Include any other existing improvements in the area of the proposed work, Items 9), 10), and 12) through 15). Show the proposed addition, alteration or new construction.

3.2.2.2.2 If the addition, alteration or minor new construction DOES CHANGE the property rain water drainage, provide 3.1.3.2 Plot Plan Items 1) through 8) that shows the property. Include Item 11) sewer services. Include any other existing improvements in the area of the proposed work, Items 9), 10) and 12) through 15). Include topographic elevation Items 16), 17) and 18) in the area of the proposed work and all other areas that will be affected by the change in surface drainage.

3.2.2.3 Building Plans.

3.2.2.3.1 Furnish drawings that show the work to be done at a scale of ¼" per foot or as appropriate and legible. Drawings shall show dimensioned floor plan(s), wall sections, roof plan, elevations with height dimensions and foundations. Also provide drawings of electrical, mechanical, plumbing and other work to be done. All drawings and specifications must be site specific and marked as such. Any generic drawings and/or specifications will be marked as such and do not constitute acceptance of HAWL requirements. Plans must be stamped with a raised seal by an architect or structural engineer.

3.2.2.3.2 **Site Plan.** If new structures or paving is proposed that alters site topography and drainage, a separate Site Plan is required. Furnish a Site Plan the same as required for new house construction, 3.1.3.3.1.1 to the extent described below:

1) Items 1) through 7) that shows the property

2) Item 12) existing on-lot wastewater disposal system or connection to the PRCUA sewer system as appropriate

3) Proposed addition, alteration or minor new construction

4) Any other existing improvements in the area of the proposed work, Items 8) through 10) and 13) through 16)

5) Topographic finished elevation Items 17) through 20) in the area of proposed work and all other areas that will be affected by the change in drainage

3.2.2.3.2.1 **Site Plan Notes.** On the Site Plan or on a sheet attached there to the following notes are to be included:

1) Rough storm water drainage modifications and erosion control must be made immediately following lot clearing to prevent runoff from draining onto adjacent properties and streets before construction activities begin. Final grading may be delayed until construction activity permits.
2) The contractor shall take erosion control measures and maintain them continuously. The contractor and the lot owner shall exercise due diligence to ensure that drainage is not obstructed or diverted and that any soil and/or building materials (such as top soil, fill dirt, gravel, sand, trash, etc.) are not deposited onto any other property (including drainage ditches, streets and the lake) by rain, wind, or any other means, deliberate or accidental. Should any of this occur, the

contractor shall take prompt corrective action to remove the soil and/or building materials from the other property or ditches, restore obstructed or diverted drainage, remove any conditions of impending damage and restore erosion control measures. In the event of noncompliance, the Hide-A-Way Lake Club may issue a stop work order and suspend the Building Permit until such time as corrections have been made. An administrative fee may be levied and all costs incurred by the Hide-A-Way Lake Club should they have to correct the damage will be charged to the property owner.

3) The contractor must not permit Hide-A-Way Lake streets and ditches to accumulate construction debris and soil left by construction vehicles going to or from the construction site. He shall take prompt action to remove such materials including washing down streets if necessary to keep them safe and clean each day. In the event of noncompliance, the Hide-A-Way Lake Club may issue a stop work order and suspend the Building Permit until such time as corrections have been made. An administrative fee may be levied and all costs incurred by the Hide-A-Way Lake Club to correct the damage will be charged to the property owner.

3.2.2.4 Specification of Materials.

3.2.2.4.1 Furnish two copies of the list of materials to be used including electrical, mechanical, plumbing, and HVAC. If the construction to be done is extensive, in lieu of the list, furnish a specification of materials as detailed in the subparagraphs below.

3.2.2.4.2 Furnish two complete sets of specifications of materials to be used. A completed Description of Materials form is adequate. The specification must show “No water to air heat pump” unless the heat pump is to be used with a closed loop ground source

as permitted by Lake Water and Water Wells of Section 6. For sewer service the words “PRCUA on-lot components” is adequate.

3.2.2.4.3 Copies of Description of Materials form are available in the Hide-A-Way Lake Club office.

SECTION 4 – CONSTRUCTION WORK RULES

4.1 Contractor Work Times.

4.1.1 Contractor gate passes are available for purchase at the Hide-A-Way Lake Club office to contractors who are employed to do construction work for which Building Permits have been issued. They are valid from 6:00 am to 6:00 pm, Monday through Friday with restrictions noted below.

4.1.2 Construction work at Hide-A-Way Lake is prohibited on Sundays, normally recognized holidays such as Good Friday, Christmas, New Years Day, Independence Day (4th of July), Labor Day, Thanksgiving and Memorial Day as well as any holiday the HAWL office is closed (Mardi Gras, etc.). Construction work on Saturday is only permitted if prior arrangements are made with the Hide-A-Way Lake Club Manager or his designee.

4.2 Before Construction Begins.

4.2.1 **No construction equipment or materials will be allowed to enter Hide-A-Way Lake until a Building Permit has been issued and placed on the site. Hide-A-Way Lake requires that a dumpster be placed on site when construction begins.**

4.2.2 A commercial **portable toilet** must be in place on the building site prior to any site work for new houses. The portable toilet may not be removed until bathroom facilities are working and available for contractor use or the construction is complete. Construction equipment will not be allowed through the entrance gate until the portable toilet is in place. For alteration work, the property owner must let the contractor use the house facilities or the contractor must furnish a portable toilet. Portable toilets are to be located on level surface and shall be anchored to avoid overturning. The portable toilet must be pumped out regularly by a Certified Pumper.

4.2.3 Construction of a new home or major renovations to an existing home/lot must be scheduled not be to be ongoing with construction of another home or major renovation within three lots of each other on both sides of the same street. If there is a scheduling issue, it

will be deferred to the HAWL Architectural Committee and/or General Manager for review.

4.2.4 Contractors' vehicles must never block the immediate and clear passage of any emergency vehicle or school busses. A fine will be levied.

4.2.5 No contractors' vehicles will be parked in the roadway or parkway after dark, in dense fog/rain, or before full daylight.

4.3 During Construction.

4.3.1 Ensure tree removal is limited to that indicated on the Site Plan. The additional cutting of live trees shall be done only upon receipt of a Building Permit or Tree Cutting Permit from the Manager of Hide-A-Way Lake Club, Inc. or his designee. (Covenant 26)

4.3.2 The contractor must complete temporary grading, drainage modifications and erosion control measures in accordance with the Site Plan before excavation and construction begins.

4.3.3 The contractor must arrange with the Hide-A-Way Lake Club Office for the following listed inspections at least 24 hours in advance of need. Note that no concrete for foundation, driveway, sidewalk, patio or outbuilding is to be poured before inspection. The termite treatment certificate is to be furnished at the time of the foundation inspection to the inspector who will deliver it to the Hide-A-Way Lake Club Office.

a. Completion of rough storm water drainage modifications and erosion control.

b. Completion of termite treatment and foundation forming ready for pouring.

c. Completion of the PRCUA sewer connection.
d. Completion of construction including finish grading.

4.3.4 The contractor shall keep the construction site clean and free of trash, garbage and construction debris. No trash or construction debris of any kind is to be burned or buried on the site but must be hauled away. Portable toilets must be regularly pumped out and anchored to avoid overturning.

4.3.5 Roadway must be cleaned each day of debris, mud, trash, etc.

4.3.6 All lavatories, toilets and bath facilities shall be completely installed and functioning before the residence is occupied.

4.3.7 All advertising signs are prohibited. (Covenant 48) No advertising signs of any nature are allowed on any lot in the Hide-A-Way Lake Subdivision. Contractors are not permitted to display signs on the lot showing their name and phone numbers.

SECTION 5 – GENERAL BUILDING RULES

5.1 Restrictions on Dwellings and Outbuildings.

5.1.1 No residential structure shall be erected on any lot other than one single family dwelling. (Covenant 27) The single family dwelling (house) and any additions thereto shall be site-built. The house shall be the first roofed structure permitted on the property. The house shall provide complete independent living facilities including permanent provisions for living, sleeping, eating, cooking and sanitation. The house shall be the primary and prominent structure and focal point of the property. The house shall be constructed to the requirements of this code.

5.1.2 The floor area of the house shall not be less than 1500 square feet exclusive of garage, carport, porches and patios. The 1500 square feet minimum is that portion of the house customarily comfort conditioned, i.e. heated and cooled. The maximum allowed height for the house is 3 stories including the basement, if any, but not to exceed 45 feet as measured from the finish grade at the lowest structural support or wall to the top of the highest part of the roof. All newly constructed homes must have a carport or garage with a minimum of 80 square feet enclosed for storage. Attached garages and carports cannot be enclosed without providing alternate garage/carport space as outlined above.

5.1.3 In addition to the house, each residential lot may have a detached garage not to exceed 660 square feet and one (1) other outbuilding not to exceed 300 square feet. (Covenant 27) These outbuildings The Hide-A-Way Lake Building Code - Page 22 of 46 may be combined into 1 building of 960 square feet. A boat shelter is excluded and is not a part of the 960 square feet or two building limitations. The detached garage is an outbuilding and may be designed and used for other single family functions. Use as living quarters, temporary or permanent, is prohibited. Bathing facilities are not permitted in outbuildings. See 6.4 House Additions and Outbuildings.

5.1.4 Following Owner application to the HAWL Club Manager, the Board of Directors may authorize the combining of the Owner's adjoining lots into one single family residential site. This authorization

increases the total lot buildable area by vacating the utility easements at the adjoining lots common property line. The one single family residence with up to two outbuildings allowance remains for the combined lots as it is for a single lot. Following County property deed recording of the combing document, the property owner may request a building permit for outbuildings. The number of outbuildings on the combined property shall remain the same as any single home site but the size may double. Refer to paragraph 5.1.5 for additional conditions.

5.1.5 Outbuildings must be located on the lot such that the house remains the primary and prominent structure and focal point when viewed from the street and the lake. Proximity to the house, landscape vegetation, fencing and the blending of architectural features required by paragraph 6.4 are considerations to meet the house prominence and focal point requirements. House addition is an option.

5.2 Restrictions on Temporary Buildings.

No structure of a temporary character, trailer, basement, tent, shack, garage, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently. (Covenant 28) All lavatories, toilets and bath facilities shall be completely installed and functioning before the residence is occupied.

5.3 Restriction on Outhouses.

No outhouses shall be permitted on any part of the property; all lavatories, toilets, and bath facilities shall be installed indoors, except those portable sanitary facilities that are required by the Building Code. (Covenant 29) A commercial portable toilet must be placed on the lot during the period of a new house construction, see Section 4.2.

5.4 Setbacks, Easements and Buildable Area.

5.4.1 Building setbacks from the roadside Lot Lines shall be twenty-five (25) feet for all Lots. Building setbacks from the water-side lot line shall be twenty-five (25) feet for all Lakeside Lots. Building setbacks from all other Lot lines shall be the same width as the utility easement shown upon the plat for all Lots. No house, garage, carport, shed or other such building may be constructed in the building set-backs except: (Covenant 35)

a. For Lots with frontage on more than two (2) roadways or streets, the Board may grant a variance taking into consideration the size of the Lot and location of major and minor streets. (Covenant 35 a)

b. Steps and eaves (up to two (2) feet in width) shall not be considered as part of the building. (Covenant 35 b)

c. A boathouse, bulkhead and pier may be constructed in the Lakeside setback as provided for in the HAWL Building Code. (Covenant 35 c) A boathouse, is a boat shelter that exhibits no walls and is 100% open. For more details, see HAWL Building Code 6.5.13.

d. Small aesthetic structures and appurtenances that do not block the view of the lot such as open fences or entrance columns may be constructed in the roadside or lakeside setbacks as provided for in the HAWL Building Code. (Covenant 35 d)

e. Fences may be located in the lot side setbacks as provided for in the HAWL Building Code. (Covenant 35 e)

Easements reserved on the said plats for the construction, operations and maintenance of public utility lines are also hereby reserved. (Covenant 20) Some items for beautification and safety are permitted within the setback areas. Refer to Landscape Beautification and Safety Items of Section 6. No HVAC units are allowed in the easements.

5.4.2 For lots in Units 1 through 6, the front, back and side utility easements are 5 feet wide. For lots in Units 7 through 19, the front, back and side utility easements are 10 feet wide.

5.4.3 Easements are reserved and used for drainage and other utilities as the need arises. The installation may disturb or remove plantings, paving and other items in the easement without compensation or replacement.

5.4.4 Examples of lot buildable area with the surrounding utility easement and the building setbacks are shown on Appendix “D”.

SECTION 6 – OTHER BUILDING RULES

6.1 Site Work and Storm Drainage. This subsection contains Rules for:

1) Tree Removal
2) Storm Water Drainage
3) Driveways, Parking Pads and Culverts
4) Retaining Walls
5) Lake Bulkheads
6) Parkways

6.1.1 **Tree Removal**.

6.1.1.1 No tree more than five inches in diameter measured at five feet height above the ground is to be removed without a Building Permit or Tree Cutting Permit. The removal of trees or brush of lesser size does not require a permit.

6.1.1.2 Cutting of trees shall be limited to the extent necessary for clearing the foundation site for construction. (Covenant 39 c) Additional trees may be removed for safety of structures and to allow proper design and installation of storm water drainage, driveways, and required parking areas.

6.1.1.3 The additional cutting of live trees shall be done only upon receipt of a Building Permit or Tree Cutting Permit from the Manager of Hide-A-Way Lake Club, Inc. or his designee. (Covenant 26) The property owner shall submit a written request to the Manager stating where, why and how many trees are to be removed and where replacement trees and/or shrubbery are to be planted as soon as the season permits. Replacement trees cannot later be removed without a permit.

6.1.1.4 Permits for removal of dead trees are issued at no cost to the property owner.

6.1.2 **Storm Water Drainage.**

6.1.2.1 Drainage systems on the lot shall be designed to handle the increased runoff caused by trees removed and new construction and be maintained by the contractor and property owner.

6.1.2.2 Onsite grading shall be designed for flow of storm water runoff away from buildings, paving, water meter and active wastewater drain bed. The runoff shall be contained and conveyed to the HAWL offsite drainage system. The runoff shall not be allowed to drain onto an adjacent lot unless that lot is recognized as a “drainage lot”. Lakeside lots may drain to the lake.

6.1.2.3 The ditches and swales in the street rights-of-way are the primary channels of the offsite drainage system to which onsite drainage should connect. Drainage from lots that slope away from the street may be directed to the offsite utility easement that directly connects to other street-side

or established drainage. Should the offsite easement not be developed to channel the drainage, the property owner of the property being developed and his designer, during the design process, shall coordinate offsite drainage with the HAWL Manager to determine the need and responsibility for offsite drainage. The owner of the lot under development bears all financial responsibility. No building permit will be issued without this resolution. All related offsite drainage channeling work must be completed before excavation and construction begins on primary structure. See Appendix “C-1” and “C-2” for Offsite Drainage System Examples.

6.1.2.4 Gradually sloping swales and berms without abrupt or unnatural appearing grading is the preferred method of channeling drainage. However, it is recognized some sites require more abrupt control with ditches, underground piping and surface catch basins or terracing and retaining walls. Steep swales shall be rock-lined or have other permanent erosion control.

6.1.2.5 In order to ensure drainage away from slab constructed buildings, elevation of concrete floor slabs of house and outbuildings shall be minimum of six inches above the level of the highest finish grade adjacent to slab or grade beam.

6.1.2.6 The contractor shall take erosion control measures and maintain them continuously. The contractor and the lot owner shall exercise due diligence to ensure that drainage is not obstructed or diverted and that any other means, deliberate or accidental. Should any of this occur, the contractor shall take prompt corrective action to remove the soil and/or building materials from the other property or ditches, restore obstructed or diverted drainage, remove any conditions of impending damage and restore erosion control measures. In the event of noncompliance, the Hide-A-Way Lake Club may issue a stop work order and suspend the Building Permit until such time as corrections have been made. An administrative fee may be levied and all costs incurred by the Hide-A-Way Lake Club should they have to correct the damage will be charged to the property owner.

6.1.2.7 The contractor must not permit Hide-A-Way Lake streets and ditches to accumulate construction debris and soil left by construction vehicles going to or from the construction site. The contractor shall take prompt action

to remove such material including washing down streets if necessary to keep them safe and clean. In the event of noncompliance, the Hide-A-Way Lake Club may issue a stop work order and suspend the Building Permit until such time as corrections have been made. An administrative fee may be levied and all costs incurred by the Hide-A-Way Lake Club should they have to correct the damage will be charged to the property owner.

6.1.3 Driveways, Parking Pads and Culverts.

6.1.3.1 Driveways crossing street ditches and swales shall be constructed to minimum width of 10 feet for reason of safe vehicle ingress and egress. At locations where driveways extend over an open ditch or swale, culverts must be installed to follow the profile of the ditch or swale to maintain the integrity of the drainage. Minimum culvert size permitted is 12 inch diameter.

6.1.3.1.1 In addition to vehicle parking areas inside garages and carports, it is the property owner's responsibility to provide sufficient parking on his property for his normal needs plus two additional spaces. Hide-A-Way Lake Club parkway [<u>"Parkway" is the paved and/or unpaved area from the surfaced area of the street to the outer utility easement line (often referred to as the street-side property line).</u> (g)] shall not be included in the parking requirement. The paving of parkways as defined herein for parking is prohibited. A maximum of 2 driveways per property with street frontage of 100 feet or less are permitted crossing the parkway. The maximum width of a single driveway shall be 24 feet and the maximum combined width of two driveways shall be 24 feet when driveways are located on street frontage of 100 feet or less. Properties with street frontage exceeding 100 feet and properties with street frontage on multiple streets may exceed the limits established for single street frontage properties. Each proposed driveway submittal will be evaluated with respect to safety, drainage, surrounding neighbors, ratio of paved area to unpaved area, landscaping and overall general appearance. Number of and combined width

of proposed driveways must be approved by the Building Committee.

6.1.3.1.2 Driveways and parking pads may be constructed of asphalt, concrete, crushed stone, pavers or other appropriate material approved by the Architectural Committee. They should follow the profile of the finished grade, where possible. Driveways are to be shaped to drain onto the lot and be swaled if necessary at street edge so as not to drain onto the street. Runoff from the street shall not be obstructed by the driveway. Driveway locations shall take into account local road conditions regarding blind spots and safety for ingress and egress traffic. Drainage of driveways and parking pads shall be designed to eliminate flow of surface water onto adjacent properties.

6.1.3.1.3 Paving within common property line utility easements is normally not permitted in order that proper site drainage is assured. Refer to the provisions of Storm Water Drainage of Section 6. Proposals for paving in these easements may require a partial Site Plan with finish grade elevations and flow arrows. If a driveway or parking pad is constructed within the easements, it is with the understanding that the Hide-A-Way Lake Club reserves the right of access to said easement. If access is required, said driveway and/or parking pad will be removed. A new permit will be required for replacement and all cost will be borne by the property owner.

6.1.3.1.4 Driveway, parking pads, and vehicular traffic shall not be located over any part of an existing active wastewater absorption field.

6.1.3.1.5 Though culverts and headwalls may be installed in the parkway area, they remain the property of the property owner and must be maintained functional and in good repair by the property owner.

6.1.3.2 **Culverts.**

6.1.3.2.1 New house culverts must be sized by the Licensed Land Surveyor or Registered Civil Engineer to handle the maximum design flow rate of water in the area drained.

6.1.3.2.2 All culverts must be constructed of reinforced concrete or High Density Polyethylene (HDPE) corrugated drainage pipe meeting the specifications of the American Society of Testing and Materials (ASTM). Other types of culverts may be approved by the Architectural committee, if technical specifications are submitted with building permit application.

6.1.3.2.3 A permit is required for all culvert work. Culvert replacements and short extensions of the same size as existing do not require size certification by a Licensed Land Surveyor or Engineer unless the extension changes the area drained. If the entire ditch is replaced with an underground culvert, covered drop inlets and swales may be required over the culvert to catch surface run-off as determined by the Licensed Land Surveyor, Engineer and/or the Architectural Committee. No additional runoff is allowed to flow onto the roadway.

6.1.3.2.4 Driveway culverts shall have head walls and tail walls of brick, block, stone or poured concrete that extend the full width of the ditch.

6.1.4 **Retaining Walls.**

6.1.4.1 **Definition**: A retaining wall is a structure which supports the loads from adjoining soil, hillsides and any structure thereon. The height of retaining walls is measured from the bottom of the footing to the top of the wall. Lake bulkheads are excluded from this Rule and are covered in a subsequent subsection.

6.1.4.2 Permanent excavation shall have walls of sufficient strength made of steel, masonry, reinforced concrete, stone or treated wood to retain the embankment together with any surcharge loads and adequate drainage outlets shall be installed.

6.1.4.3 Drawings, calculations and material description for all retaining walls shall be submitted at the time of the permit request. Retaining walls 48-inches or higher shall be designed by and stamped by a registered professional engineer. A County permit is required for structural retaining walls higher than 48 inches measured from the bottom of the footing.

6.1.4.4 Terracing of area adjacent to the house shall be considered as the preferred alternative to the use of retaining walls in highly visible areas on hillsides. The height and length of retaining walls in these areas shall be minimized and incorporate design elements or other architectural or natural features such as sculptured masonry block and stone. Multiple retaining walls, creating a stepped terrace appearance, shall maintain a minimum space of six feet from one retaining wall to the next. The exposed face of retaining wall may not exceed one foot of height.

6.1.4.5 Retaining walls within setbacks are permitted with additional restrictions. Lakeside and street-side retaining walls may not be located within the 10 feet of the property line. Retaining walls, including footing, in side setbacks and non-lakeside rear setbacks must be kept within the property line but be located next to the property line so as to take up as little of the utility easement as possible.

6.1.5 **Lake Bulkheads.**

6.1.5.1 Lake bulkheads must be kept within the lake property line but be located next to the lake property line so as to take up as little of the utility easement as possible. Bulkheads may extend to the side property lines.

6.1.5.2 Bulkhead maximum height is 24-inches above the normal water level as established by the spillway.

6.1.5.3 Bulkhead materials are to be pressure treated wood, concrete, steel, high density polyethylene (HDPE), fiberglass reinforced plastic (FRP) or other suitable material approved by the Architectural Committee.

6.1.5.4 Bulkheads must be designed to withstand tilting by use of engineered "dead men" or anchored. Anchor cables or other materials must be selected for underground use and able to withstand the stress imposed upon them.

6.1.6 **Parkways.**

6.1.6.1 As defined in the Covenants, "Parkway" is the paved and/or unpaved area from the surfaced area of the street to the outer utility easement line (often referred to as the street-side property line). (g)

6.1.6.2 Within the Parkway, Property Owners are permitted to construct and/or erect driveways, culverts with head and tail walls, covered drop inlets, mailboxes and house number posts. Grass and ground cover may be planted in the Parkway provided they do not exceed six inches in height and do not obstruct drainage. Nothing constructed or planted is to cover over or restrict access to utility surface valve boxes or other surface items of underground utilities.

6.2 Sewer Service.

6.2.1 General. The HAWL community is connected to the sewer service of the Pearl River County Utility Authority (PRCUA). The PRCUA collection lines are installed throughout HAWL with a stub-out/valve box at each lot. All new houses and any existing houses with on-lot sewage treatment and disposal systems that fail must connect to the PRCUA collection system.

6.2.2 PRCUA Sewer Connection. The property owner must apply to the PRCUA and pay for the connection including the installation of on-site components that include interceptor tank and grinder pump, electrical controls, valves and pipeline. PRCUA contracts for the installation and connection and retains ownership and has responsibility for maintenance and repair. The PRCUA will also cap off any existing on-lot disposal system. As a part of the application process, the property owner must grant a property easement “in, over and upon” the installed components for PRCUA access. The restrictions and allowances in the HAWL Building Code regarding easements and parkways apply to the PRCUA easement including that nothing shall be installed over or adjacent to the interceptor tank cover or street-side valve box that restricts access for maintenance of components.

6.2.3 On-lot Treatment and Disposal Systems. Where a PRCUA sewer connection has not been made, an existing on-lot properly operating system may continue to be used until such time as it fails or requires modification. Minor repairs such as replacement of a plumbing fitting or septic tank sludge build-up that requires pumping are not considered failures. Minor repairs and pumping do not require a

building permit but must be performed by the appropriate contractor licensed by the Mississippi State Department of Health.

6.2.4 Failed On-lot Systems. The property owner must not repeatedly pump the septic tank or bypass a treatment system in order to avoid connection to the PRCUA collection system. The Mississippi State Department of Health may investigate and require abandonment of the on-lot system and connection to the PRCUA sewer collection system.

6.3 Lake Water and Water Wells.

6.3.1 The pumping of water from any lakes or ponds is prohibited except by special permit, (Covenant 45) in writing, granted by Hide-A-Way Lake Club, Inc. No water wells shall be drilled upon any of the said numbered lots by the owners so long as water for domestic uses shall be available to owners of said lots.

6.3.2 Wells are permitted for installation of closed loop ground source heat pumps where no well water is pumped or used and the well and any ground water serve only as a source of heat or heat sink.

6.3.3 No water to air heat pump is permitted unless water comes from a closed loop ground source (lake source not permitted) and must be maintained by the property owner.

6.4 House Additions and Outbuildings.

6.4.1 Enclosed additions to existing houses shall have the same structural integrity that is required by this Code for the house. The exterior wall and roof materials and finishes of the addition must conform visually to those of the house. Covered attached patios, porches, decks, columns, supports, and roof systems must be designed and erected to withstand wind loads and uplift forces as is required for residential structures.

6.4.1.1 The use of lightweight materials such as aluminum or similar materials will be limited to small areas of less than a total combined area 400 square feet and at least 25% of the perimeter shall be directly connected to the house. Roof/ceiling materials must be made of insulated panels. Lightweight materials will not be allowed in areas seen from common areas such as roadways, even if blocked by landscaping.

6.4.2 Light weight and/or free standing carports or outbuildings either of canvas, tin, aluminum or similar materials are prohibited. (Covenant 27 a) All garages and outbuildings shall be of permanent

construction. (Covenant 27 b) Outbuildings are free-standing roofed structures separated from the house. Roofed structures connected to the house by a breezeway are considered outbuildings. Outbuildings include a garage, carport, shed, detached covered patio, storage building, workshop, design studio and any other free standing roofed structure supporting the single family functions.

6.4.3 Outbuilding structural integrity shall be equal to that required of the house by this Code including the foundation and the effect of wind loading on the structure..

6.4.4 Outbuilding exterior wall and roof materials and finishes must conform visually to that of the house. The height of outbuildings shall not exceed that of the house.

6.4.5 Plumbing inside outbuildings is limited to a half bath/“powder room” with a toilet and small sink. Bathing facilities are not allowed. All plumbing and sewage lines to be installed and connected to the house must be done by a licensed plumber as outlined in 2.5.4. Exterior showers are permitted with privacy screens and an approved drainage plan

6.5 Docks, Boat Ramps, Boat Lifts and Boat Shelters.

6.5.1 Each lakeside lot shall not exceed the total of 300 square feet of dock area including integral above water boat ramps. Docks as referred to in this code are constructed over water but excluding any adjacent boat lift.

6.5.2 Docks shall not extend into the lake more than 24 feet as measured on a right angle to the lake property line but in no case may they extend more than ¼ of the width of the lake or inlet at that point.

6.5.3 Docks shall have a maximum width of 20 feet as measured parallel to the lake property line. For combined lots (see 5.1.4) the docks may be joined together at the common property line.

6.5.4 No portion of the dock may be less than four feet in width.

6.5.5 A dock shall be no higher than two feet above normal water line as established by the spillway.

6.5.6 Placement of a dock, boat ramp, boat lift, or other permitted structure must conform to utility easement rules for that particular unit and must conform as though side property lines extended into the lake.

6.5.7 Treated lumber is to be used for docks.

6.5.8 No plumbing fixtures or cooking facilities may be installed. No lights may be installed on existing or new dock unless a building permit is issued. All applications must include data on equipment proposed, light projection patterns, power source and name of licensed electrician responsible for the selection and installation of all electrical components. All boatlifts with 120/220 VAC electric motors and all other outlets must have a GFCI protected feed installed by a licensed electrician. Extension cords are not permitted.

6.5.9 No structure may be added above the dock except a railing and boat lift. This railing may be a maximum of 3 feet above the dock and may obscure no more than 20% of the vertical area, which it encompasses.

6.5.10 One boat ramp may be constructed on the lot property, at or below grade, and must be sloped to meet the lake water level no farther than at the normal water edge or the property line. Boat ramps may extend into the lake below normal water level up to 10 feet beyond the property line. They must not protrude above the lake bottom and may be no more than eight feet wide.

6.5.11 Boat ramps may be constructed within the property rear set back with the understanding that the Club reserves the right to the utility easements and, if access is required, said boat ramp will be removed at the property owner's expense. A new permit will be required for replacement and all new construction cost will be borne by the property owner.

6.5.12 Each waterfront lot may have only one boat shelter which must only be used to store boats and shall not be utilized for living quarters.

6.5.13 Boat shelters are to be constructed at the lake property line, extending back on the lot. A boat shelter is an unenclosed, roofed structure that is intended to provide protection to boats from the elements. The maximum outside length shall be 26', the maximum outside width shall be 14', the maximum roof height shall be 13' above the normal water level of the lake, and 85' lake datum. All sides must be 100% open (i.e. no siding or walls) so as not to obstruct view from the outside. Additionally, roof overhang is limited to 24" beyond the roof support structure. The maximum roof overhang beyond the lake property line is 24". The width of the structure shall be paralleled to the lake property line unless otherwise approved by the HAWL Club Manager. Boat shelters shall be of permanent construction as well as complement the

design of the home. Boat shelters are to be used for the storage of boats only. Ramps and boat slips inside the boat structure are permissible.

6.5.14 Boat shelters cannot be closer to the side property lines than the easement set forth for the unit in which the lot is located.

6.6 Decks, Patios and Walkways.

6.6.1 Only uncovered decks and patios may be constructed within the rear set back area. The total area of decks and patios within the rear set back area shall not exceed 400 square feet for any one lot. Within the setback area they must be placed at ground level or no more than six inches above the surround ground level. Decks as referred to in this code are constructed over land.

6.6.2 No structure may be added above the deck or patio within the rear set back area except a railing. This railing may be a maximum of 3 feet above the deck or patio surface and obscure no more than 20% of the vertical area which it encompasses.

6.6.3 Decks and patios shall not be constructed within the front setback areas. Reference 5.4.1 for definition on easements and setbacks.

6.6.4 Walkways are surfaced pathways and are not considered a structure. Within setback and easement areas walkways need to be held to a minimum, be no more than four feet wide, be at or no more than three inches above surrounding ground level and shall not obstruct drainage."

6.6.5 Decks, patios and walkways within utility easements are permitted with the understanding that the Hide-A-Way Lake Club reserves the right of access to these easements and, if access is required, the deck, patio or walkway will be removed at the property owner's expense. A new permit will be required for replacement and all costs will be borne by the property owner.

6.7 Swimming Pools, Hot Tubs and Spas.

6.7.1. **Definition:** A swimming pool, hot tub or spa is any structure that is intended to hold water over 24 inches in depth and which is used, or intended to be used, for swimming or recreational bathing in connection with an occupancy and which is available only to the family and guests of the householder. This includes in-ground, above ground and on-ground structures.

6.7.2 **Definition:** A barrier is a fence, a wall, a building wall or a combination thereof that a small child cannot climb and is a minimum of four feet high and obstructs access. Hide-A-Way Lake Club, Inc. uses ASTM (American Society for Testing and Materials) codes (ASTM F1908-08 concerning fences, F2286-05 concerning barriers, and F1346-91 concerning covers) and the CPSC (Consumer Product Safety Commission) recommendations. The use of chain link, open block, open wood, etc. is not allowed.

6.7.3 Pools, hot tubs and spas shall not be located within the rear or side setback limits.

6.7.4 Pools, hot tubs and spas shall not be located between the house and the street(s).

6.7.5 Pools, hot tubs and spas, above or on-ground shall not be placed over active buried septic lines.

6.7.6 Pools, hot tubs and spas shall be completely enclosed by a barrier. See the ASTM codes referenced in 6.7.2. Required barrier must be in place prior to placing water to proper level in the pool, hot tub, and/or spa. All doors and gates penetrating the barrier shall be self-closing, latching and locking hardware. Additional requirements for enclosing these areas may be required by the property owner's insurance policy; the HAWL Building Code requirements are to be considered minimum. Pools, hot tubs and spas may be exempt from the barrier requirement if they are provided with an approved locking safety cover.

6.7.7 Swimming pools shall not be located closer than 10 feet from the vertical drop of any electrical power line or, in the case of high lines, 25 feet on an angle.

6.7.8 Swimming pools shall not be located closer than six feet, measured horizontally, to the roof overhang, balcony, porch, stair, or other projections of any structure including freestanding outbuilding, garage and carport.

6.8 Fences.

6.8.1 **General.**

6.8.1.1 Fences must not detract from the value or appearance of the owner's or the neighbors' property.

6.8.1.2 No fence may exceed six feet in height above adjacent ground level and six inches in thickness. If fence is erected on a foundation or chain wall, as allowed in

paragraph 6.8.1.5 below, the total height of the fence and the wall may not exceed six feet.

6.8.1.3 Fences, foundations or chain walls may be located in the utility easements but must stay within property lines.

6.8.1.4 Fences must be neat and be constructed of normally accepted materials such as metal, rod iron, chain link, wood, brick and mortar and stone and mortar. Barbed wire or mesh is not allowed except when fence is located at a property line separating ones property from adjacent property located outside of the HAWL Subdivision. Wood framed, welded wire panels meeting the above requirements may be used. Each panel is not allowed to be larger than four feet tall and eight feet long.

6.8.1.5 A fence foundation or chain wall shall not exceed 6 inches wide and 12 inches high above adjacent finish grade. A sloping terrain can be an exception if deemed necessary and approved by the Architectural Committee.

6.8.2 **Side Property Line Fences**.

6.8.2.1 A side property line fence shall not extend any closer to the street(s) than the street face of the house or the street face of the adjacent neighbor's house, at the owner's option. In any case the fence shall not extend closer to the street than the 25 foot setback line. For this rule, an attached porch, attached garage or attached carport shall be considered part of the house.

6.8.2.2 A side fence located within 25 feet of the lake property line shall not exceed 4 feet in height and must be of open construction such as wrought iron, wood or split rail whose materials do not cover more than 20 percent of the vertical area they encompass. Wood framed welded wire panels meeting the above requirements may be used. Each panel is not allowed to be larger than four feet tall and eight feet long.

6.8.2.3 See Appendix A for permitted fence location examples, and Appendix B for maximum enclosed vertical area examples.

6.8.3 **Street Fences**.

6.8.3.1 Fences facing the street or streets shall not be located any closer to the street(s) than the 25 foot setback line, except

see paragraph 6.9 – Landscape Beautification and Safety Items. The finished or best side (smooth boards for wooden fences) must be facing the street.

6.8.3.2 Fences constructed in the area between the house and the 25 foot line(s) are restricted to:

a) Solid fences such as wood, brick and mortar and stone and mortar not exceeding two feet in height.

b) Open fences of wood such as split rail, which do not exceed 3 feet in height and whose materials do not cover more than 20 percent of the vertical area which it encompasses.

6.8.3.3 Fences, up to 6 feet high, on the rear of the property that face another street are restricted to the 25 foot setback as well and cannot be past the front of the neighbor's home on either side facing the same street. Foliage on the street side of the fence, which adds to the beautification of the lot, is encouraged.

6.8.3.4 See Page A-1, Appendix A, and Page B-1, Appendix B, for permitted fence location and design examples.

6.8.4 **Lake Fences**.

6.8.4.1 Lake facing fences located within 25 feet of the lake property line shall not exceed 4 feet in height and must be of open construction such as wrought iron, wood framed welded wire, wood or split rail whose materials do not cover more than 20 percent of the vertical area they encompass. Chain link, un-welded wire or mesh fencing materials are not permitted. Effective with new plantings beginning August 7, 2024, living fences such as trees/shrubs must be properly and consistently maintained so they do not exceed 4 feet in height or cover more than 20 percent of the vertical area they encompass.

6.9 Landscape Beautification and Safety Items.

6.9.1 Appropriate aesthetic enhancements and safety items are permitted on ones own property within the front setback area if in the opinion of the Architectural Committee they add to the beautification of the area and do not significantly obstruct view. Authorization is by Building Permit. Such items may include plant bed borders, plant arbors, open rustic railings, driveway posts, and

other items as approved by the Architectural Committee. Refer to subparagraph 6.9.5 for location restrictions for plant arbors.

6.9.2 Open rustic railings such as split rail fences cannot exceed 3 feet in height and the material cannot cover more than 20 percent of the vertical area which it encompasses.

6.9.3 **Driveway Entrance Columns.**

6.9.3.1 No more than two columns per driveway entrance, with or without light fixtures, may be erected to mark the driveway entrance(s) from the street.

6.9.3.2 Columns may not be located closer than one foot to the street property line.

6.9.3.3 Columns may be constructed of brick, stone, concrete, metal or wood.

6.9.3.4 Columns may not exceed three and one-half feet in height above the surrounding ground, exclusive of any light fixture.

6.9.3.5 Columns may not be larger in cross-section than two feet by two feet.

6.9.4 Safety barrier posts that may be erected to guide vehicles around driveway turns must not exceed three feet in height.

6.9.5 Plant arbors are not permitted in any utility easement. They are permitted in the roadside and lakeside setbacks exclusive of all utility easements.

6.10 Fuel Gas Systems

There is no natural gas distribution system in Hide-A-Way Lake. Butane, propane and other gas fired systems of tanks, distribution and appliances are permitted on lots so long as they are installed in accordance with the International Fuel Gas Code, National Fire Protection Association Codes, MS State and PR County regulations and are installed by the properly licensed fuel gas systems and electrical licensed technicians. Following completion of the system, submit a copy of the final inspection report certifying acceptance to the Hide-A-Way Club Manager.

6.11 Mail Boxes.

6.11.1 To receive mail delivery residences must have a mail box configured and located per U.S. Postal Service Regulations. Installation does not require a Building Permit. The front of the mailbox cannot be any closer than 18 inches to the edge of the pavement for pedestrian safety.

6.11.2 The owner shall clearly mark the house street number on the sides of the mailbox.

6.12 Street Numbers.

In support of Call 911 and emergency vehicle response, each residence shall have four inch high reflective street numbers prominently and securely posed on the house and at the street-end of the drive. Mail boxes shall not be used for this purpose unless they are located at the street-end of the drive and are visually related to the house.

6.13 Termite Treatment.

The house and all other roofed structures including detached garages, carports, sheds, shops, and other outbuildings must have their foundations treated for termites by a State Certified Applicator and evidence of said treatment and proof of State Certification must be furnished to the inspector at the time of his first inspection and before completion of the foundation.

6.13.1 Wood decks and walkways must have the foundation soil treated for termites. Treatment may be applied by the owner or his builder prior to the construction. Proof of purchase of the treatment chemicals must be provided to HAWL office. Other non-roofed structures such as fences, trellises, and bulkheads are susceptible to termites but are exempt from treatment requirements.

6.14 Solar Electric Power.

6.14.1 A solar photovoltaic system of panels and controls is permitted. Solar panels must be mounted on the house or outbuilding rooftops out of reach from the ground for safety.

6.14.2 The building permit must include drawings showing typical solar panel support and roof penetration methods, building location and arrangement of inverter and all control devices and an electrical schematic of the system with interface with the existing electrical service. The system must meet the requirements of and be inspected by the local electrical utility service prior to use. Furnish a copy of the inspection report to the Club Office.

6.15 Standby Generators.

Danger: The use of a generator connected to the house system could cause back feeding current to the electrical lines on the street and killing of service members. A disconnect must be installed.

6.15.1 Standby generators, both portable and installed, must be operated and installed in accordance with guidance per NFPA 110 guidelines and used on the exterior of a structure.

6.15.2 All generators that connect into the house's electrical system must include a transfer switch to disconnect power between the panel and the meter when not in use. Generator must be installed by a licenses electrician. The building permit request must include drawings showing the in use location, a pad for the generator, interfacing with the house, control panel, and the source of fuel for the generator. If propane is used, it must be installed by a licensed plumber per NFPA 58. No propane or fuel tanks can be located closer than 10 feet to the generator.

6.15.3 Portable as well as installed generators must be a minimum of three feet from walls or combustible materials while in use. Generators must be one and a half feet away from walls or combustible materials while in use if enclosed in a weather proofed housing made of non-combustible materials and will not ignite anything outside of the housing.

a. Mechanical outdoor intake openings for the HVAC supply air returns shall be ten feet away from the generator.

b. There can be no soffit vents, dryer exhaust, gable vents, ridge vents, doors, windows, etc. within five feet of the generator.

c. The exhaust must be directed away from the home while in use.

d. There will be three feet of clearance on all sides.

e. The crawl space underneath a raised house shall be sealed off to prevent exhaust from going underneath the home.

f. Carbon monoxide monitors must be installed inside the house.

6.16 Electrical Vehicle Charging Stations.

6.16.1 **Definition**: An electric vehicle is a vehicle (car, scooter, bike, wheelchair, etc.) that can be powered by an electric motor that draws electricity from a battery and is capable of being charged from an external source.

6.16.2 **Definition**: An electric vehicle supply (EVSE) is a charging unit for electric vehicles.

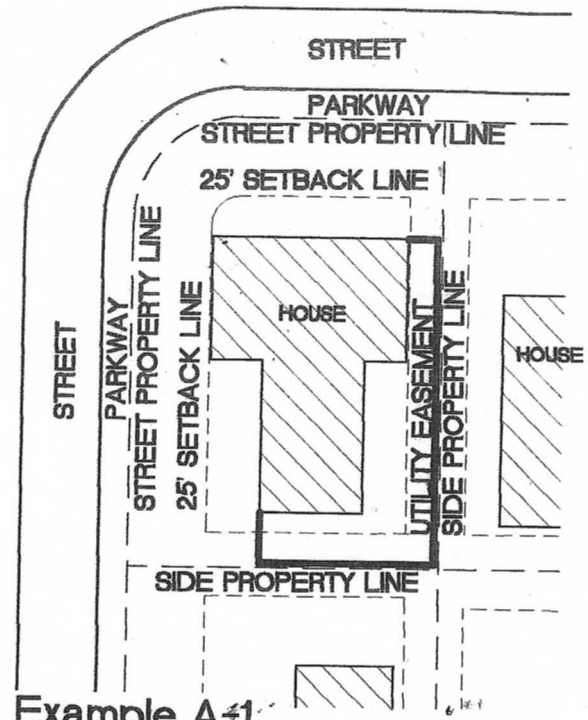
6.16.3 Electric vehicles that carry more than two people at a time require high current/amps charging systems rated as either Level 1, Level 2, or Level 3 systems. Level 1 charging systems (EVSE) and single operator vehicles (scooters, bikes, etc.) do not need a HAWL Building Permit to install charger systems. If these vehicles are being charged inside an enclosed space within or attached to the house, smoke/fire and CO2 detectors must be installed within that space.

6.16.4 Electric vehicles that use Level 2 or Level 3 charging systems (EVSE), must be installed by a licensed electrician and require a HAWL Building Permit. If the vehicle is being charged inside an enclosed space within or attached to the house, smoke/fire and CO2 detectors must be installed within the space.

6.16.5 All charging systems (EVSE) should be on a GFCI dedicated circuit, 110v or 240v systems with overcurrent protection.

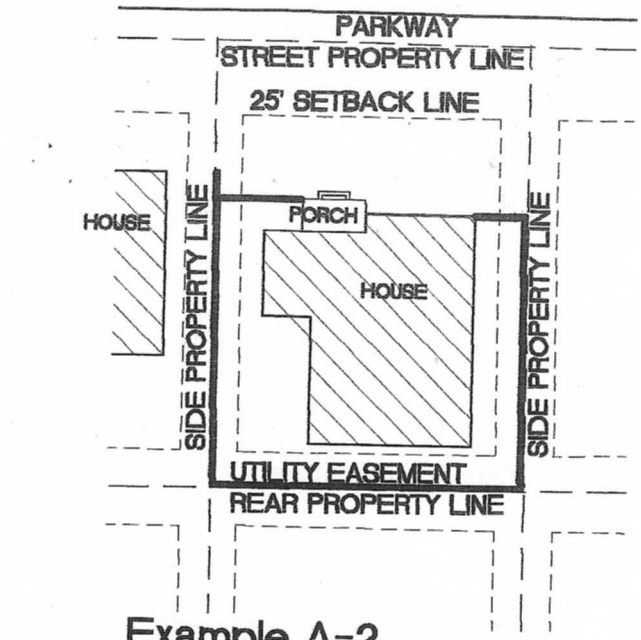
6.16.6 More than two EVSE stations will require an additional dedicated circuit and outlet.

APPENDIX "A"



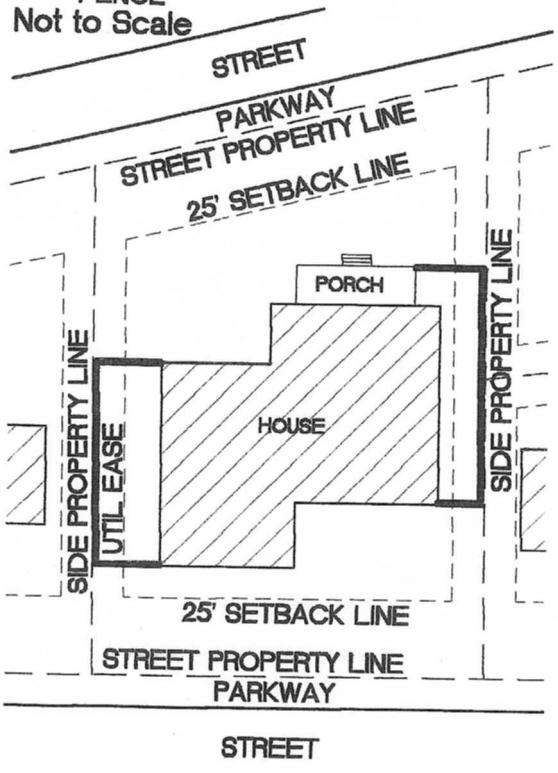
Example A-1

FENCE
Not to Scale



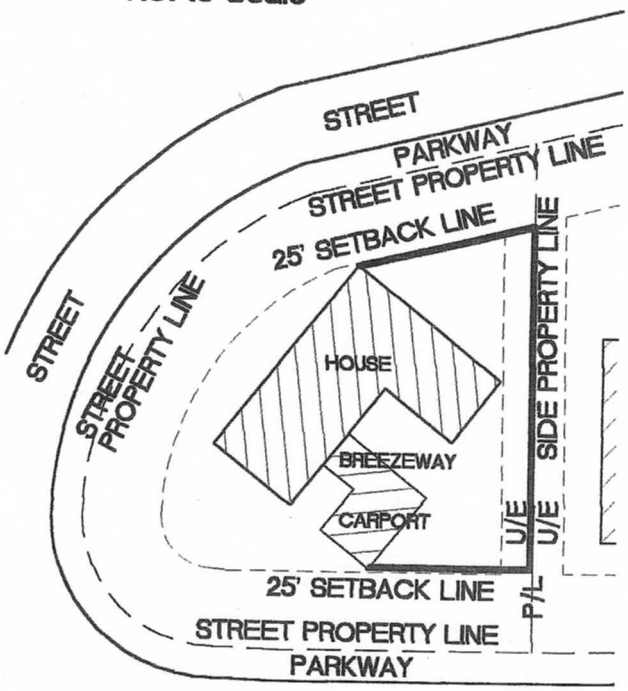
Example A-2

FENCE
Not to Scale



Example A-3

FENCE
Not to Scale



Example A-4

FENCE
Not to Scale

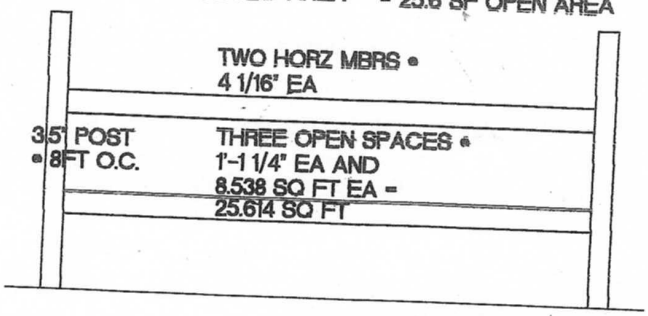
PERMITTED FENCE LOCATION EXAMPLES - SECTION 6.8

APPENDIX "B"

8'x4' PANEL = 32 SF

32 SF
x 20%
= 6.4 SF MAX SOLID AREA

32 SF
x 80%
= 25.6 SF OPEN AREA



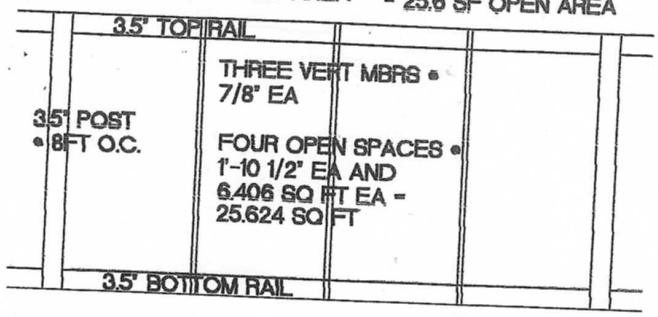
4' FENCE

Example B-1

8'x4' PANEL = 32 SF

32 SF
x 20%
= 6.4 SF MAX SOLID AREA

32 SF
x 80%
= 25.6 SF OPEN AREA



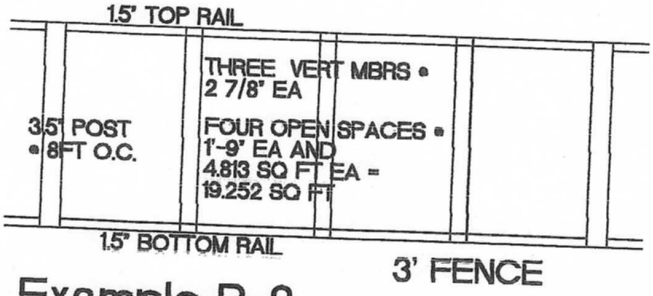
4' FENCE

Example B-2

8'x3' PANEL = 24 SF

24 SF
x 20%
= 4.8 SF MAX SOLID AREA

24 SF
x 80%
= 19.2 SF OPEN AREA



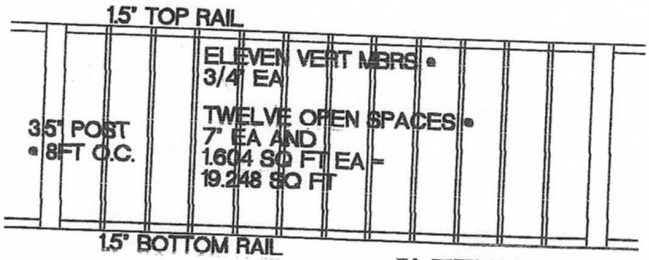
3' FENCE

Example B-3

8'x3' PANEL = 24 SF

24 SF
x 20%
= 4.8 SF MAX SOLID AREA

24 SF
x 80%
= 19.2 SF OPEN AREA



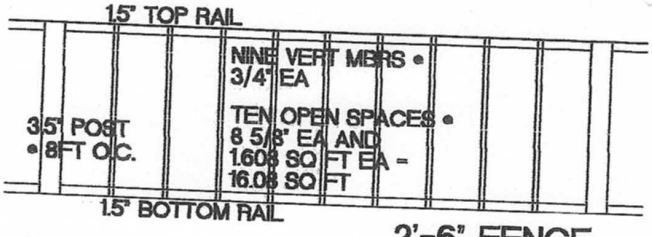
3' FENCE

Example B-4

8'x2.5' PANEL = 20 SF

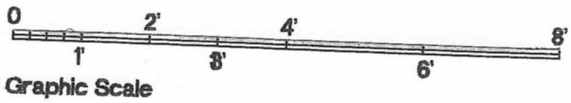
20 SF
x 20%
= 4 SF MAX SOLID AREA

20 SF
x 80%
= 16 SF OPEN AREA



2'-6" FENCE

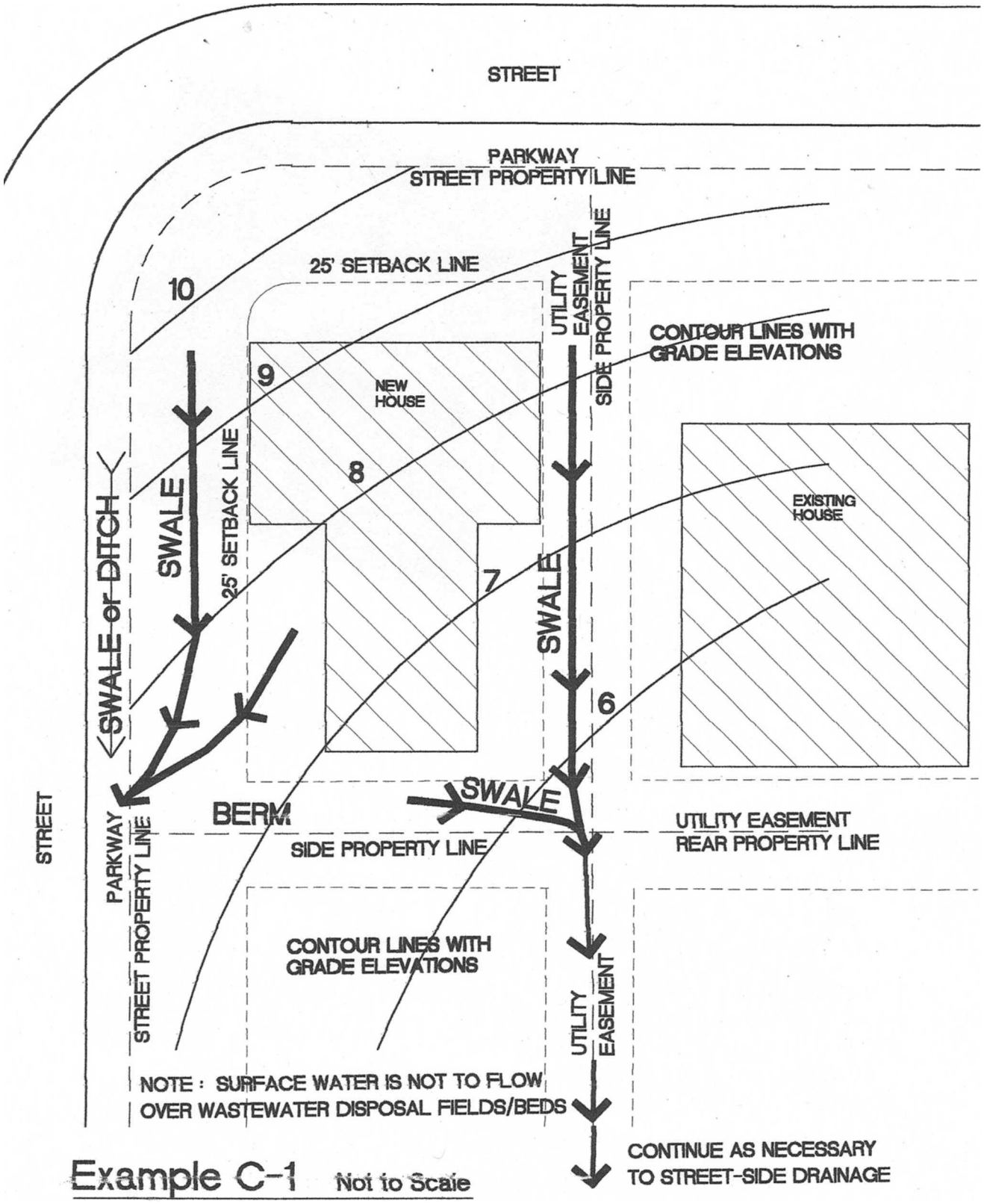
Example B-5



Graphic Scale

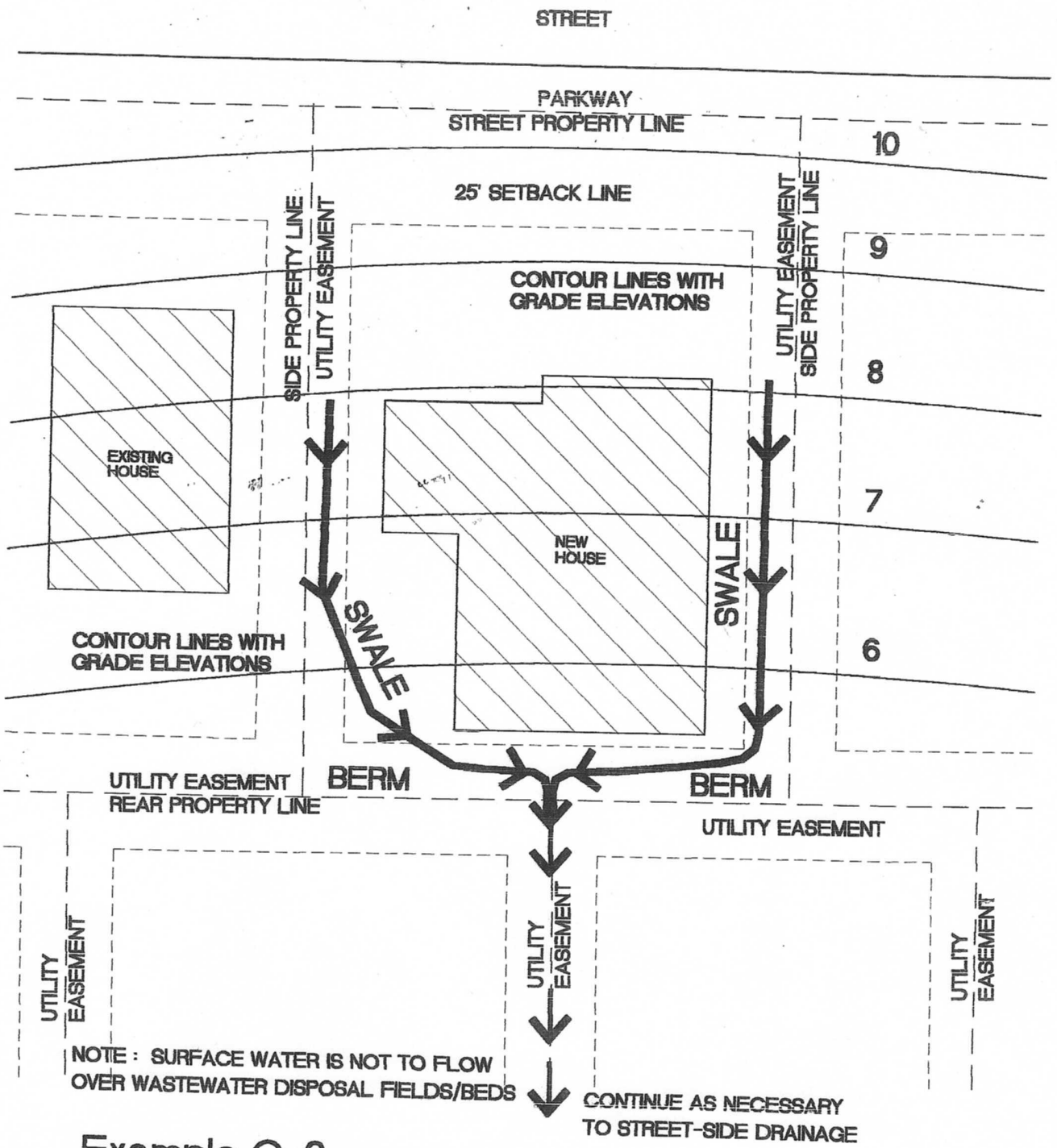
FENCE MAXIMUM ENCLOSED VERTICAL AREA EXAMPLES - SECTION 6.8

APPENDIX "C"



OFFSITE DRAINAGE SYSTEM EXAMPLES -
SECTION 6 - SUBPARAGRAPH 6.1.2.3

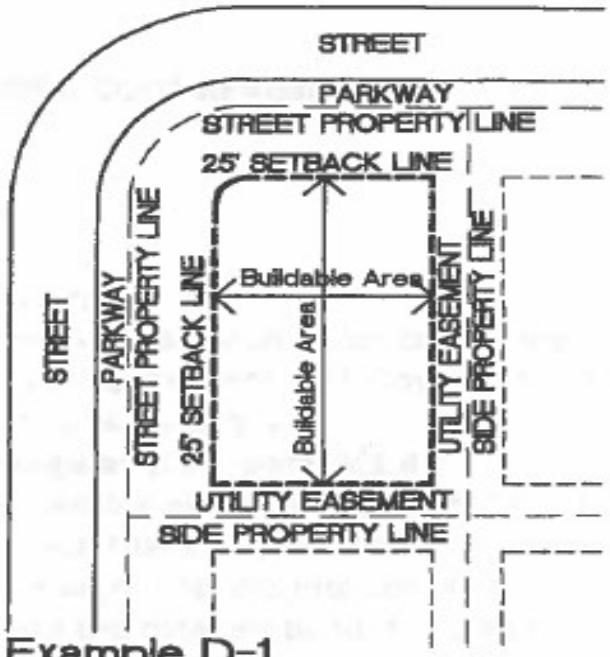
APPENDIX "C"



Example C-2 Not to Scale

OFFSITE DRAINAGE SYSTEM EXAMPLE
SECTION 6 - SUBPARAGRAPH 6.1.2.3

APPENDIX "D"



Example D-1
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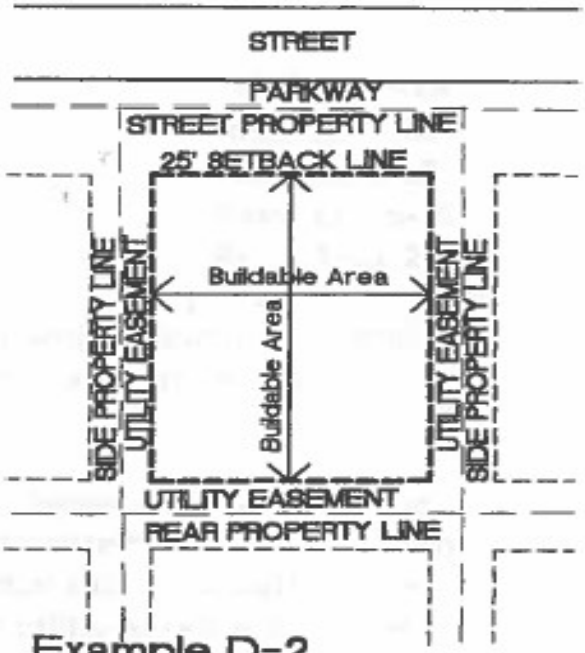

Example D-2
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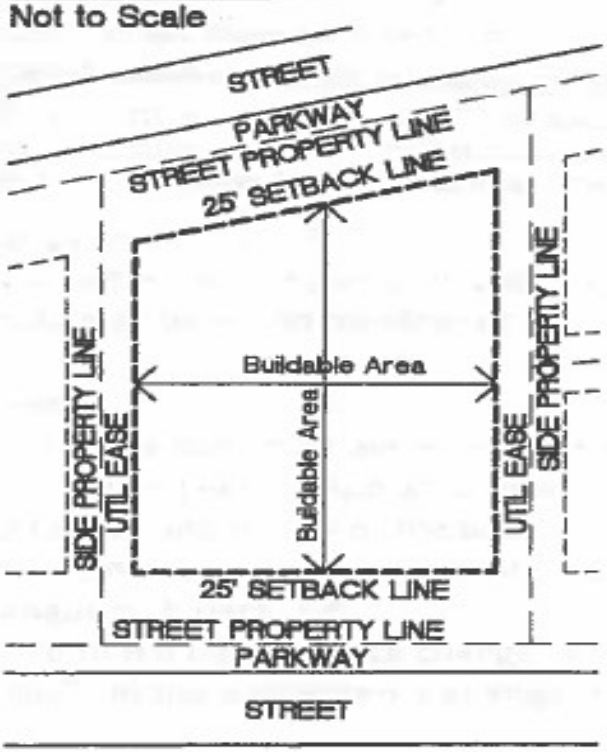
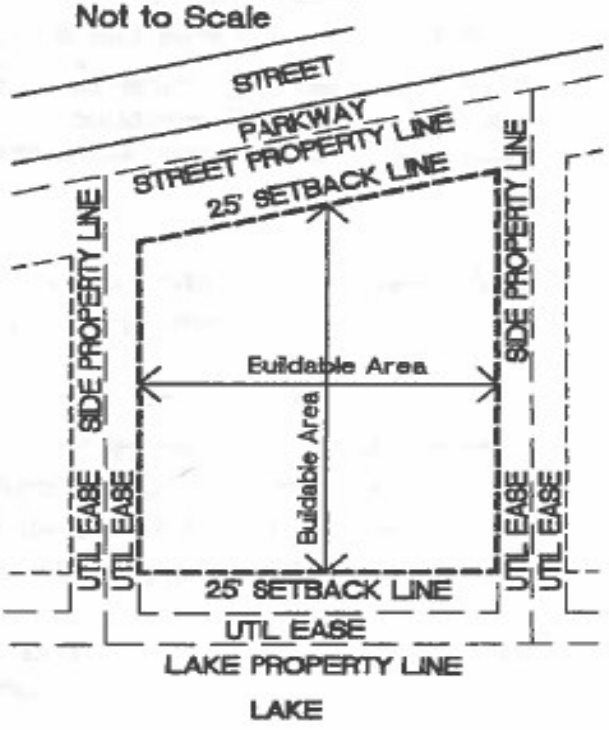


Example D-3



Example D-4

BUILDABLE AREA EXAMPLES - SEE SECTION 5.4.1