

**Dated: March 23, 2022**

**To Whom It May Concern:**

**River Meadows Subdivision Construction Rules (hereinafter “Construction Rules”)**

Thank you for your interest in a new construction project in the River Meadows Subdivision. We appreciate your time and effort in improving our subdivision while complying with the Bylaws, “**Declaration of Covenants, Conditions and Restrictions of River Meadows PUD Subdivision**” (hereinafter called CC&Rs) established by the River Meadows Homeowners Association (HOA). *See*, Instrument No. 163540 recorded September 20, 2004, in the office of Records, Teton County, Idaho. (Attached as Exhibit A)

The property Owner(s), the construction company, employees, and all subcontractors (hereinafter all shall be called “Owner” or “Builder” for purposes of this agreement) are required to follow the **Construction Rules** established by the HOA, which are authorized by and shall have same force and effect as if they were part of the CC&Rs, including the following:

**Part 1: Pre-Construction:**

A. There shall be a pre-construction meeting scheduled with the Owner/Builder to discuss the project and the items that are identified below. A designated member(s) of the HOA Design Committee (DC Representative) shall meet with the project representative and will be the HOA contact(s) for the project. If not already received, the signed copy of this document shall be provided by the project representative.

B. Builders shall comply with **CC&Rs** and this signed copy of the **Construction Rules**.

C. A project representative shall be identified, and contact information provided to the DC Representative. At a minimum this will include phone number(s) and email address(s).

D. Owner(s) will submit 2 full sets of construction plans to the HOA for approval. Plans need to include scaled floor plans, exterior elevations indicating height, a list of exterior materials, landscape plan, and a site plan. See CC&R Article VI, section 1 (a).

- a. The plans shall indicate a change in the orientation of siding or mixing of material type between the walls and gables to provide visual contrast.
- b. Owner/Builder shall submit a material board indicating the actual exterior materials keeping in compliance with the CC&Rs.
- c. Owners shall provide a water and septic tap fee of \$750.00 that shall be paid in full prior to plan approval.
- d. Owner/contractor needs to provide a copy of their approved County Building Permit.
- e. The Owner/Builder shall post a \$5,000 bond, surety, or letter of credit in the name of the HOA to ensure that landscaping is completed in accordance with the approved landscape plan no later than 12 months after occupation.
- f. After evaluating the complete submittal of plans/materials and monetary items, the HOA will provide the **Notice to Construct**.

- E. No further substitutions/alterations are permitted unless approved in writing by the HOA. Any variance to the CC&Rs or Construction Rules shall be requested in writing and approved by the DC Representative in writing to be legitimate. If not approved in writing, the variance shall not be allowed.
- F. Clearing snow for construction shall only occur with minimal ground disturbance. When the underlying soils of the road system are saturated, heavy loads of building materials and/or equipment are prohibited from entering the subdivision. This condition may occur during winters of heavy precipitation or springs/summers of significant runoff. The DC Representative will be the responsible entity for determining when this will occur and will keep the property Owner/Builder aware of this situation.
- a. The Owner/Builder is responsible for clearing the dirt and debris from the subdivision road(s) throughout the project.
- G. The lot line of the property shall be identified with staked black silt fencing outlining the boundaries of the lot on all sides except the roadside.
- H. Builders must be properly licensed, insured, and if necessary, bonded in the State of Idaho.
- I. The Owner/Builder shall place a weather resistant sign with their name and contact phone number on site.

## **Part 2: Ground Disturbance/Construction:**

- A. Owner/Builder shall honor the posted speed limit throughout the River Meadows Subdivision of **15 mph**.
- B. Owner/Builder will respect working hours of the subdivision:
- a. Monday through Saturday, 7 a.m. to 7 p.m.
- b. Saturday indoor, only for enclosed structures: **no excessive exterior noise**.
- c. Sunday: **no work allowed**.
- C. All dogs that are brought to the work site shall be restrained in compliance with the County animal ordinance.
- D. No more than 24 inches of fill shall be imported to raise any portion of natural grade measured from the center line of any lot for the setting of a foundation. Finished grade shall avoid concentrating runoff onto adjacent properties. A maximum fall of 6 inches in 10 feet shall be provided at the perimeter of buildings.
- E. All concrete work pertaining to the foundation, all framing work, siding, and roofing of the project must be completed **within 8 months** of the start date, unless otherwise authorized by the DC Representative in writing. Start date is when excavation for the concrete foundation begins.

F. Owner/Builder will not store or park construction materials/equipment/machinery/vehicles on subdivision roadways, common areas or on adjacent owned lots during the project.

a. Blocking of the subdivision roads is not permitted.

G. Parking of vehicles shall only occur on the construction site roadside shoulder or on the construction lot. Use of any kind of common areas or lots adjacent to the construction site, including any vehicular traffic, requires prior written approval from the HOA Board and/or the adjoining property Owner(s).

H. The Water Master shall be present and approve the on-site condition/characteristics prior to connecting water and sewer lines. Contact information shall be provided to the contractor.

I. An HOA specified water meter shall be installed prior to the use of any subdivision water to monitor water quantity usage.

a. The approved water meter (3/4-inch Sensus Iperl meter) shall be installed in the home's crawl space and in an operable condition prior to the use of any water from the subdivision water system. All connections up to the meter shall be secured with compression clamps/fittings.

b. The meter shall be equipped with a remote read device (Wall Touch Pad for Sensus Model 3096+ Reader) mounted on the front outside of the structure.

c. The meter must be mounted upstream of the of the domestic and irrigation water lines and have a shut off valve on both sides of the meter.

J. Backflow preventers must be properly installed to prevent potential contamination of the drinking water system from the irrigation line in compliance with state installation requirements.

K. Owner/Builder must provide a dumpster on site with an operable lid, or agreed upon suitable alternative, at all times during construction. Builders will perform twice monthly cleanings of the site and the surrounding areas of the neighborhood for construction debris and trash that is associated with the construction project.

L. A portable toilet shall be provided prior to groundbreaking activities and shall be located on the Owner's lot and off the roadway.

a. The portable toilet shall be professionally cleaned and serviced biweekly and also as needed in the event of it tipping over or otherwise malfunctioning.

M. Owner/Builder is responsible for dust abatement if soil conditions warrant. HOA shall charge the project \$700 per 1000 gallons of water used or the project may use a water truck with water from an offsite location.

N. All building lighting shall be shrouded or downcast, to project light only downward.

### **Part 3: Post Structure Construction:**

A. The Owner/Builder is responsible for the timely revegetation and reclamation of all disturbed areas by a qualified landscape or other contractor. Landscaping shall be completed in accordance with the approved landscape plan no later than 12 months after occupation.

B. The Owner/Builder shall repair and revegetate any disturbance of common areas or adjoining lots as directed by the DC representative. Compacted areas shall be loosened, the designated seed mixture applied, and the area raked to mix in the seeds.

- a. Failure to complete this work in a timely manner will result in the remediation work to be performed at the lot Owner's expense (see Article 6 of the HOA Bylaws, Exhibit B, attached).

C. A final walkthrough of the project with the project representative and DC representative will be held prior to occupancy. This may occur prior to landscaping being completed, and if so, an additional walkthrough will occur at project completion.

### **Part 4: Design Committee Responsibilities and Enforcement:**

A. The DC Representative shall maintain communications with the project representative throughout the project.

B. In the event of any violation of these Construction Rules, the River Meadows HOA and/or the DC Representative shall retain all rights, remedies, and powers of enforcement enumerated in the River Meadows Covenants, Codes, & Restrictions. *See*, Instrument No. 163540 recorded September 20, 2004 in the office of Records, Teton County, Idaho. This includes, but is not limited to, issuance of a stop work order against contractors in violation of these Construction Rules.

C. After notification of the Owner/Builder, members the DC Representative shall have the right to enter the property to evaluate compliance with the elements of the CC&Rs and Construction Rules at any time. This is not an inspection of any aspect other than those items that are specifically called out in the CC&Rs and these Construction Rules that the Owner/Builder has agreed to comply with by signing the **Certification of Compliance with Construction Rules** as listed below. (CC&R Article 4, Section 5, Plan Submittal).

D. The DC Representative shall make recommendations to the HOA Board for the assessment of penalties for violations of this agreement by the Owner/Builder. Documentation of such shall be obtained and provided. Penalties amounts shall reflect the following:

- a. **First Offense: \$150**
- b. **Second Offense: \$500**

The River Meadows HOA looks forward to a positive working relationship with you and your construction contractors and appreciate your willingness to abide by the CC&Rs and Construction Rules. Should you have any questions regarding these requirements listed above, please contact the HOA directly.

Best regards,

## **CERTIFICATION OF COMPLIANCE WITH CONSTRUCTION RULES**

### **The Board of Directors for the River Meadows HOA**

PO Box 841

Victor, ID 83455

[rivermeadowsidaho@gmail.com](mailto:rivermeadowsidaho@gmail.com)

I am the Owner and/or Builder doing work in the River Meadows Subdivision. I have read and understand the Construction Rules for this subdivision. I agree to abide by the terms set forth above and shall ensure that my employees and subcontractors shall as well while I am performing work in the River Meadows Subdivision. I am agreeing to these terms voluntarily and of my own free will and choice.

Signature: \_\_\_\_\_

Printed name: \_\_\_\_\_

Contractor's Company Name & Contact:

\_\_\_\_\_

Lot Number or Address: \_\_\_\_\_

Date: \_\_\_\_\_