

REGULATIONS FOR CONSTRUCTION OF RESIDENTIAL AND COMMERCIAL PROPERTY IN HOLIDAY ISLAND.

HOLIDAY ISLAND PLANNING COMMISSION
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COMMISSION MEETINGS

The Holiday Island Planning Commission meets regularly the first Friday of each month at 9:00 a.m. A quorum of three (3) of the five (5) members of the Commission must be present to hold an official business meeting. Special interim meetings will be held if requested by two or more members of the Commission to handle business matters requiring immediate attention in the opinion of the members calling the meeting.

TABLE OF CONTENTS

	PAGE NUMBER
INTRODUCTION	2
SECTION I - PERMIT REQUIREMENTS	2
SECTION II – MANUFACTURED HOMES	4
SECTION III - LOG AND A-FRAME STRUCTURES.	5
SECTION IV – WATER SYSTEM REQUIREMENTS	6
SECTION V - LICENSED CONTRACTORS	6
SECTION VI - CONSTRUCTION GUIDES	6
SECTION VII – CONSTRUCTION – GENERAL INFORMATION.	7
SECTION VIII – RESIDENTIAL CONSTRUCTION – GENERAL INFORMATION.	9
SECTION IX - MISCELLANEOUS.	10
SECTION X - EFFECTIVE DATE	11

INTRODUCTION

These regulations are published by the Holiday Island Planning Commission (herein referred to as the “Commission”), to orient the Property Owner and the General Contractor to the procedures, requirements, and specifications for constructing and occupying buildings and related structures at Holiday Island, Arkansas. The Holiday Island Planning Commission is the duly designated Committee of Architecture set forth in the various Declarations of Reservations for Holiday Island. These regulations are adopted pursuant to the authority of the Declarations of Reservations for Holiday Island and various court decisions interpreting such authority. Any individual, company, or corporation that intends to construct or occupy any structure at Holiday Island must comply with the Declaration of Reservations recorded for the unit in which the construction is proposed and these Regulations. New construction and additions require Commission approval for the structure in the form of a Permit. Please check with the Commission for the current issue of these regulations, as they may be changed from time to time.

All buildings shall be designed to comply with the International Building Code, current addition, and the International Residential Code, current addition, as adopted by the State of Arkansas, **plus** the Holiday Island Planning Commission Regulations for Construction of Residential and Commercial Property in Holiday Island, and other applicable Arkansas State Law. **It is the responsibility of the contractor to ensure compliance to the required codes.** HIPC is not required to conduct inspection per Section VI.

SECTION I PERMIT REQUIREMENTS

A. Permit Application: The applicant must present proof of lot ownership, a minimum of two (2) sets of construction plans plus the applicable fee in order to obtain a Building Permit. Construction plans shall be per the HIPC Check list for Permit Application available (online at hiplanningcommission.com), but at a minimum must include:

1. A plot plan, drawn to scale on a copy of an original survey, showing the legal description of the property, the location of the structure to be erected, and indicating the setback from the property lines. The location and type of the planned driveway shall be shown on the plot plan.
2. A foundation plan, drawn to scale and showing the relationship to the **actual** site conditions of the proposed project. The drawing shall reflect the grade differentials from the top of the footing to the top of the foundation wall.
Applicant shall specify also the required reinforcement, both horizontal and vertical for both the footings and the foundation walls per the applicable codes. This shall apply to both concrete and masonry block foundation walls.
3. A floor plan, drawn to scale, fully dimensioned, with all areas clearly identified. Electrical drawings (power and lighting) may be shown on the architectural plan. Plan shall indicate the area enclosed by the structure.
4. All elevations and partial elevations, drawn to scale, indicating all openings and materials to be used. Elevation drawings will show the relationship of existing and proposed grades to the house.
5. All exterior materials shall be clearly indicated on the construction drawing.
6. A copy of the license of all Arkansas licensed Building Contractors, Master Plumbers, Master Electricians, and Heat and Air contractors supervising or performing all plumbing, electrical, and heating and air conditioning work for said construction, shall be on file with the Holiday Island Planning Commission ~~prior~~
7. A Road Damage Permit is required by the Holiday Island Suburban Improvement District. The permit may be obtained at the HISID office located at 110 Woodsdale Avenue.

8. All contractors constructing commercial structures must have a commercial contractor's license.

B. Plan Approval:

(1) Upon approval of the application for Building Permit, one (1) set of stamped construction plans and the survey showing the plot plan will be returned to the applicant, along with a two (2) copies of the Building Permit. One copy of the permit shall be posted at the job site and visible at all times during construction.

(2) Upon the issuance of a Building Permit for new construction or remodeling, the number of days in which the builder shall be permitted to complete the construction shall be as stated in B.(3) below. **In the event it is determined that the construction will not be completed in the specified time, the builder shall advise the Commission at least ninety (90) days prior to the expiration of said permit by submitting a request for an extension of time to the Commission for consideration by the Commission.**

(3) Construction must be initiated within thirty(30)days from the date of the permit application or the permit will be null and void and permit fees will be forfeited.

Upon the issuance of the Building Permit, construction is to be completed within 365 consecutive calendar days. Failure to complete construction within the timeframe constraints will require the issuance of a new Building Permit in the amount of \$400.00. This Permit will extend the original permit time by one hundred eighty two (182) consecutive calendar days.

Size, for the purposes of the building permit, is based upon the number of square feet of gross heated space plus any additional habitable living area including decks, porches, screened porches, sunrooms, garages, carports, breezeways, or similar features when located above grade.

(4) The Commission shall issue to the property owner or builder representing the owner, a packet containing a copy of the Unit Declaration of Reservations, a copy of the Building Permit, and a copy of these regulations.

C. Permit Fees: Permit fees shall be submitted to the Commission at the time of the application. The amount of the applicable fee shall be determined, by the Commission, in accordance with the following schedule.

Checks for permit fees shall be made payable to Holiday Island Planning Commission (HIPC).

Building Permit Fee Schedule

Type of Construction	Fee Amount
R-1, R-2, R-3	\$24.00 per 100 square feet of Heated living area as defined in B.3 above \$400.00 minimum per unit
Mobile and Modular Homes	\$400.00
Additions to existing structure footprint.	\$24.00 per 100 square feet of the addition. \$240.00 minimum
Any detached permanent structure,	\$24.00 per 100 gross square feet of the

	structure that may or may not include mechanical equipment \$240.00 minimum
Decks-New or additions to existing decks	\$100.00
Commercial - New Lots zoned C-1, C-2, C-3 in Unit 10.	Fee to be same as R-1 Minimum permit to be \$480.00.

All construction performed pursuant to a building permit shall be completed in accordance with Paragraph B (3). Consideration may be given and allowances may be made for unusual or special difficulties resulting from size, terrain, architecture, weather and other matters brought before the Commission.

D. Penalties: No construction shall commence without an approved Building Permit issued by the Holiday Island Planning Commission.

A fine of \$600.00 will be assessed to the owner or the contractor for beginning construction without a permit.

Clearing and grubbing of the property is allowed without permit. No footings or in ground work will be allowed until the plans have been submitted to the Commission, approved by the Commission and a Building Permit issued for the project.

Restrictions on water meter installation are as stipulated on the Holiday Island Planning Commission Building Permit.

E. No outside lights shall be installed on public property or right-of-way in residential units without a Holiday Island Planning Commission Security Light Permit. The minimum distance between such lights shall be 300 feet.

F. The location, type, and installation of portable buildings, fences, or other permanent structures are subject to the Commission's prior approval, which approval shall be evidenced by inclusion in the minutes of the Commission and/or the issuance of a building permit.

SECTION II MANUFACTURED HOMES

Manufactured homes are built in a factory controlled environment. Mobile homes are constructed under a federal building code administered by the Department of Housing and Urban Development. HUD Code requires mobile homes to be constructed on a non-removable steel chassis. Modular homes are constructed in sections and transported by special trucks to a building site where they are assembled by a local builder.

A. Mobile and On Frame Modular Homes

Mobile homes and on frame modular homes must be installed pursuant to the following provisions:

1. Pre-wired and pre-plumbed mobile or modular homes are permitted **only** in Unit 1. Mobile homes are NOT allowed in Unit 2 per the covenants of said unit, revised November 21, 2005.
2. All mobile homes and on frame modular homes shall have a HUD sticker, the number of which shall

be indicated on the inspection record.

3. The applicant shall be required to provide the Commission with all applicable information as set forth in Section I, including construction plans as defined therein, and the applicable fee.
4. An actual photograph and date of manufacture must be submitted in the event that the mobile home will not be **new**.
5. Foundations for mobile homes or on frame modular homes must conform to the specifications of the Commission Building Inspector.
6. A mobile home or on frame modular home that has a wood burning heating appliance is required to have a ten (10) pound or larger 2-A, 20-BC type fire extinguisher located in the immediate vicinity of the appliance.
7. The mobile home or on frame modular home must be skirted with approved material and properly anchored, prior to the issuance of the certificate of occupancy.
8. Mobile homes, on frame modular homes, and conventional frame construction homes in Unit 1 must have a minimum of 1,200 square feet of habitable living area.
9. Mobile homes and on frame modular homes may not be parked at any time on the street right-of-way.
10. Mobile homes are not allowed in Unit 2.

B. Modular Homes

1. Modular homes will be considered by the Commission on a case by case basis. The applicant shall be required to submit to the Commission all applicable information as set forth in Section II, Paragraph A, including construction plans as defined therein and the applicable fee.
2. All modular homes shall be assembled by an Arkansas licensed building contractor.
3. No portion of any such house shall be parked at any time in the street right of way.

**SECTION III
LOG AND A-FRAME STRUCTURES**

A. Log homes or other log construction shall be permitted only upon specific approval by the Commission. All log homes or other log construction to be erected outside of Unit 1 will be considered on an individual, case by case basis.

B. A-frame structures shall be permitted only upon specific approval by the Commission. All such structures must comply with all applicable federal, state and local laws, including these regulations.

SECTION IV

WATER SYSTEM REQUIREMENTS

A.. No water meter, other than a construction meter, may be installed or connected to the Holiday Island Suburban Improvement District's water system without an approved building permit, issued by the Holiday Island Planning Commission and, until the plumbing has been certified by the appropriate authority having jurisdiction over the project and the Holiday Island Suburban Improvement District

B. The Holiday Island Suburban Improvement District water and sewer systems are approved by the Arkansas Department of Health. No system may be connected to the water and sewer system unless it meets the applicable codes and regulations of the Arkansas Department of Health and the requirements of the Holiday Island Suburban Improvement District. The applicant is responsible for meeting these requirements and providing evidence of approval to the Holiday Island Planning Commission.

SECTION V LICENSED CONTRACTORS

All residential construction must be erected by an Arkansas or Missouri licensed building contractor. An unlicensed property owner **may** construct **one (1)** residence for his/her own personal use. The unlicensed owner/builder must take full responsibility for the construction.

In the event the property owner has elected to construct his own home or to perform a portion of said construction in accordance with this section of this instrument, such owner may be required to provide to the Commission such evidence of said owner's qualifications regarding said construction as the Commission may request.

Notwithstanding, the unlicensed property owner will be required to employ licensed subcontractors for all mechanical, electrical and plumbing work in accordance with SECTION I, paragraph A. 6.

SECTION VI CONSTRUCTION GUIDES

A. All contractors and/or property owners must meet the standards described in the current editions of the following documents, as well as any other code set forth in this Regulation, or in the applicable declaration.

1. International Building Code
2. International Residential Code for One and Two Family Dwellings
3. Arkansas Fire Prevention Code, Volumes 1, 2, and 3 with State of Arkansas Revisions
4. Arkansas Standard Gas Code
5. Arkansas Standard Mechanical Code
6. Arkansas Standard Plumbing Code
7. Arkansas Standard Electrical Code
8. Holiday Island Planning Commission Regulations for Construction of Residential and Commercial Property in Holiday Island

B. In addition to the standards set forth in the publication set forth in paragraph A of this section, all water lines from the meter to the structure must be placed in protective sleeves.

C. All concrete flat work shall have chairs under the rebar

- D. Service Entrance Cable shall **not** be used from the meter to the electric panel.
- E. All electrical from service meter to electrical panel shall be in electrical PVC conduits and wire size shall be in accordance with NEC ratings of amperage. All electric circuitry will be 12-2/WG except for fire detectors.
- F. Please note that Arkansas Mechanical Code Section 601.3.1 requires that heating and air conditioning ducts be sealed as soon as installed. **Not withstanding**, use of the heating and air conditioning systems during construction is **not** allowed.
- G. In the event of any conflict between the standards set forth in any of the publications set forth in paragraph A or B, the more restrictive shall control.
- H. All multi-family structures, residential or commercial, shall have a two-hour firewall between units.
- J. Each property owner and builder contractor, by virtue of acceptance and signing of the building permit, does agree to abide by the rules and regulations set forth in this document, and, in the event of a violation thereof, do agree to submit themselves to the jurisdiction of the courts of Carroll County, Arkansas.
- K. The Commission has determined it to be the responsibility of the Contractor, as identified on the permit for construction, to oversee all aspects of the construction project, **including** any and all code compliance and/or the correction of all violations.

SECTION VII CONSTRUCTION - GENERAL INFORMATION

- A. Any inspections that may be set forth in these regulations and any codes applicable to the project are to be conducted by the authorities having jurisdiction to insure that the construction, electrical, and plumbing portions of the building meet the Building Code Standards described in Section VI hereof, and to insure that the Declarations of Reservations are adhered to at all times. It is the responsibility of the contractor to notify the agencies when appropriate. Contractor will provide copies of all completed inspection approvals to the Holiday Island Planning Commission for inclusion in the property owner's file.
- B. Driveway culverts and paving beyond property line to roadway surface will be coordinated through and approved by the Holiday Island Suburban Improvement District Public Works Department. It is required that concrete paving include an expansion joint or saw cut on the property line.
- C. During the course of construction, if a builder, contractor or property owner develops variations or deviations from the approved plan considered to be major, the builder /contractor shall be required to submit such variations or deviations to the Commission for approval prior to proceeding.
- D. All lot surveys must be performed by an Arkansas registered land surveyor.
- E. Exact location of the water and sewer hookups for each lot must be determined at the job site by Holiday Island Suburban Improvement District Public Works Department.
- F. Cross-connections: Holiday Island Suburban Improvement District adheres to the Safe Drinking Water Act of 1974 (Public Law 93-523). Toward that end, it is necessary for backflow prevention devices to be installed to protect the public water supply from potential contamination due to cross connection. Backflow prevention devices shall be installed in accordance with HISID Regulation No. 21 and all applicable state

and federal laws.

G. All lots serviced by the Holiday Island water system are required to install individual pressure reducers on their service lines to protect the household plumbing from excessive pressures. Holiday Island Suburban Improvement District will not be responsible for damage beyond the water meter. A high pressure hose bib shall also be installed on the high pressure side of the pressure reducer to add to the existing District fire protection.

H. All new construction shall be required to include an electric service disconnect switch which shall be located immediately below the electric meter, on the exterior portion of said construction. In multiple unit construction or any situation using multiple meters, each meter and disconnect switch, if installed, shall be plainly marked to indicate the unit number or load designation.

J. All structures shall have smoke detectors installed on each level as required by code. The decision as to the location and number of detectors will be determined by the builder/contractor and in accordance with all applicable local, state and federal rules, laws, regulations and codes.

K. All handrails on exterior decks, patios or stairs more than 30" above grade shall be a minimum 36" high for residential construction and a minimum of 41" high for commercial construction and shall be constructed in accordance with all applicable codes and ordinances.

L. The access hole to the attic crawl space must be a minimum size of 20" X 36" to allow for proper entrance for fire fighting purposes.

M. In the event blasting of rock or other material is required at any point during construction, the individual company or corporation performing the blasting operation shall maintain adequate insurance coverage to cover personal injuries to workers and the public, as well as property damage, in accordance with all federal, state, and local laws, regulations, or requirements.

Contractors are required to notify the Planning Commission and the neighboring property owners on all four (4) sides of the area to require blasting at least two (2) weeks prior to actual blasting event.

N. Trash Burning: Prior to lighting any fire, it shall be the responsibility of the owner and/or builder to notify the office of the Holiday Island Fire Department. No fire, once lighted, shall be left unattended. No fire shall be permitted which proposes to burn items other than wood or wood products, or such items and materials as may be approved from time to time by the Holiday Island Fire Department. No fire shall be started during any period in which a local, county or state burn ban has been activated. No construction materials shall be burned unless water is available at the job site. The property owner and/or the contractor shall be responsible for any and all damage caused by any such fire.

O. Waste Facilities: Unless other arrangements have been made at or prior to the application for a building permit, and such arrangement shall have been approved, in writing, by the commission as a whole, all construction sites shall have portable restroom facilities available on site. Said facilities shall be in place within seven (7) calendar days of the activation of a permit. Each construction site shall have on site at all times a trash container sufficient in size to contain all consumer waste brought to, or created on the site. The container shall be emptied at sufficient intervals as needed.

P. Contractors, sub-contractors, agents, invitees, employees, guests or regulations agents, should make every effort not enter upon the lands of any other property owner, including Holiday Island Suburban Improvement District and developer owned properties, whose lands adjoin the lands upon which the construction is permitted. If such entrance is necessary, written consent of said property owner is required. Communication

between contractors and adjoining property owners is advised and encouraged by the Commission.

Q. To prevent blocking of public streets by construction vehicles and materials, the Holiday Island Planning Commission requests that, whenever possible, all vehicles at each job site be parked upon the same side of the road, completely off any paved surfaces. No materials may be stored on the roadbed. No vehicles or materials should block access to driveways, mailboxes, or public utilities.

R. Construction trailers and temporary living quarters shall be as stipulated in the Declaration of Reservations.

T. Because of the wooded nature of our community, it is recommended that contractors and property owners consider fireproof or fire retardant roofing materials. Wood shakes and wood shingles are prohibited.

U. Plans for constructing retaining walls between the property line and the structure must be approved by the Holiday Island Suburban Improvement District and the Holiday Island Planning Commission prior to the start of construction.

V. No structure shall exceed a height of thirty (30) feet above the highest part of the lot(s) upon which the same is to be located or constructed where restricted by the Declaration of Reservations.

W. The exterior finish of any additions, attached or detached, shall match in design, color, and materials as closely as possible the exterior finish of the existing structure.

X. Pre-manufactured metal carports, garages, are prohibited in all units except Unit 1.

Y. Pre-manufactured metal buildings for residential occupancy are prohibited in all units. Special consideration will be given by the Commission for custom use of metal panels on residential construction.

Other than extruded metal siding replicating horizontal board siding all metal siding will be subject to approval by the Commission on a case by case basis.

Metal buildings will be permitted for commercial use in all lots designated C-1 in all units.

Z. Brush piles left from clearing the lot must be removed before footings are poured. When construction is complete, the construction site and lot shall be cleaned. The area cleaned shall include all ditches and rights-of-ways. Cleaning shall include removal of all trash, rubbish, building materials, construction equipment and waste, including concrete.

SECTION VIII RESIDENTIAL CONSTRUCTION - GENERAL INFORMATION

A. Protective Covenant Enforcement:

1. Every property owner has the responsibility to review, understand and comply with the terms of the Declaration of Reservations for his or her unit. A property owner who wishes to make a violation complaint about another property owner in their unit must submit a Covenant Violation Report to the Holiday Island Planning Commission that specifies the name, address and legal description of the property in question, a description of the violation. The complaint must have the signatures of three (3) or more unrelated property owners in the Unit. A covenant violation report form is available at the Holiday Island Planning Commission or online at holidayisland.us

2. The Holiday Island Planning Commission (formerly known as the Committee of Architecture) is chartered, through the Declarations of Reservations adopted for all Holiday Island units, with the responsibility of determining if the requirements contained in the Declaration of Reservations are being complied with by property owners in the unit.

The covenants also assign the right to every property owner in the unit to make complaints and/or litigate against violations of these covenants.

The Holiday Island Planning Commission accepts complaints, makes investigations, and attempts to resolve the violation in the best interests of the community.

If the Planning Commission is unable to amicably resolve the issue within 90 calendar days of receipt of the written covenant violation report, the Planning Commission then has the authority to levy and collect fines for violations in a sum not to exceed fifty dollars per day (\$50.00) for any one violation to a maximum of one thousand five hundred dollars (\$1,500.00).

B. Propane tanks shall be screened or fenced so as not to be visible from any public right of way. All such tanks shall be placed in accordance with all applicable federal, state and local laws, statutes and declarations.

C. No outside lights shall be installed on public property or right-of-way in residential units without a Holiday Island Planning Commission Security Light Permit. The minimum distance between such lights shall be 300 feet.

D. Street address numbers shall be installed on the property where they are visible from the street and in accordance with United States Post Office requirements.

E. Portable buildings, and fences will not require a permit; however each applicant must submit a plot plan showing the exact size and location. Each plan shall be fully dimensioned. Elevations and/or photos shall also be submitted to determine compliance to the covenant requirements and paragraph VII, W, of these Regulations.

F. All fences shall be constructed of brick, stone, decorative wood, decorative metal, or decorative synthetic materials. **No wire** fences, except chain link, shall be permitted. **No** fence shall be erected upon the front yard portion of any lot such that it extends beyond the front of the residential structure. **No** fence shall be placed upon any lot, or any portion thereof, which will interfere with the line of vehicular traffic at any intersection. Lots adjoining the golf course shall be further restricted in that no fence shall extend beyond the rear of the residential structure and attached improvements.

SECTION IX MISCELLANEOUS

A. These regulations all of which have been executed and delivered in the state of Arkansas, shall be construed under the law of Arkansas, and any action to enforce or interpret the provisions hereof shall be brought in a court of appropriate jurisdiction in the state of Arkansas.

B. Should any clause or provision of this document be invalid or void for any reason, such invalid or void clause or provision shall not affect the whole of this instrument, but balance of the provisions hereof shall remain in full force and effect.

SECTION X
EFFECTIVE DATE

These Regulations for Construction and Residential Habitation shall be effective from and after the 1st day of August, 2020.

Michael Finefield , Chairman

Nile Carrothers, Treasurer

Joe Lawrence , Secretary

Doug Taylor, Member

Rupert Baumgarten, Member

Notary: