

5.5 BUILDERS/CONTRACTORS “CODE OF CONDUCT”

To ensure construction sites and major renovation sites are kept neat and orderly the following rules have been adopted by the Architectural Review Committee and will be enforced.

1. Builder/Contractor must schedule meeting with ARC Chair to discuss access to the development for themselves and Sub-Contractors. During this initial meeting, ARC will review **Building Policies and Procedures (Form D)** and **Builders/Contractors “Code of Conduct” (Form E)** with Builder/Contractor.

NOTE: If work begins before the issuance of the ARC’s Approval Letter certifying plans and specifications, THE COMPLIANCE FEE will be forfeited.

2. Hours of operation: Hours of operation are Monday through Friday from 7am to 7pm. Saturday from 8am to 5pm. NO Exterior Work will be allowed on Sundays without written approval by the ARC and/or POA General Manager. Rear gates never open at 7:00am. Opening times are seasonal. Contact GM for details.
3. The Builder/Contractor is required to provide a litter container (dumpster) ON BUILDING SITE, unless written approval by ARC is given to place dumpster ON STREET, for use by employees, sub-contractors, and tradesmen. The construction site should be neat and tidy, using dumpster for all construction debris. The dumpster should never be full and overflowing. It is to be kept functional and must be removed from site at the end of the job. Dumpster must be removed from the site as often as possible.
4. The ARC approval letters and Rabun County permits should be posted in a WEATHER-PROOF box onsite but not on a tree trunk.
5. No tradesman signs of any kind shall be displayed to the public view on any building lot. A builder can display one (1) sign of not more than four hundred-thirty-two (432) square inches in size denoting only the name of the builder, provided the sign has been pre-approved by the ARC in regard to color, wording and size.
6. The speed limit for streets in Waterfall at Lake Burton is **23 mph**. Violators may have their access permanently revoked.
7. The street should be kept free of sand and dirt, and if necessary, swept daily at the end of the workday. All abutting pavements and adjacent curb and guttering, if existing, must be protected from damage by construction equipment, and any/all damage must be fully repaired before return of Compliance Deposit.
8. All trucks hauling trash and loose materials are to be covered or have a tarpaulin to restrict contents from blowing out.
9. Contractors’ and subcontractors’ vehicles and equipment may not obstruct the streets. Parking on properties other than the construction site requires permission of the owners. Please minimize work vehicles to (5) and park on property whenever possible, NOT on street. However, if parking on the street is necessary, the ARC requires traffic cones be used to mark parked trucks and equipment. Any overnight parked vehicles, dumpsters or equipment must have proper safety reflectors displayed.

10. Streets and driveways are private and not to be blocked for any reason.
11. Properties other than those where construction is taking place are private; no trespassing allowed.
12. There will be no loitering on job sites or the Waterfall property after working hours.
13. Fishing, hunting and use of Waterfall Club facilities are specifically prohibited.
14. All vehicles are required to have proper muffler systems, and all job-site noise is to be kept to a reasonable level. Workers shall not play radios, tapes, boom boxes, etc. No loud talking, yelling or vulgar language are permitted.
15. Port-a-Johns are required on each job and must be removed immediately upon project completion. When possible, portable toilets should be located so they are not visible from the road, neighbors or golf course.
16. All construction materials must be stored on the property, not in the street or adjacent property, without ARC permission.
17. Personal pets are excluded from job-site properties WITHOUT EXCEPTION.
18. Contractor, sub-contractor and tradesmen are required to comply with all OSHA safety regulations in the course of their work.
19. Contractors will be required to notify the ARC prior to any road trenching. The ARC will issue a permit for such work, which delineates procedures for protection of underground utilities and the general public. The Contractor and Owner are responsible for damage to utilities. Contractor must contact EMS prior to any sewer or water hookups.
20. No job-site fires are allowed.
21. Absolutely NO BLASTING is permitted on-site without twenty-four (24) hours' notices to the ARC and Waterfall Security (Mountain Patrol). Steel-mesh blankets or large quantities of dirt must be used to control dynamiting activities.
22. Contractors must control the use of the community potable water by their employees and sub-contractors. Any job sites found with the hose left running without a worker operating the hose will obtain an immediate fine of \$100 against the Compliance Deposit. A second offense will involve additional fines as determined by the ARC.
23. The Owner or Contractor will not be permitted to change the design of the structure during construction without the approval of the Architectural Review Committee.
24. **Erosion Control Measures:** The following protection is required:
 - a. Prior to stripping the soil, silt fencing must be in place. (We have found wire-back silt fence is more effective and less costly to maintain.)
 - b. As clearing progresses, provide temporary diversions, barriers, mulch, etc., to minimize erosion within the limits of construction during construction operation.
 - c. Regularly monitor and remove collected sediment to maintain the barriers in effective condition.
 - d. Revise temporary protective measures as site conditions are changed. Do not permit gaps in the protection.
 - e. Stabilize slopes promptly after any disturbance of soil.

- f. To avoid tracking mud from the site onto the paved roadways, place temporary aggregate base course on driveway with at least 20 feet of #4 stone, until such time of driveway installation.
- g. Complete any pavements or walks as called for on the drawings.
- h. Finish grade and establish permanent rye grass until landscape installation.
- i. Remove and dispose of temporary protective devices and accumulated sediments and provide final stabilization where required.

Additional ARC Fees

25. If ANY of the above policies are ignored:

- a. The owner and contractor will be notified in writing, phone or email to correct the problem immediately.
- b. The second offense will result in a \$100 fine
- c. All subsequent violations will be subject to a \$250 fine: and
- d. All fines will be deducted from the homeowner's Compliance Deposit.
- e. If a builder causes additional inspections or plan reviews for changes, the ARC may impose additional "Review" fees above the \$2500 previously paid.

Builder/Contractor: _____ (Signature)

_____ (Meeting Date)

ARC Chair: _____ (Signature)

_____ (Date)