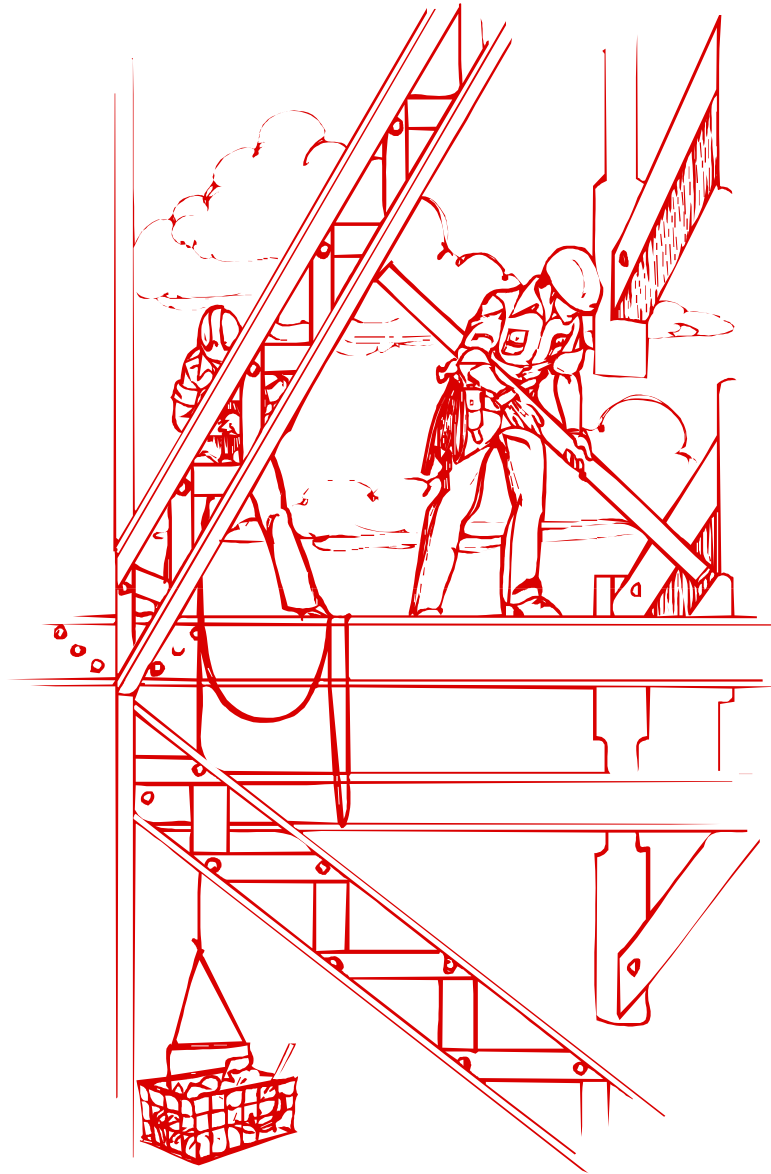


WLE BUILDING RULES & REGULATIONS



Revised: August 7, 2009

WALLENPAUPACK LAKE ESTATES - PROPERTY OWNERS ASSOCIATION

BUILDING REGULATIONS

AMENDMENTS SUMMARY

November 13, 1999 -Article VII, Section 17 Satellite Dish – Non-fee permit required

July 24, 1999- Split-rail fences rules added with specifications

July, 2001- **Article VII, Section 6** - Split-rail fence rules rescinded and split-rail fences no longer permitted.

August, 2003- Revisions as follows:

Article IV, Section 6 – Surveys need to include actual planned driveway and parking

Article IV, Section 11 – WLE Letter of Compliance is required prior to occupancy or use of new construction.

Article VI, Section 4 – Tree clearing for placement of a modular foundation or modular home now both require replacement of trees in the area cleared for a crane.

Article VI, Section 7 – All siding and trim colors, except white trim, must conform to WLE color chart.

Article VI, Section 9 – Outside air conditioners cannot be placed in the setbacks, easements, or right-of-way areas of WLE. **Section 10** – Approval is required to place anything in these areas.

Article VII, Section 7 – Landscaping pools greater than 32 sf. require a permit

Article VII, Section 9 – Detached fabric and screened structures are only allowed for temporary, seasonal use, and not allowed for storage buildings.

Article

VII, Section 16 – Sheds may be 10'x12', gazebos 10'x10' (100 sq. ft.)

December 2003 Revisions:

Article V, Section 2A – Felled trees must be cut up into 18" or shorter lengths and stacked within the property lines or removed from the property.

Article X, Section A5- The total impervious area (buildings, paved and concrete surfaces) on a lot cannot exceed 33% of the lot area for a single lot or 25% of the lot area for two or more combined lots.

April 2005 Revision:

Article VI, Section 4 - Replacement tree size increased to 8'-10' (conifers) or 14' (deciduous)

and a fine imposed if trees not planted before LOC issued.

December 2005 Revision:

Article 5, Section 2: New sewer and water taps will only be allowed from April 15 to November 15.

January 2006 Revision:

Article VI, Section 16 – Lot numbers changed to 911 Address on a post by driveway.

March 2006 Revision:

Article IV, Section 11 - Builder must submit evidence of purchase of an approved 2 hp Myers pump when a grinder pump has been installed before the WLE L.O.C. will be issued.

January 2007 Revision:

Article VII, Sec. 17 – Changes to Satellite Dish Rules. More than one dish is allowed. No permit is required but office must be notified of installation. Size limit is 39". Location is outside of easements and right-of-ways.

Article VI, Sec. 2 – Change to contractor hours; no outside Saturday work (revoked 10/07)

Fine increased to \$1000 per tree for unapproved cutting of trees.

April 2008 Revision:

Article VI, Sec. 9 – Portable toilets will be required at all new home construction sites.

October 2008 Revision:

Article VII, Sec. 16 – Playhouses will now require a fee permit if they exceed 50 sf in size and/or if they have electrical service. They will also count as a detached structure when limiting detached structures to two per lot if they are over 50 sf.

December 2008 Revision:

Article VII, Sec. 16, para. H – Gazebos defined

August 2009 Revision:

Article V I, Section 8- Fuel Tanks may be concealed by lattice or shrubbery, and remain open on top

Article I V, Section 7- Resurvey containing all the prevision of the survey after the footing and/or slab have been completed.

Article I V, Section 7a- Third and final survey

Article X, D. Site Drainage & Culvert, 3. - Ends of culvert must be properly finished with a head wall.

Article V I; Section 18- Temporary Storage Units requires a 30 day Non-Fee permit, renewable once for 30 days, total 60 day max.

A courtesy advisory regarding contractor's insurance has been added to WLE permits for WLEPOA members as WLE lot owners planning or undertaking construction or other work by contractors or other laborers/workers at their property in WLE. You cannot rely upon this advisory, since it may not pertain to your situation or relationship with your contractor, and is not intended as a substitute for sound, thorough and quality advice personally obtained by you from skilled, competent professionals. In your interest or for your protection, you should consult with appropriate, qualified professionals and experts for advice and guidance for your personal and private transactions with others; otherwise you proceed at your own risk. The Association does not warrant, assure or vouch for the accuracy, thoroughness and legal significance of such advisories, and does not check for, investigate, verify or continue to verify, or monitor any information about contractors, and any of their characteristics and attributes, such as their business, skills, quality of workmanship, performance, reliability, and financial standing, and any document or information required of or submitted or affirmed by them. The Association is not required to procure, verify or maintain any information about contractors or any of their characteristics and attributes, and disclaims all warranties, liability and responsibility for the effects and consequences of heeding or your not heeding such an advisory, and the contractors' compliance or noncompliance with their information and affirmations. The documents and other information submitted to the Association by or on behalf of contractors is for WLEPOA's use and benefit, but is available to its members as many of its other records are.

WALLENPAUPACK LAKE ESTATES - PROPERTY OWNERS ASSOCIATION BUILDING REGULATIONS

ARTICLE I
Building Permit Requirements

A Building Permit is required for all construction and includes, but is not limited to, dwellings, alterations, decks, (attached and unattached), additions, garages, gazebos, sheds, playhouses over 50 sf, stairs, porches, dormers, and demolishing with the intent to rebuild.

ARTICLE II
Prerequisites

Section 1

All Dues, Sewer and Water fees, Special Assessments and Fines must be paid, before the issuance of a Building Permit.

Section 2

When required, the Paupack Township Building Permit must be issued prior to the W.L.E. Building Permit.

Section 3

Schedule "A" Deed Covenants shall be part of these Building Regulations whether or not specifically cited within these regulations.

ARTICLE III
Permit Fees

Upon acceptance of application for a building permit the following fees will be collected:

Section 1

Construction of Home (as per original submitted plans)..... \$500.00
Sewer & Water Hook-Up (See S & W Regulations)\$1000.00
Permit Renewal after six months\$50.00

Section 2

Miscellaneous Construction:

- A. New: To include but not limited to decks, porches screened or enclosed, garages, additions, dormers.....\$0.25/ sf
- B. Shed, gazebo, playhouse over 50 sf and/or with electrical service, and deck replacement to same dimensions..... \$25.00
- C. Permit renewal for six months..... \$50.00 or new permit fee, whichever is less
- D. Maintenance/Landscaping/Stairs (Must Be within setbacks)..... N/C

ARTICLE IV
Definitions

Section 1 Building Permit - Wallenpaupack Lake Estates: Issued by the Building Compliance Officer or the Building Committee that permits construction on property within Wallenpaupack Lake Estates. A new house or addition Building Permit is valid for one (1) year from the date of approval of the building package. Contractor/Owner must completely enclose

the entire exterior of the building within six (6) months from the date of excavation. This also pertains to the construction of, but is not limited to, additions, garages, and screened-in-porches when constructed under a separate Miscellaneous Permit issued after the occupancy of a dwelling. Shed, deck, gazebo, and detached garage permits shall be valid for a period of 6 months.

Section 2 Building Permit - Paupack Township: Issued by the Paupack Township Building Inspector when required, and must be submitted with the W.L.E. Building Application.

Section 3 Non-Fee Permit: Issued by the Building Compliance Officer or the Building Office. Required for certain exterior maintenance and landscaping. There is no fee and the permit is valid for thirty (30) days from the date of issue.

Non-Fee Permits may be renewed once for an additional thirty (30) days. All work must be completed within sixty (60) days.

Section 4 Building Plans: Comprehensive plans of the proposed construction showing the following information at 1/8" or 1/4" per foot scale: Floor Plans -
Elevations - Height of building from mean grade.

Section 5 Setbacks: Distance on the front, rear, and both sides of the property lines to the construction.

Minimum required Setbacks:

60' Building to center of road.

10' Building to side and rear lot line.

30' Corner lots - Building to centerline of side road.

30' Deer Lake - Building to water edge.

10' Beaver Lake - Building to rear property line.

75' Building to the center of a cul-de-sac.

Section 6 Survey: The survey must be signed and sealed by a Pennsylvania licensed surveyor showing the following information: Size of the lots; property lines; required setback lines; location of building on site; existing road; proposed road and right-of-way widths as shown on recorded maps of W.L.E. to point nearest the front setback line; the perpendicular dimensions from one side of the property line to each corner of the dwelling on that side; the proposed driveway location; elevations including road elevation; building corner elevations on the existing grade prior to construction; elevation on fixed boundary pins. This survey shall also include all building appurtenances (decks, stairs, chimneys, etc.).

Section 7 Resurvey: Survey signed and sealed by a Pennsylvania licensed surveyor, containing all the provisions of the survey after the footings and/or slab have been completed. The Resurvey must be approved prior to continuing construction operations.

Section 7a Third and Final Survey: Survey sign and seal by a Pennsylvania licensed surveyor showing the following actual information: Size of lot, property lines, required set back lines, location building on site, existing road, actual road right away widths as shown on recorded map of W.L.E. to the nearest point of the front setback line, the perpendicular dimensions from one side of the property to each corner of the dwelling on that side, the actual driveway and parking pad location, elevation including road elevation, building corner elevation on existing grade after completion on construction and elevation on fixed boundary pins. The

survey shall also include all actual building appurtenances such as decks, stairs, and chimneys and outer structures. Changes that are made after the proposed survey need to be approved and shown on the final survey.

Section 8 Lot Clearing Permit: Permit issued as part of the building package to allow the removal of trees and brush in order to construct the building or addition in accordance with the submitted plans. Only trees necessary for construction may be removed. Trees for removal must be marked and approved for removal by the Building Compliance Officer or the Building Committee. A Lot Clearing Permit allows only tree removal, excavation, and the installation of footings and/or slab. The permit is valid for six (6) months from the date of approval.

Section 9 Certificate of Occupancy: Issued by the Paupack Township Building Inspector when construction is completed and the final inspection is approved. New homes may not be occupied until the Certificate of Occupancy is issued.

Section 10 Certificate of Use: Issued by the Paupack Township Building Inspector for construction where occupancy is not an issue after the construction is complete and the final inspection has been approved.

Section 11 Letter of Compliance: Issued by the Building Compliance Officer or the Building Committee after the Certificate of Occupancy and/or the Certificate of Use has been issued by the Paupack Township Building Inspector, and the W.L.E. final inspection has been approved. If the L.O.C. is for a new home and a grinder pump was installed, the builder must submit evidence (copy of receipt) that an approved 2 hp Myers pump was used before an L.O.C. will be issued. If you fail to pass the W.L.E. final inspection, there will be a fee of **\$25.00 per each additional inspection** thereafter. Both the Paupack Township Certificate and the WLE Letter of Compliance must be obtained prior to occupancy or use.

ARTICLE V **Building Permit Application**

Section 1 Requirements: W.L.E. Building Permits are obtained by submitting a completed application to the Building Office containing the following:

- Two (2) sets of construction plans.
- Copy of Recorded Deed with Schedule "A" attached (if deed is not on file at WLE)
- Insurance certificate (for contractor if not on file at WLE)
- Survey
- Permit Fee
- Sewer & Water Hook-Up Fee
- Copy of the Paupack Township Building Permit

Insurance Certificate: A Certificate submitted by the general contractor or the property owner showing insurance coverage for liability and property damage and naming W.L.E.P.O.A. as certificate holder on the policy. The insurance certificates must show a minimum amount of insurance coverage of \$1,000,000 when the estimated cost of construction exceeds \$10,000 and a minimum amount of \$300,000 when the estimated cost of construction is \$10,000 or less.

Section 2 Procedures: Upon approval of the building application, one set of accepted plans will be returned to the party submitting the application. A Lot Clearing Permit will then be issued which allows for necessary tree removal, excavation and installation of the footings and/or slab. A resurvey must then be submitted **Prior** to any further construction. Upon approval of the resurvey, the Building Compliance Officer or member of the Building Committee will post the W.L.E. Building Permit at the construction site and construction work may then continue. No excavation will be permitted except as required to accommodate building foundations, sewage and water lines, driveways and underground utilities. New sewer and water taps will only be allowed from April 15 to November 15.

When submitting the resurvey for approval, the following conditions must be met before a BUILDING PERMIT will be issued:

- A. Trees felled must be removed from the property or cut into eighteen inch (18") lengths or less and stacked within the property lines.
- B. Tree stumps must be removed from the property.
- C. Tree branches and cut brush must be chipped or removed from the property.

Section 3 Building Permit Renewal: Building Permits may be renewed once, with the proper renewal fee, and will be valid for a period of six (6) months from the date of expiration of the original permit. After that time, a new building application and required fee must be submitted to continue construction.

Section 4 Contractor Responsibility: General contractors are responsible for notifying their sub-contractors of the W.L.E.P.O.A. Building Regulations, Sewer and Water Regulations and the penalties for failing to comply. General Contractors will be fined for repeated subcontractor violations.

Section 5 Miscellaneous Construction: A copy of the resurvey, showing all existing and proposed additions, is acceptable for miscellaneous construction. A signed statement is required indicating accuracy of information provided.

ARTICLE VI **Regulations**

Section 1 Contractors Vehicle Pass

All contractors, sub-contractors and their employees must secure a **contractor's vehicle pass** for each vehicle, which must be displayed on the vehicle for identification purposes. Contractor passes are valid for the period shown on the pass. The cost per year is \$20.00. These passes are non-transferable and good only for working hours.

Section 2 Hours of Work

Contractors are allowed to enter WLE property for work Mon. - Fri. 8 A.M. to 6 P.M. and Saturday 9 A. M. To 5 P.M. No contractor work is allowed on Sundays, on weekends between Memorial Day and Labor Day, or on the following holidays: New Years Day - Memorial Day - July 4th - Labor Day - Thanksgiving - Christmas.

Section 3 Building Plans Canceled

If excavation is undertaken and building plans are canceled, the site must be restored to its

original grade within thirty (30) days from date of cancellation or the P.O.A. will contract to restore the property at the property owner's expense.

Section 4 Tree Removal

Any trees removed without written approval or removed for the purpose of placing either a modular foundation system or a modular home on the foundation, must be replaced with trees of at least 8'-10' (conifers) or 14' (deciduous) in height. The number and location of the replaced trees shall be determined by the Association. The replacement trees must be planted to receive a Letter of Compliance prior to occupancy. Occupancy prior to receipt of an LOC will result in a \$100.00 fine per month and suspension of member privileges until the trees are planted and an LOC issued. Requirements of Article V, Sections 2A and 2C apply to cut trees, including trees cut under a WLE tree removal permit.

Section 5 Unsightly Building Site

No building site shall be kept in an unsightly manner as determined by the Building Compliance Officer or the Building Committee. If a site is not cleaned up and trash and waste materials removed by the end of business each Friday, a dumpster will be required to be put on site for waste.

Section 6 Parging

Masonry and/or concrete foundations exposed above the final grade shall be parged.

Section 7 Exterior Color

All exterior building walls, roofs, structures and/or alterations must conform with the approved W.L.E. color chart of earth tones with consideration for standard modular home colors. Trim colors, except white, must conform to the WLE color chart.

Section 8 Fuel Tank Concealment and Location

Fuel tanks, shall be concealed by lattice work or shrubbery, the top must remain open. All exterior fuel tanks are to be located at the side or rear of the structure, where possible, and must be in compliance with the existing State Codes.

Section 9 Portable Toilets

A portable toilet will be required to be placed on site for any new home construction until at least one toilet is functional inside the house.

Section 9a Air Conditioners

Air conditioners located outside the structure must be located outside of the surveyed WLE setbacks, easements, and right-of-way areas.

Section 10 Easements

A permanent easement for drainage and utilities is established 5 feet along side lot lines, 10 feet on rear lot lines and 10 feet along street right-of-way lines. Approval is required to place anything in these areas.

Section 11 Erosion Control

Upon final re-grading, erosion control is required as per Penn. Title 25, Chapter 102, Erosion

Control, before a Letter of Compliance will be issued.

Section 12 Re-grading

All sites are to be cleared of debris and re-graded as soon as possible and must be completed prior to the final inspection by the W.L.E.P.O.A. Building Compliance Officer.

Section 13 Modular Homes

A. The Manufacturer of a Modular Home must submit an AFFIDAVIT stating that the building is of Modular construction and not a mobile building. No permit will be issued until the affidavit is submitted.

B. All modular sections are to be set on foundations within 48 hours of delivery, including removal of trailer from Wallenpaupack Lake Estates.

Section 14 Blasting

A. All blasting contractors will be required to register with the W.L.E.P.O.A. office prior to blasting.

B. The contractor shall be liable for all damages to persons or property caused by the blast(s) or explosion(s) and submit insurance certificate in the amount of \$1,000,000.00 for liability and property damage to the W.L.E. office.

C. The contractor shall notify W.L.E. Security to close off the road to both vehicle and pedestrian traffic during blasting.

D. No drilling or blasting is permitted on Holidays or weekends.

Section 15 Notice of Violation - Stop Work Order

All construction must comply with the approved plans. Deviation from these plans will result in a Notice of Violation and/or a Stop Work Order. All Notices of Violation will be conveyed by telephone and followed up in writing. The contractor/owner will have Fifteen (15) days or less to bring all work into compliance with approved plans. The W.L.E. Building Compliance Officer or member of the Building Committee will inspect the corrected work and, if approved, will issue a written order of Continuance. If the violation is not corrected within the required fifteen calendar days, a "STOP WORK ORDER" will be issued. Thereafter, no work of any kind may continue at the site until the Building Compliance Officer or the Building Committee and the contractor/owner resolve the construction problems and a written "ORDER OF CONTINUANCE" is issued.

Section 16 Address Numbers

The 911 Address numbers are to be a minimum 3" high, reflective numbers placed on a 4' post on the house side of the driveway about 10' from the edge of paving. The numbers should be on both sides of the sign and visible from both directions.

Section 17 Letter of Compliance

A. Upon receipt of the Certificate of Occupancy, and /or the Certificate of Use, issued by Paupack Township, the contractor shall then present copies of the appropriate certificate(s) to the Building Office, and request a final inspection.

B. If the Building Compliance Officer finds the site to be in compliance, a "Letter of

Compliance" will be issued. If you fail to pass the final inspection, there will be an additional fee of \$25.00 per inspection thereafter.

C. THE ASSOCIATION CONSIDERS ALL CONSTRUCTION TO BE INCOMPLETE AND OCCUPANCY NOT PERMITTED UNTIL A "LETTER OF COMPLIANCE" IS ISSUED.

D. Association representatives, in order to enforce the rules of the Association, have the right to enter onto the land of any property owner for the purposes of determining compliance with the Building Rules and Regulations.

Section 18 Temporary Storage Units

Storage units are only for moving or remodeling. This requires a 30 day Non-Fee permit, and can be renewed once for another 30 day permit, total 60 day maximum.

ARTICLE VII
Prohibition

Section 1 Advertising Signs

NO ADVERTISING SIGNS ALLOWED. No signs for advertising purposes shall be erected or maintained on the premises or on or in any buildings on the premises.

Section 2 Temporary Residence

No temporary structures of any kind are permitted as a residence including but not limited to, trailers, basement, tents, shacks, garage or barn.

Section 3 Driveway Requirements

Maximum width of driveway entrance to property shall be 20' wide, including circular driveways. A culvert pipe, if necessary, must be installed under the driveway, along with drainage ditches where required. Size of culvert shall be determined by on site conditions.

Section 4 Water & Sewer

No individual water supply or sewage system will be permitted (as dictated by Schedule "A").

Section 5 Exterior Lighting

All exterior lighting shall be directed away from adjoining property. Pole lights installed by PP&L are Prohibited.

Section 6 Fences

Perimeter fences are not permitted . Fences for landscaping and vegetable gardens, not to exceed 4'0" in height and 100 sf of enclosed area, are allowed. 6' metal mesh deer fences around new trees are allowed. Split-rail fences are no longer permitted. Existing split-rail fences, per ruling of July 30, 2003, must be removed if: (a) they deteriorate to the point of needing repair, or (b) the property is sold.

Section 7 Pools

Above or in-ground pools are not permitted. Landscaping pools or water fountains (over 32 sf. in area) require prior WLE approval and a landscaping permit before installation.

Section 8 Spas

Spas and hot tubs must be part of the main structure with a lockable 5'0" enclosure.

Section 9 Screened Structures

Detached permanent screened or fabric structures are **NOT** permitted except for permitted screened gazebos. Portable removable screened-in facilities are permitted for seasonal use.

Section 10 Color of Products

Aluminum and canvas patio products, including awnings, shall conform to all Building Regulations and WLE approved colors.

Section 11 Construction Equipment Movement

No construction equipment shall be placed or used on any WLE road unless it is equipped with rubber tires and a steering wheel. All equipment moved from site to site must be moved on flatbed trucks. Should any equipment (tracked and skid-steer vehicles) prohibited from use on WLE roads need to be operated on the roads by a contractor, provisions to protect the road (ie plywood or other material) must be used. Prohibited equipment should be on and off loaded on the shoulder or on the lot where it is being used. The contractor will be liable for all damages for failure to comply.

Section 12 Commercial Vehicle Parking

No commercial vehicles over 10,000 lbs. gross weight may be parked on W.L.E. property except when active construction is in progress.

Section 13 Vehicle Parking

Vehicles are not allowed to park on the roadway.

Section 14 Burning

Open fires or the open burning of any construction materials are prohibited.

Section 15 Compactor

No dumping of construction debris in the WLE compactor is permitted. Contractors or sub-contractors are not permitted to use the W.L.E. compactor.

Section 16 Dwelling Requirements

A. Multi-family homes are not permitted. Only single-family dwellings are permitted. No more than two detached structures (garage, shed, gazebo, playhouse over 50 sf) are permitted on one lot (including combined lots).

B. A single-family dwelling shall be no more than two levels, with a minimum of 800 sf. of floor space, with a minimum of 550 sf of floor space on the first level.

C. Building shall not exceed two levels in height above the foundation. The maximum height from the mean finished grade to the high point of roof cannot exceed 29'-0".

D. CARPORT/GARAGE: The minimum size of a carport or garage (with garage door), is 12 feet by 20 feet (240 sf). The maximum size shall not exceed 24 feet x 28 feet (672 sf.). Carports must be part of the main structure and shall be no

higher than 15 feet from mean grade. Detached garages shall be no higher than 15 feet from mean grade.

E. NO LEAN-TO'S are permitted to be attached to any structure.

F. Sheds, gazebos, and playhouses can be no larger than 10'x 12', or 120 square feet and no higher than 15' from the mean grade.

G. PLAYHOUSES: Playhouses less than 50 sf cannot be installed more than 3' above mean grade but do not require a permit. Playhouses over 50 sf must be located within the building setback lines. Playhouses over 50 sf will require a fee permit and a playhouse of any size with electrical service will require a fee permit and must be within the setback lines.

H. GAZEBO: A gazebo in WLE is defined as a 6 or 8 sided structure (or other plan as approved on an individual case basis) either prefab or site built, not exceeding 120 sf. WLEPOA specifically reserves the right to deny a gazebo permit based on its architectural design.

Section 17 Satellite Dish

1. No permit is required, but the building office must be notified of the installation.
2. Maximum size dish is 39".
3. More than one dish is permitted if needed to receive signals from different sources.
4. Installation:
 - (a) Mounted to dwelling no higher than 12' above highest point, or on a 12' pole on the ground.
 - (b) Ground installation must not be within WLE easements or road rights-of-way. That means 5' from sidelines, 10' from rear line, and 30' from center of the road (35' on 50' R.O.W). No tree installations are allowed.

ARTICLE VIII

Variances Hearings – Appeals

Section 1 Procedure

If due to unusual conditions, the owner finds that compliance with the Building Regulations results in unnecessary hardship, owner may apply for a variance.

A. The request for a variance shall be made in writing to the W.L.E.P.O.A. stating the reasons for such variance and the type of hardship claimed. The owner shall submit copies of the same letter to adjacent property owners and request them to submit their comments to the Association within **thirty (30) calendar days**. If no comments are received, it will be assumed that adjacent owners do not oppose the request for the variance.

B. The owner seeking a variance must submit the site plan showing names and addresses of adjoining property owners and proof that adjoining owners were notified. Such proof shall

be submitted by certified mail, return receipt requested, with a copy of letter.

C. A hearing will be scheduled before the Building Committee within **thirty (30) calendar days** after receiving proof of service. Notification of the hearing date will be made to the Property Owner and anyone opposing the variance will be made by phone or by Certified Mail, return receipt requested.

D. The property owner and/or their agent may appear at the hearing on the date indicated and present any facts substantiating the hardship and the reasons why the variance should be granted.

E. The maximum number of continuances shall be two (2).

F. The Building Committee shall consider all pertinent facts and submit in writing to the Board of Directors their recommendations together with the reasons for their decision.

G. The Board of Directors, after reviewing all the facts and the recommendations of the Building Committee, shall be responsible to render the final decision regarding the variance application.

ARTICLE IX **Fine Assessment**

Failure to comply with the W.L.E.P.O.A. Rules and Regulations will result in the assessment of fines on the Contractor/Owner, as noted in the "Fines Index" included in these regulations. All fines must be paid within Thirty (30) days of notification that a fine has been assessed. A subsequent offense committed after one year from the previous offense will be considered another first offense for the purpose of fine assessment.

ARTICLE X

WALLENPAUPACK LAKE ESTATES PROPERTY OWNERS ASSOCIATION **REGULATIONS FOR LANDSCAPING - TO INCLUDE** **DRIVEWAY-PARKING AREAS-RETAINING WALLS-SITE DRAINAGE-CULVERTS-** **STRUCTURAL PLANTERS-GRADE CHANGES.**

A. GENERAL

1. All landscaping performed within the bounds of the Association, shall require a non-fee permit, with the following exceptions:
 - a. Property Owners performing any landscaping operation requiring manual equipment only.
 - b. When W.L.E.P.O.A. Building Permit issued for construction of a home is in effect.

Upon submittal of a landscaping proposal and its approval by the Wallenpaupack Lake Estates Building Compliance Officer, a Non-Fee Permit will be issued.

2. Landscape construction of retaining walls or involving elevation changes require a drawing reproduced from the resurvey showing the retaining wall boundaries and/or the elevation change.
3. No creosote wood may be used within the bounds of Wallenpaupack Lake Estates. No creosote may be applied to existing wood.
4. All landscape contractors are required to comply with the requirements in the Building Regulations pertaining to Contractors Vehicle Passes and Insurance Certificate.
5. The total area of impervious surface improvements on a lot, including all buildings and paved and concrete surfaces, shall not exceed 33% of the lot area. On two or more combined lots the impervious area shall not exceed 25% of the lot area.

B. DRIVEWAYS

1. Driveways shall be constructed exactly as shown on resurvey.
2. The driveway entrance can be a maximum width of 20 feet.
3. No permanent construction shall be constructed upon an Association drainage easement.
4. Existing right-of-way grades shall NOT be changed.
5. All driveway fills shall be of suitable material subject to the regulations of the Pennsylvania Department of Environmental Resources.

C. PARKING AREAS

1. Parking areas shall be constructed exactly as shown on the resurvey.
2. All parking areas within W.L.E. utilities easement, which must be removed and/or replaced, will be done at the owner's expense. No permanent construction is permitted.
3. No parking area may be constructed within a WLE Right-of-Way without written approval of the Building Compliance Officer.
4. Parking area fills shall be of suitable material subject to the regulations of the Pennsylvania Department of Environmental Resources.
5. After the Letter of Compliance is issued for the dwelling, no parking area may be constructed without obtaining a landscaping permit.

D. SITE DRAINAGE & CULVERTS

1. Unless specifically authorized by the Association, NO drainage pattern or storm water flow may be altered.
2. No property owner (other than WLEPOA or the Association) may direct additional drainage of surface water onto or into the road right-of-way or adjoining property without a landscaping

permit.

3. Where a drainage ditch or swale exists and a culvert pipe is required, a pipe of materials conforming to Penn Dot form 408, Section 600 and of a size determined by the Association shall be installed along the center line of the drainage ditch or swale in accordance with Penn Dot standard details. Ends of culverts must be properly finished with a head wall.

4. The final determination of the need for and location of drainage ditches and swales rests with the Association.

5. A culvert requirement determination shall be made by the Association on the date of issuance of the "Lot Clearing Permit" or later if conditions warrant.

6. The culvert, if required as part of a new house building permit, must be in place and installed to the above specifications prior to the issuance of a "Letter of Compliance".

E. RETAINING WALLS

1. A retaining wall shall be considered to be any non-dwelling wall built to keep a bank of earth or other materials from sliding.

2. No retaining wall may be constructed upon any Wallenpaupack Lake Estates drainage easement or right-of-way without obtaining a landscaping permit allowing such work.

PENALTIES

1. The Association shall impose a fine, as stated in the fine index, on any contractor or owner who violates any of the provisions of the driveway, parking areas, retaining walls, site drainage and culvert regulations.

2. If the contractor or owner fails to comply with the driveway, parking area, retaining walls, site drainage and culvert regulations within thirty (30) days after the imposition of the fine, W.L.E.P.O.A. will correct the violation and bill the contractor or owner for the corrective action.

3. No "Letter of Compliance" will be issued by the Association until all driveways, parking area, retaining walls, site drainage, and culvert construction is in full compliance.

ARTICLE XI

FINE INDEX

ARTICLE 1: (BUILDING PERMIT REQUIREMENTS) FINE \$500.00
(Building Permit Requirements) Clearing or construction without first obtaining a Lot Clearing or Building Permit or deviation from the submitted plans without approval.

ARTICLE V: SECTION 2: (PROCEDURES) FINE \$500.00

Continuing construction before obtaining approval of the resurvey.

ARTICLE IV: SECTION 1: (BUILDING PERMIT - W.L.E.) FINE \$500.00

Failing to enclose the exterior of the building including roof, siding, doors, and windows within six months. **The fine will be assessed each six month period** the building exterior is not completed.

ARTICLE VII: SECTION 14 (BURNING) FINE \$1000.00

Open burning of debris or construction materials.

ARTICLE VII: SECTION 11 FINE \$500.00 plus Damages

Moving construction equipment not equipped with rubber tires without a flat bed trailer.

ARTICLE VII: SECTION 1 (ADVERTISING SIGNS) FINE \$25.00

Advertising signs are not permitted.

ARTICLE V: SECTION 2: (TREE REMOVAL) FINE up to \$1000.00 PER TREE PLUS REPLACEMENT for removal of trees unnecessary for construction or without approval.

ARTICLE VI: SECTION 4: (TREE REMOVAL) FINE up to \$1000.00 PER TREE PLUS REPLACEMENT for cutting or topping of trees without a permit.

ARTICLE VI: SECTION 5: (UNSIGHTLY BUILDING SITE) FINE up to \$1000.00

Unsightly building site as determined by the Building Compliance Officer or Building Committee.

ARTICLE VI: SECTION 15: (STOP WORK ORDER) FINE \$250.00 PER DAY

Continued construction after Stop Work Order is issued.

ARTICLE VI: SECTION 13B: (MODULAR HOMES) FINES \$250.00 PER DAY

Failing to set modular on foundation or remove trailers within forty eight (48) hours.

ARTICLE VII: SECTION 2: (TEMPORARY RESIDENCE) FINE \$1000.00

Temporary structure or outbuildings utilized as a residence.

ARTICLE VII: SECTION 12: (COMMERCIAL VEHICLE PARKING) FINE \$100.00

Overnight parking of commercial vehicles over 10,000 pounds gross weight.

ARTICLE VII: SECTION 13: (VEHICLE PARKING) FINE \$10.00

Vehicles parked on W.L.E. roadways.

ARTICLE VII: SECTION 15: (COMPACTOR) FINE \$1000.00

Contractors or Sub-contractors using W.L.E. compactor.

VIOLATIONS OF THESE BUILDING REGULATIONS, WITH THE EXCEPTION OF THOSE VIOLATIONS FOR WHICH SPECIFIC FINES HAVE BEEN LISTED, WILL RESULT IN A FINE OF \$100.00 PER VIOLATION. ANY VIOLATION OF THESE BUILDING REGULATIONS, IN ADDITION TO ANY FINES, MUST BE CORRECTED AND BROUGHT INTO COMPLIANCE WITHIN THIRTY (30) DAYS. FAILURE TO COMPLY WITHIN THIS TIME FRAME MAY RESULT IN THE P.O.A. OBTAINING A CONTRACT TO BRING THE PROPERTY INTO COMPLIANCE AT THE PROPERTY OWNERS EXPENSE.

