

ACC Procedures, Standards, Rules and Regulations Rules for Contractors, Owners and Construction Personnel

Section 6

6.1 The Limitations

After the initial and major design review and approval by the ACC, the Owner must begin construction within six months from the date of final approval, or forfeit all approvals. In that event, a new application must be submitted and approval obtained before commencement of construction

Important Notice

The Bayou Club Community is a use restricted community with architectural control guidelines which every Owner must comply with before any improvement or landscaping may be made on his lot. In the event that approval has not been obtained, the Owner is in violation of the governing use restrictions of the Master Declaration of Covenants, Rules of the Bayou Club Community Association, Inc. (BCCA) and Rules of the Architectural Control Committee (ACC) and is subject to legal action. As Owner or agent of the Owner, you may be subject to legal proceedings related to your work, including, but not limited to, injunctive relief requiring stoppage of work and removal of improvements constructed or landscaping installed without approval. Additionally, legal action may be taken directly against you for violation of the Rules set forth below. Damages to utilities and common areas, including but not limited to gates and gate arms, are to be reported immediately to security personnel and/or the BCCA Management Office. Please read these Rules carefully and be governed accordingly.

6.2 Notice of Violation

When a violation of the: ACC Procedures and Standards; ACC Property Maintenance Rules and Regulations (see Section 7); BCCA Rules and Regulations; use restrictions contained in the Master Declaration; or ACC Rules for Contractors, Owners and Construction Personnel (see Section 6) occurs, the BCCA Association Manager shall prepare a written notice to the Owner. The notice shall be mailed to the Owner via first class mail and shall detail the date the violation was observed or occurred and shall cite the specific authority for the violation.

If applicable, a “corrective period” or “curative period” will be noted in the letter. The ACC is hopeful the Owner will make the necessary corrections during this period. If the corrections are not made within the period specified in the letter, the ACC shall initiate the appropriate actions that include but are not limited to legal action and/or fines.

Unless noted elsewhere in this document or in the ACC Property Maintenance Rules and Regulations (Section 7) or the BCCA Rules and Regulations or the Rules for Contractors, Owners and Construction Personnel (Section 6), the “corrective or curative” period shall be no more than 30 days from the receipt of the letter and the fine for noncompliance shall be no more than \$10.00 per day until the violation is corrected up to the maximum amount for continuous violations authorized by Florida Statutes Chapter 720.

In some instances the violation cannot be corrected, e.g. the parking of a vehicle on the turf areas or removal of a tree. For this type of “non-correctable violation” the Owner shall be given one warning letter. Recurrence of the violation shall result in sanctions and/or fines against the Owner.

Unless noted elsewhere in this document or in the ACC Property Maintenance Rules and Regulations (Section 7) or the BCCA Rules and Regulations or the Rules for Contractors, Owners and Construction Personnel (Section 6), the fine for a non-correctable violation shall be no more than \$100.00 per violation.

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6.3 General Rules

The following Rules apply to all contractors, employees of the contractors and service personnel while on the Bayou Club Community premises.

1. All city, county and state codes, as well as BCCA and ACC Rules and Regulations must be complied with. All necessary permits must be pulled and posted.
2. Checking in with security upon entrance is mandatory. If an Owner has not informed security of your arrival, entrance will be denied.
3. If damage occurs, or cleanup is necessary, the cost to repair/clean will be deducted from the Owner's Compliance Deposit if applicable.
4. All contractor personnel are required to enter and leave through the Belcher Road gate.
Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.
5. Construction traffic will be allowed from 7 a.m. until 5:30 p.m. Monday through Saturday, except on certain holidays. Special permission is necessary to move equipment/deliveries on Sundays or after hours. Contact the BCCA Management Office to obtain approval.
Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.
6. Contractors are required to keep their job sites as neat and clean as possible. Trash and discarded materials must be removed weekly. There will be no stockpiling or dumping on adjacent lots or on streets. Construction materials are to be neatly piled on site; debris and rubbish are to be contained and periodically removed; tall or unsightly weeds are to be routinely cut back, streets adjoining a construction site are to be frequently swept clean of dirt and construction trash. Trash not

removed will be removed by the BCCA and billed to the responsible contractor or subcontractor or the Owner.

7. When particularly loud or exterior construction activities occur adjacent to a developed lot or otherwise sensitive land, the ACC may require the contractor to erect a proper fence to screen that activity. The design of that fence must be approved by the ACC. Adjacent lots must also be protected from wind-born dust, debris and paint.
Failure to comply with this Rule within 10 days after notice by the Association shall result in a fine of \$10.00 per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance
8. The installation and location of all temporary structures such as site trailers and offices is prohibited.
Failure to comply with this Rule within 10 days after notice by the Association shall result in a fine of \$10.00 per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.
9. All vacant lots shall be kept neat and cleared of debris, and shall be well and continuously maintained before and during construction.
Failure to comply with this Rule within 10 days after notice by the Association shall result in a fine of \$10.00 per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance
10. Contractors will use only the utilities provided on the immediate site on which they are working.
Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.
11. Any damage to streets and the curbs, drainage inlets, streetlights, street markers, mailboxes, or walls, gates, gate arms, etc. will be repaired by the BCCA and such cost billed to the responsible contractor or subcontractor or the Owner.

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12. The established speed limit within the Bayou Club is 22 mph for all vehicles. Violations by contractor personnel will be charged to the Owner. **See BCCA Rules and Regulations.**
13. There will be no washing of any truck on the streets. Any concrete delivery truck washed out must be on the construction site.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.
14. Operators of vehicles must take precautions to avoid spilling any materials or debris while within the Bayou Club Community; and, if spillage overload occurs, operators are responsible for cleaning up. Cleanups done by the BCCA will be billed to the responsible party or the Owner. Please report any spills as soon as possible to the BCCA Management Office or security personnel.
15. If you cut any telephone, cable TV, electrical, water or sewer lines, it is your responsibility to report such an accident to the BCCA Management Office and the appropriate utility within 30 minutes.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.
16. All personnel working in the Bayou Club Community must ensure that they keep all areas in which they work or travel free of discarded materials such as lunch bags, paper cups, and other objects. Objects should not be thrown out of cars or trucks.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.
17. The stockpiling of any materials on adjacent lots is not permitted.

Failure to comply with this Rule within 7 days after notice by the Association shall result in a fine of \$10.00 per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance
18. Loud radios or noise shall not be allowed within the Bayou Club Community. This is distracting and discomforting to owners and golfers alike. Normal radio volume levels are acceptable. Do not mount speakers on vehicles or outside of homes under construction. Remember, sound travels a long way on a windy day.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.
19. No shortcuts across golf course property are allowed. Any contractor working on a lot adjacent to the golf course must have a full-time golf club employee show him the paths of access and egress.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.
20. All contractors and their employees must discontinue work by 5 p.m. daily.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

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21. No vehicles or trailers shall be left in the Bayou Club Community overnight. Construction equipment may be left on the site while needed, but shall not be on the street.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

22. Contractor parking during working hours should be on the construction site whenever possible. Contractor parking violations will be charged to the Owner. **See BCCA Parking Rules and Regulations.**

23. No contractor or subcontractor personnel shall be permitted to bring pets into the Bayou Club Community.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

24. Only bona fide workers are allowed on site. Workers may be driven to the site and picked up but the driver of the vehicle must not remain on the site unless he is an actual employee of the contractor or subcontractor.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

25. Vehicle parking shall not block or impede the access of Owners of adjacent lots to their driveways or mailboxes. (See #6.22).

26. Infractions of the these Rules for Contractors, Owners and Construction Personnel, the BCCA Rules and Regulations and other ACC Rules and Regulations may result in sanctions and/or fines to the Owner.