

BEACHSIDE VILLAGE BUILDER REGULATIONS

Effective January 1, 2023

Addendum to the Beachside Village Pattern Book

As Beachside Village has grown into a more dense, mature neighborhood, it is important for builders to be mindful and respectful of homeowners in the vicinity of construction sites. Builders, and where appropriate subcontractors, will be required to conform to the following regulations. Any questions about the following information should be addressed to the property manager, the Town Architect, the Board of Directors or its designee. Misunderstanding of the following is not an excuse for non-compliance. The rules for builders prior to construction commencement will apply to all new projects approved by the Town Architect after January 1, 2023. All other rules will be in effect for ALL projects as of January 1, 2023, regardless of when construction commenced.

Prior to Construction Commencement:

Builders are required to follow the Town Architect two-step plan approval process found in the Beachside Village Pattern Book and as required by the Beachside Village Declaration of Covenants, Conditions and Restrictions. Prior to installing pilings, the builder must have completed the following:

- Builders must have received the Construction Review letter from the Town Architect stating that the construction plans are approved and the builder must email a complete set of the approved plans, electronically, to the property manager.
- All fees must be paid to the HOA. All fees and the construction deposit must be paid by the builder. The fees must be mailed to the Beachside Village HOA at the HOA mailing address. Checks may not be delivered or mailed to the Beachside Realty Company Sales Office. The following fees become effective January 1, 2023:

Form A	\$500
Form B/C	\$500
Form D	\$1000
Builder Project Fee	\$500
Construction Deposit	\$2/sf

- In accordance with the Beachside Village Pattern Book, the builder is required to submit a logistics plan - a site plan indicating the proposed placement of the dumpster, portable toilet, materials lay down area, delivery zone and construction fencing.
- A t-pole with a meter must be installed on the property to provide power to the project – generators are not allowed to be used during construction unless CenterPoint has not yet brought power to the property.
- A builder sign must be properly installed on the property. Builder sign information is available from the property manager and **all builder information** is required to be on the sign. Company logos are NOT allowed on the builder sign and flyer boxes are not allowed to be attached to the builder sign or to the project structure.

- A copy of the Statement of Understanding and the Statement of Intent to Comply with the Design Standards and a copy of this document must be signed by both the builder and property owner (if applicable) and provided to the property manager.

Once the above tasks have been completed, the builder shall provide documentation to the property manager who will check the documents and the site to verify compliance. At such time, the property manager will give the builder written clearance to begin construction. Any work begun by a builder prior to being given that written clearance will cause a STOP WORK ORDER to be issued by the property manager.

Prior to the above conditions, a builder may have pilings delivered to the project site. The pilings may not be installed until the above conditions are present at the site. If the pilings are delivered to the site early for storage purposes, the builder may not install the builder sign until construction is about to begin.

Construction Commencement:

Once the Pilings have been Installed:

- Builder must install orange safety fencing on the rear and side property lines. All construction material and debris must remain inside of these temporary fence lines.
- Each construction project must have its own dumpster (or pre-approved trash receptacle) and port-a-can. The dumpster and port-a-can must fit within the property lines of the project. Each builder must manage the dumpster such that trash does not accumulate above the sides of the dumpster.

Lowest Horizontal Member & Slab Height – Provide Elevation Certificate AFTER Installing Stringers, Prior to Installing Floor Joists

In Beachside Village all builders are required to place the lowest horizontal member on each project at BFE plus 2.5'. This provides a +3-flood rating and keeps the elevations of the homes throughout the neighborhood as consistent as is practical. As required on Form D: Construction Commencement Application:

The undersigned Builder understands and agrees to employ the services of a licensed surveyor to establish the required bottom of stringer elevation for the house. After pilings are set, the Builder shall notify the HOA and the surveyor, who will mark a control line on one of the piles at an elevation of 10'-0" AMSL as well as note the required offset from that control line.

Each builder is required to provide an elevation certificate stating the elevation of the lowest horizontal member (typically stringer height) once the stringers have been installed and prior to installing the floor joists. This elevation certificate must be provided to the property manager within 2 weeks of the stringers being set. At the same time the surveyor is on site to mark a piling at 10' AMSL, a piling in the row closest to the adjacent street shall be marked by the surveyor at the point 1 ft above the highest point of the that street to establish the height of the slab.

Construction Site Management During Construction:

The following regulations apply to all construction and renovation projects even if they were begun prior to January 1, 2023. Builders, and where appropriate subcontractors, will be required to conform to the following:

- 1) Construction hours shall be as follows:
 - (a) Monday-Thursday: 7am – 6pm
 - (b) Friday: 7am – 5pm
 - (c) Saturday, Sunday, national holidays – **no construction is allowed (neither interior or exterior)** – New Year’s Day, Martin Luther King Day, President’s Day, Good Friday, Memorial Day, Independence Day, Labor Day, Indigenous People’s Day, Thanksgiving (Thursday and Friday), Christmas Eve and Christmas Day

This shall also apply to infrastructure work on any newly acquired Sections of Beachside Village.

- 2) At no time shall a builder allow any of his/her subcontractors or crews to arrive earlier or remain past these construction hours. No crews are allowed to spend the night at a construction site.
- 3) As required by the Beachside Village Pattern Book and the Statement of Intent to Comply with Design Standards, the following external fasteners and building materials must be made of stainless-steel, regardless of whether or not the fasteners will be covered or painted: stringer bolts/washers/nuts, stringer nails, louver fasteners, exterior stairs and railing fasteners, deck railing fasteners, siding fasteners (even if blind nailed), window fasteners, siding/window/door flashing, roof flashing at siding, roof drip edge, roof deck fasteners that will be exposed under the eaves and all fence fasteners. Avoid different metals in contact with each other due to bi-metallic corrosion. **Violation of this regulation is considered a large-scale violation and a STOP WORK ORDER will be issued for non-compliance.**
- 4) The following fasteners can be galvanized or stainless steel: fasteners to install exterior plywood that will be covered with Tyvek (or equivalent), staples to install Tyvek (or equivalent), roof decking that will be covered by roof material except where the fasteners may be exposed under the eaves.
- 5) All roofs for projects approved by the Town Architect after January 1, 2023 (new construction or renovation) must be aluminum and approved by the Town Architect.
- 6) All exterior electric or plumbing straps/clips/screws must be either stainless or plastic.
- 7) Builders must be mindful of the very narrow streets in Beachside Village and must make sure that the streets are passable by cars and emergency vehicles at all times. Subcontractors may not park on adjacent property or in greenbelts. Subcontractors may not park on neighboring driveways, may not block neighboring driveways, may not park on nearby parking pads or along red-striped portions of streets. Builders should inform crews that overflow parking is available for subcontractor vehicles along Sea Butterfly, Beachside Drive and Sea Urchin. Owners will be encouraged to contact the builder when streets become impassable. If the builder and/or his subcontractors don’t respond, owners will be encouraged to contact the City Marshall’s office and/or the Galveston Police Department to have the vehicles removed.
- 8) Limited construction staging may be allowed on adjacent property or greenbelts with the prior written permission of property owners or the HOA property management. Such written

permission must be provided to the property manager prior to a builder using adjacent property. Should any damage to the adjacent property, greenbelts or streets occur, the builder will repair the property immediately.

- 9) Music on construction sites during construction hours shall be kept to a low volume and only be played inside the home. If requested by property manager, its designee or by a neighbor to turn it off, builder/subcontractor will comply.
- 10) Subcontractors are to avoid crossing into any property near the construction site unless for safety reasons and may not use a neighbor's water, electricity, or trash cans/dumpsters for their own use.
- 11) Trailers are not to be stored overnight at the construction site, neighboring lots, or in green spaces. Trailers can be brought to the site for delivery purposes only. Similarly, trucks and cars cannot be left on site overnight.
- 12) Before the end of the day on Friday (5pm), the builder shall ensure that the work site is trash and debris free to maintain the attractiveness of the neighborhood. Staging of construction material around the job site is acceptable but construction debris and garbage must be placed in the dumpster or pre-approved trash receptacle every Friday afternoon. This will be monitored each Friday evening by a designee of the property manager.
- 13) No alcohol or illegal drugs are permitted on or consumed within any construction site by the Builder or subcontractors. Builders will abide by all federal, state and local laws.
- 14) It is the responsibility of the builder to inform all of his/her sub-contractors of these regulations and to require compliance of his/her sub-contractors. Violations of these regulations by subcontractors will be the responsibility of the builder and fines may be assessed.

Post Construction:

At the end of the construction process, each builder must make sure his construction site is free of any construction debris and that any adjacent properties that may have been impacted during construction are returned to its pre-construction condition. At that time, the builder must remove the builder sign, t-pole, dumpster and port-a-can. Each builder is required to submit Form F (Final Inspection Request) to the Town Architect and the property manager for the Town Architects final evaluation of the project. When the Town Architect sends his/her Letter of Completion to the property manager, the project will be deemed "complete" and the construction deposit will be returned to the builder, less any fees or fines associated with the construction project.

Consequences of Non-Compliance:

The property manager, the Town Architect or their designee are responsible for the compliance inspections and the enforcement of builder regulations and will report minor violations to the HOA Board of Directors at the quarterly Board Meetings. For large-scale violations, a STOP WORK ORDER will be issued to the builder and the property owner (where applicable) and a remediation plan will be developed by the Town Architect, the property manager, and the builder. Depending upon the extent of the large-scale violation, the builder may be allowed to resume work once the remediation plan has been agreed to by all parties – this will be at the discretion of the property manager, the Town Architect, the Board of Directors or it's designee. The Board of Directors will be notified at the

time the large-scale violation is detected and will be provided a copy of the remediation plan when it's developed. Any remediation (small or large scale) will be performed at the builder's sole expense. Periodic and thorough inspections will be performed on all construction projects with particular focus on, but not limited to, external fastener material, stringer height, and slab height. The Town Architect will make periodic inspections of the construction projects to determine compliance with approved construction plans.

FINES:

- A \$500 fine will be assessed and deducted from a construction deposit for the first STOP WORK ORDER issued to a builder. Subsequent STOP WORK ORDERS will be assessed at \$1000 each. After 5 (FIVE) STOP WORK ORDERS have been issued to any builder, that builder will be removed from the Beachside Village Approved Builder List. All STOP WORK ORDERS will be sent to the builder and to the owner, where applicable.
- A \$250 fine will be assessed and deducted from a construction deposit for the first minor violation of the Beachside Village Pattern Book, the Statement of Understanding and the Statement of Intent to Comply with Design Standards and these Builder Regulations, including the construction site management requirements listed above, except for Construction Site Management items #1 & #12 where the fines will be handled below. Subsequent minor violations will be assessed at \$500 each and after 10 (TEN) minor violations issued to any builder, that builder will be removed from the Beachside Village Approved Builder List.
- A \$250 fine will be assessed and deducted from a construction deposit for any sub-contractor found to be violating the stated construction hours - before/after hours, on the weekend or holidays listed above. Subsequent violations of the builder will be assessed \$500 per violation. After 10 (TEN) violations the builder will be removed from the Approved Builder List.
- A \$100 fine will be assessed and deducted from a construction deposit for each Friday that his/her project site is not cleared of trash and debris at the end of the work week. Subsequent reports of trash and debris not being cleared at end of business on Friday will result in a \$250 fine.

Failure to follow the Beachside Village Declaration of Covenants, Conditions and Restrictions, the Beachside Village Pattern Book, these Builder Regulations, the Statement of Understanding or the Statement of Intent to Comply with Design Standards and/or an unwillingness to properly remediate construction violations will be grounds for removal from the Beachside Village Approved Builder List upon a recommendation of the property manager or the Town Architect and approved by the Board of Directors. In addition, excess violations outlined in the "Fines" section above will cause a builder to be removed from the Approved Builder List. The Board of Directors can include or exclude builders from the approved list upon recommendations of the property manager and the Town Architect or by their own doing.

Builder signature: _____

Date: _____

Owner signature: _____

Date: _____