

Candlewood Lake Association, Inc. has adopted the 2006 RESIDENTIAL CODE of OHIO for One, Two and Three Family Dwellings as the standard for all building that takes place within Candlewood. The current edition of the 2006 Residential Code of Ohio One Two and Three Family Dwelling Code will be referred to as “RCO” throughout and the Deed Restrictions of the Candlewood Lake Subdivision are made a part hereof to the same extent as if fully rewritten herein, subject to the express provisions herein after set forth.

Introduction to Approval By The ECC

1. Where information in the Candlewood Building Codes is different than the RCO, Candlewood book will prevail. Any contradictions must be cleared up with the E.C.C. or the inspectors before continuing with construction. The contractor/builder must have a current copy of Candlewood Lake building codes and a copy of the RCO.
2. Application and plans will be submitted to the ECC for review and approval. Any questions regarding the procedure for obtaining approval of your permit should be directed to the Association Office. Upon approval of your plans and permit application signed, a building permit will be returned to you. The permit must be displayed at the job site.
3. The ECC or designated authority shall approve or disapprove all proposed improvements within thirty (30) days after receipt by the Candlewood Office of all necessary documents and fees.
4. The ECC shall have the right to disapprove any plans, specification or details submitted to it in the event the details are not in accordance with the codes, restrictions, rules and regulations set forth by Candlewood Lake Association, Inc. Board of Trustees. Examples of reasons for disapproval are as follows:
 - 4.1 The design or color scheme of the proposed building or other structure is not in harmony with the general surroundings.
 - 4.2 The plans and specifications are incomplete.
 - 4.3 The ECC determines the plans, specifications or details to be contrary to the interest, welfare or rights of the real property owners of Candlewood Lake.
5. A final decision of the ECC may be appealed to the Board of Trustees. The following

procedure shall be followed in the case of an appeal:

- 5.1 Written Appeal:** A written statement setting forth in detail the basis of the appeal shall be filed with the Association Office within ten (10) working days from the date of the final determination. Filing may be accomplished by personal delivery or certified mail.
- 5.2 Appeal Review:** The appeal shall be considered at the next regularly scheduled meeting of the Board of Trustees at which time the person filing the appeal must be present.
- 5.3 Documents:** The appeal shall be restricted to the documents upon which the ECC rendered its determination, together with written appeal described in Item 1 and any oral statements offered at the time of the Appeal Review.
- 5.4 Determination:** The final decision of the ECC shall remain in effect when the property owner fails to appear at the meeting of the Board of Trustees or when the Board of Trustees determines the Building Codes are correctly enforced by the ECC.

NOTE: Neither the ECC nor Candlewood Lake Association or its agents shall be responsible for structural deficiencies or any other defects in plans or specifications, submitted, revised, or approved in accordance with the foregoing provisions. Approval by the Environmental Control Committee or it's designees does not imply or indicate compliance with any governmental regulations.

The Construction and placement of all dwellings shall be subject to strict compliance with the building code promulgated by the Board of Trustees and administered by the Environmental Control Committee. However, neither the Association, its Trustees, the Environmental Control Committee or any member thereof, or their respective heirs, representative, successors or assigns shall be liable to any person or entity by reason of mistakes in judgment, negligence, malfeasance or nonfeasance arising out of or in connection with the approval, disapproval, or failure to approve any plans or any other exercise or non-exercise of the provisions of the building code. (P. 303.5)

Administration

- 101 TITLE** - The Board of Trustees hereby declares this to be “The Candlewood Lake Building Code” with reference to the planning, design, alteration and construction of all buildings and/or property within the subdivision. It may be referred hereafter as the “Building Code” or just code.
- 102 PURPOSE** - The purpose of this Code is to implement the deed restrictions and agreements contained in the Contracts of Purchase and Deeds of Conveyances of lots in Candlewood Lake Subdivision, and the Deed Restrictions and Agreements in Candlewood Lake Subdivision as amended, and to provide specific minimum standards for preserving the original recreational and residential theme in a private, owner regulated development.
- 103 SCOPE** - This Code applies to the construction, placement on lots, occupancy and maintenance of conventionally or custom built houses, mobile homes, recreational vehicles and such accessory structures are authorized by the Code, the ECC or the Board of Trustees. The Code will be administered by the ECC and such paid staff, consultants and/or volunteers as authorized by the ECC and/or the Board of Trustees. **NOTE:** This revised Code incorporates the relevant provisions of the By-Laws and Deed Restrictions, therefore property owners or their agents may use it as an official guide without reference to the By-Laws and Deed Restrictions.
- 104 AUTHORITY** - The ECC is authorized and directed by the Board of Trustees to administer and enforce all provisions of this Code.
- 105 PERMITS** - Permits must be obtained before beginning construction or making alterations to all structures on lots. Application forms are available at the Candlewood Office. Repairs associated with general maintenance do not require a permit unless they modify a lot or structure so as not to be in compliance with this Code. General maintenance is nonstructural repairs and does not include additions to, alterations of , or replacement or relocation of water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electrical wiring, or mechanicals or other work for which a permit is required by the building official.

**BEFORE A PERMIT WILL BE ISSUED, ALL PERMIT FEES AND ANY OTHER FEES THAT ARE REQUIRED, SHALL BE PAID IN FULL.
ALL EROSION CONTROL MUST BE IN PLACE AND INSPECTED.**

- 105.1 EXPIRATION** - Every permit issued under the provisions of this Code shall expire and become null and void if the building or work authorized by such permit is not commenced within six months from the issue date of the permit, or if the building or work authorized by such permit is suspended or abandoned for a period of six months. Before work can be resumed, a new permit shall be obtained, and the additional fee shall be one-half the amount required for a new permit for such work,

provided no changes have been made in the original plans and specifications. A permittee holding an unexpired permit may apply for a one- time extension of the permit, provided good and satisfactory reasons can be shown why the work cannot be commenced within the six month period from the issue date. In order to renew work on a permit after an extension has expired, the permittee shall pay the full amount of a new permit fee as in effect at the time the new application was made.

105.2 PERMIT VALIDITY - The issuance of a permit shall not authorize the violation of any of the provisions of this Code.

106 RIGHT OF APPEAL - All persons shall have the right to appeal decisions of those designated to carry out this Code to the ECC. All persons shall then have the right to appeal the ECC's decisions to the Board of Trustees.

107 TYPES OF INSPECTIONS - For onsite construction, from time to time the residential building official, upon notification from the owner or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the owner or his or her agent wherein the same fails to comply with this code.

108 PERMIT POSTING - The permit holder or his agent shall post the permit on the job site in an accessible and conspicuous place to allow the building official to make the required written entries. The record shall remain posted by the permit holder until the final inspection has been made and approved.

109 PREFABRICATED CONSTRUCTION - A Certificate of Approval by the OBBC (Ohio Basic Building Code) shall be furnished with every prefabricated assembly, except where all elements of the assembly are readily accessible to inspection at the site. Placement of prefabricated assemblies at the building site shall be inspected to determine compliance with this Code, and a final inspection shall be provided in accordance with this Code.

109.01 Note: Metal or steel underframe homes must be placed in Units 5 or 6. Wooden underframe homes must be placed in Units 1-3, 7-11.

EXCEPTION: Units 5 & 6 require a HUD Certificate of Approval in Lieu of OBBC Certificate of Approval. This applies to single and double-wides.

110 STOP WORK ORDER - Upon proper notice, work of any building structural, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of "The Building Code" shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the specific violations and the conditions under which work may be resumed. Where an emergency exists, the building official shall not be required to give a written notice prior to

stopping the work. A \$100.00 per day fine will be imposed upon those who violate a Stop - Work Order. The exception being if the work being done is to correct the violation(s).

- 111 VIOLATION and PENALTIES** - Owners have seven (7) days from the date of the notice of a violation of “The Building Code” to correct violations. Uncorrected violations of this Code are subject to the procedures in Appendix C. All letters leaving the Association Office must be approved by the General Manager. Citations shall list the violation.
- 112 APPLICATIONS TO EXISTING CONDITIONS** - Unless specifically stated else where. Changes contained in The Building Code shall not require any changes in the plans, construction or existing work for which a permit has been granted before the enactment of “ The Building Code ” passed by Candlewood Lake Association Trustees on November 8, 1999. The Building Code in place at the time the existing work was put in place applies to that work.
- 113 DEFINITIONS** - For the purpose of this Code, certain abbreviations, terms, phrases, words and their derivatives shall be construed as defined in this section. Words used in the singular include the plural, and the plural the singular. Words used in the masculine gender include the feminine, and the feminine the masculine.

Accessory Structure - A structure, the use of which is incidental to that of the main building and which is located on the same lot. These include: gazebos, storage buildings and garages but not decks or docks. Boathouses are considered separately in section 514.

Approved - Approved refers to approval by the ECC as the result of investigation and tests conducted by him or her, or by reason of accepted principles or tests by nationally recognized organizations.

Approved Agency - An established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the ECC.

Balcony (Exterior) - An exterior floor system projecting from a structure and supported by that structure, with no additional independent supports.

Basement - That portion of a building which is partly or completely below grade (See “ Structure Above Grade ”).

Building, Existing - Existing building is a building erected prior to the adoption of this Code or one for which a legal building permit has been issued prior to adoption.

Building Official - Building Official is the ECC designated authority charged with the administration and enforcement of this Code.

Ceiling Height - Ceiling height shall be the clear vertical distance from the finished floor to the finished ceiling.

Court - Court is a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls or a building.

Deck - An exterior floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports.

Designated Authority - A person or person designated by the ECC and approved by the Candlewood Lake Board of Trustees to act on matters related to the implementations of policy and provisions in the Building Code.

Dwelling Unit - Dwelling unit is a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

ECC - An abbreviation for the Environmental Control Committee, a Board of Trustees appointed standing committee as required by the Deed Restrictions which is responsible for explanation, development, implementation and enforcement of this Building Code.

Family - Family is an individual, two or more persons related by blood, marriage or law, or a group of not more than any five persons living together in a dwelling unit. Servants having common housekeeping facilities with a family consisting of an individual, or two or more persons related by blood, marriage or law, are a part of the family for this Code.

Geothermal - Uses free energy of the earth to heat and cool your home. It consists of two main parts: a water/antifreeze solution circulating thru a pipe system which is usually buried in the ground and an indoor unit.

Grade - The finished ground level adjoining the building at all exterior walls.

Grade Floor Window - A window located such that the sill height of the window is not more than 44 inches above or below the finished grade adjacent to the window.

Guardrail System - A system of building components located near open sides of elevated walking surfaces.

Habitable Room - Habitable room shall mean any room meeting the requirements of this Code for sleeping, living, cooking or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.

Handrail - A horizontal or sloping rail grasped for guidance or support and safety.

Hollow Masonry - Load-bearing or nonload-bearing construction using masonry units where the net cross-sectional area of each unit in any place parallel to the bearing surface is less than 75 percent (75%) of its gross cross-sectional area. Hollow masonry units shall

conform to ASTM C90, C129, or C652 listed in section S-26.115.

Kitchen - Kitchen shall mean an area used, or designated to be used, for the preparation of and possibly serving of food.

Listed and Listing - Terms referring to equipment which is shown in a list published by an approved testing agency qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions and whose listing states that the equipment complies with nationally recognized standards.

Loads, Live and Dead - Dead loads are the weight of the walls, partitions, framing, floors, ceiling, roofs and all other permanent stationary construction entering into and becoming a part of the building. Live loads are all loads except dead and lateral loads.

Occupied Space - The total area of all buildings or structures on any lot or parcel of ground projected on a horizontal plane, excluding permitted projections as allowed by this Code.

Prefabricated Home - Prefabricated home means a structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files the certification required by the Secretary (HUD) and complies with the standards established under this title. For the purpose of these provisions, a mobile home or modular home shall be considered a prefabricated home.

Solid Masonry - Load-bearing or non-load-bearing construction using masonry units where the net cross-sectional area of each unit in any plane parallel to the bearing surface is not less than 75 percent (75%) of its gross cross-sectional area. Solid masonry units shall conform to ASTM C55, C62, C73, C145, or C216 listed in Section S-26.115.

Story - Story is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that habitable portion of a building included between the upper surface of the topmost floor and ceiling or roof above.

Structure - Shall mean any building or portion thereof, which is used, or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes or any combination thereof, and shall include structures accessory thereto.

Structure Above Grade - Any story having its finished floor surface entirely above grade except that a basement shall be considered as a story above grade when the finished surface of the floor above the basement is:

1. More than 6 feet above grade, or
2. More than 6 feet above the finished ground level for more than 50 percent of the total building perimeter, or
3. More than 12 feet above the finished ground level at any point.

Temporary Building - A structure having no permanent foundation.

Window - Window shall mean a glazed opening, including portions of glazed doors.

Yard - Yard is an open, unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this Code, on the lot on which a building is situated.

NOTE: Agencies to be notified before home construction begins:

Candlewood Lake Association, Inc. General Manager

7326 State Route 19 Unit 1507
Mount Gilead, Ohio 43338-9493
(419) 947-1138

Consolidated Electric

5255 State Route 95 East
Mount Gilead, Ohio 43338

Embarg

800-706-4722

Knox Energy

Natural Gas
(888) 863-0032

O.U.P.S. Ohio Utilities Protection Services

(800) 362-2764

General Restrictions

201 DESIGN CRITERIA - The following local design criteria shall be used as a minimum in the engineering of structures at Candlewood Lake:

201.1	Roof Live Load	20 psf *
201.2	Roof Snow Load	20 psf *
201.3	Wind Pressure	75 psf *
201.4	Seismic Design Category	A or B
201.5	Weathering Area	Severe
201.6	Frost line Depth	3 feet - 0 inches
201.7	Termite Area	Moderate to Heavy
201.8	Decay Area	Slight to Moderate
201.9	Live Load Balconies (Exterior)	60 psf *
201.10	Decks	40 psf *
201.11	Garages	50 psf *
201.12	Attics (Limited Storage)	20 psf *
201.13	Dwelling Units	40 psf *
201.14	Sleeping Rooms	30 psf *
201.15	Stairs	40 psf *
201.16	All areas not listed above	40 psf *

*** Pounds per square feet**

202 Setback requirements for dwellings and accessory structures are in Section 302 of this manual. Setbacks for mobile homes are in Section 401.

203 No structure shall have roll brick siding or similar material on the outside walls.

- 204 No outside toilets shall be allowed on the premises except during construction. No waste shall be allowed to enter into any lake located in Candlewood Lake Subdivision.
- 205 No building or structure of any kind shall be constructed or erected nearer to any lot line than the setback, or as shown on the record plat. For this purpose eaves, steps, open porches or decks shall be considered as part of the building. All construction on right of ways or green areas is prohibited.
- 206 No pipes, conduits, lines, wires, equipment or facilities for the communication, transmission or metering of electricity, gas, water, telephonic current or other utilities shall be constructed, placed or permitted to be placed anywhere or upon any lot, other than within approved buildings, structures or mobile homes, unless contained in pipes, conduits, cables or vaults constructed, placed and maintained underground or concealed in or under buildings, mobile homes, or other approved structures.
- 207 **Used Structures** - Houses and other structures shall be primarily constructed using new materials. Wherever used or old materials are requested in the construction of a house, the builder must have the prior written approval of the ECC. If a used house is being moved into the subdivision, it must have prior written approval of the ECC and the Board of Trustees.
- 208 **Model Home Restrictions** - No owner of any lot in the subdivision shall build, or permit the building on his lot of any dwelling house for use as a model home or exhibit house, unless prior written permission to do so has been obtained from the Board of Trustees. Speculative homes shown by appointment only shall not be considered a model home. At no time shall a speculative home be used as a place from which to conduct business.
- 209 **Colors** - The exterior of houses, garages, mobile homes, boat docks, and other out buildings shall be earth tone colors. Stone, brick and natural materials left in their natural color shall be approved. White may be approved for trim only. Trim is defined as wood or plastic outlining door openings, windows, garage door openings or special decorations. Exterior doors may be white. **ALL COLORS MUST BE APPROVED BY THE ECC.** ECC requires that color samples be submitted before a building permit will be granted. Any existing structure which is painted or stained with earth tone colors may be repainted or stained the same color without ECC approval. All others require ECC approval before repainting or staining.
- 210 **Grading and Drainage** - When a lot is graded at a higher or lower level than the natural grade, the owner shall provide suitable slopes or retaining walls or other natural protection on his own property to preserve the natural surface elevation of adjoining property. Grading shall be done so that the existing natural ground drainage of the area is not impeded. Grading shall be done so that the natural amount of existing storm water runs off to adjoining property is not increased or is not concentrated to spill off the property at new locations. No garage apron, runway, or entrance area below ground level, nor any area subject to receiving storm drainage, shall be permitted unless it has gravity drainage to the street or natural drainage course.

211 Roof Pitch -No structure shall have a roof pitch of less than 5/12. Exemptions are as follows:

1. The Mobile Home Units and the R.V. Unit are exempt from this provision.
2. Homes with over 2,500 total square feet whose architectural style is consistent with lower pitched roofs may be granted an exemption by the ECC.

212 Construction safety, toilets and construction waste disposal - It is the responsibility of the owner or any other designated person to maintain a safe, neat and sanitary work site at all times. In order to start excavation, builders must comply with the following:

212.1 Toilet facilities: Provide a portable toilet on site prior to foundation excavation or construction. When useable facilities become available inside the dwelling the portable toilets should be removed.

212.2 Construction waste removal (keep the site neat and clean of construction material waste.) It is required that a designated waste container (DUMPSTER) from a commercial hauler be on site. If it is not used and emptied regularly and if in the opinion of the inspector the site is dirty, a stop work order and/or fine may be imposed after notifying the contractor or owner. There will be no exceptions to having a DUMPSTER.

212.3 In order to protect people from injury on the work site a fence or other suitable barricade shall be erected around any excavation deeper than 4 ft. and it must be secured before contractors leave the site. The barricade must be a full fence adequate to support the weight of people leaning on it and must have no open spaces to allow children to enter.

212.4 Description of Sign - If the owner approves contractors putting up signs on sites, the owner or the contractor must obtain a sign permit from the Association Office. It must be removed when the contractors have completed their work or when the owner has inhabited the home. Sub-contractors signs must be against the house and removed when finished. The main contractor only may have a sign out front within the property lines. No sign shall be permitted to exceed 4.25 square feet in size.

212.5 All deliveries of construction materials must begin at the front gate on State Route 19. While the guard at the gate might reroute the delivery to one of the other gates, the supplier must have visible authorization that they have checked into Candlewood.

213 VARIANCES - Variances to this code may be granted in case of hardship only by majority vote of the ECC members present at a meeting or by action of the Candlewood board of Trustees.

213.1 Set back variances -Variances to the set back lines must be approved (state law 713.11) by the property owners on all four sides of the property in writing. The variance is to be attached to and recorded with the deed in the Morrow County Court

House. If Candlewood property abuts the property requesting the variance, the General Manager or the chairman of the ECC may act on behalf of the Association.

213.2 Other Variances - Other variances must also be put in writing, the date of approval shown and who approved the variance. The variance must be filed with Candlewood Lake.

213.3 Copies of Variances - Copies will be placed in the property owner's file.

214 Number of dwellings on a lot -The total number of dwellings or other structures on a lot shall be reviewed by the ECC when plans are presented for original construction of additions. As a general rule structures should not occupy more than 60% of the available land within the setback lines

215 Occupancy under construction - Any structure under construction must be vacant from 11:00 p.m. to 7:00 a.m. until permanent occupancy permit is issued. Also, there will be no sleeping overnight on the premises without certificate of occupancy.

New Home Construction in Units 1 - 3 and 7 - 11

Those items marked with asterisk (*) also apply to Mobile Home Construction

Residential Use of Lots - Lots shall be used exclusively for single family residential purposes, and will be required to adhere as closely as possible to the residential nature of the subdivision in design and appearance.

301 General Restrictions - Not more than one single family dwelling may be erected or constructed on any one lot along with approved accessory or out buildings.

301.1 Building plans - The following shall be included with the plans: plat map showing the location of building, fuel tanks etc., lot staking showing locations of building, drives, etc., the owner/contractor should be informed of all required inspections during construction. Before occupancy propane tanks must be concealed from view on all sides.

301.2 Residential Square Footage Requirements - No dwelling shall be constructed on any lot in the development having less than nine hundred (900) square feet of living space. For this measurement, more than one inclusive level and all porches, terraces, garages, carports, and appendages shall be excluded. All foundations must be at least nine hundred (900) square foot.

301.3 All building exteriors shall be completed within six (6) months from the day construction begins.

301.4 All lot improvement and landscaping as shown on the permit shall be completed within eighteen (18) months from the day construction begins.

302 Set-Backs - All set-back distances are from the property lines. For the purpose of this provision, eaves, steps, open porches, gazebos, garages, storage sheds, etc., **SHALL** be considered as part of a building (boat houses and lake front storage lockers are excluded from this requirement). Set-back requirements for a residential dwelling are as follows:

302.1 Front Yard - Twenty Five (25) feet.

302.2 Side Yard - Ten (10) feet from property line. All parts of the building including porches, steps, and overhang.

302.3 Rear Yard - (farthest from the road) - When on Candlewood Lake, the rear set back line is as shown on the plat map marked "B.S. L." (Base Set Back Line). In all other cases twenty (20) feet.

302.4 Cul-De-Sac - If a particular lot abuts on a cul-de-sac, the front set back line shall be as shown on the recorded plat.

302.5 Foundation Regulation

The top of the foundation shall be thirty-two inches (32") above the street on all lots where, in the opinion of the building official, this height is necessary to provide adequate drainage away from the foundation.

303 INSPECTION/REVIEW - Inspections will be made by the designated inspector named by the E.C.C. and approved by the Candlewood Lake Association Board of Trustees, to determine that the provisions of this Building Code are being met. All inspections must be made on site. No portion of the building may be closed to view until the necessary inspection has been made and the work approved. All special additional inspection costs will be paid by owner. The following review and/or inspections are required: A fine of \$250.00 per infraction will be levied for lack of inspections.

303.01 Plan Review - Meeting all stipulations set forth in APPENDIX A.

Tree Removal permit and Culvert permit to be part of the record.

303.02 Footer, house placement, erosion control. Property pins and house staking completed by a Registered Surveyor

303.03 Foundation, top of wall, waterproofing

303.04 Underground plumbing

303.05 Basement slab, vapor barrier, walk out insulation

303.06 Rough plumbing, pressure test

303.07 Rough electric

303.08 Rough HVAC

303.09 Rough frame, fireplace

303.10 Insulation, air infiltration package, ok to drywall

303.11 Final

303.1 If the inspector and/or the ECC in their sole discretion determine after an inspection that certain work fails to comply with the provisions of the Building Code, they may issue an order stopping all or part of the work until such time as the provision of this Building Code are fully complied with. This stop work order shall be served by hand delivery upon the builder and/or the owner or posted conspicuously on the premises. Upon service of the order, the work designated shall stop immediately until such time as the remedial work is performed to the satisfaction of the inspector and/or the ECC. Any failure to strictly comply with the stop work order shall result in a fine of \$100.00 per day against the offending party.

303.2 No building shall be occupied until such time as the owner receives a Final Inspection for Occupancy from the ECC. If the building is occupied without such approval the owner shall be fined \$50.00 per day until such approval is received. No deposit or bond shall be refunded, in whole or in part, until such time as a Final Inspection for Occupancy has been given and approval granted.

304 BUILDING CONSTRUCTION

304.1 Habitable Rooms - All habitable rooms shall be provided with aggregate glazing area of not less than eight percent (8%) of the floor area.

304.1.1 Exceptions:

304.1.1.1 Bathrooms where mechanical ventilation produces minimum change of air every 12 minutes.

304.1.1.2 Storage and mechanical areas are not considered habitable rooms.

304.1.2 All habitable rooms must have heat capable of maintaining a room temperature of 68 degrees.

304.2 Safety Glass - See Section 308.4 RCO.

304.3 Garages All new homes, mobile homes, and RV's shall provide an area for storage of outdoor equipment such as lawn mowers, garbage cans, ladders, bicycles, tricycles, etc. If space is not available in the new dwelling, then a storage shed with a minimum size of 8' x 10' shall be erected. This shed must conform to all building codes set forth in the Building Code permit book. This storage area must be placed and inspected before an occupancy permit will be granted. Minimum size of a garage shall not be less than 12 feet in width and

20 feet in length. Carports shall not be less than 150 square feet.

304.3.1 Attached garages - No openings are allowed between garage and sleeping rooms.

304.3.2 Garage to residence door must be 1 3/8 inch solid wood doors or 20 minimum fire rated door.

304.3.3 The wall between the house and garage must be at least 1/2 inch gypsum board or equivalent to garage side and applied to garage sides. The gypsum board must extend to the roof deck, if the garage ceiling is not finished.

304.3.4 Garage floors must be non-combustible. No interior garage drains are permitted. Slip drains in front of garage doors will be permitted. (New Construction) New Modular's and trailers must have series smoke detectors. New basements must have floor drains along with sump pumps.

304.4 Egress

304.4.1 Room exit doorway must be a minimum of 30 inches wide.

304.4.2 Lead to a door that leads directly to the outside exterior door shall be a minimum 3' - 0" x 6' x 8".

304.4.3 Exit access or hallway \geq 3 feet wide.

304.4.4 Any landings shall be a minimum of 3' x 3'.

304.4.5 See Section 311.5 RCO for wider and spiral stairs requirements.

304.5 Smoke Detectors One (1) electric smoke detector with battery backup is required per floor.

304.5.1 Smoke detectors required. Smoke detectors shall be installed in each sleeping room, outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics, In dwellings or dwelling units with split levels, a smoke detector need be installed only on the upper level, provided the lower level is less than one story below the upper level except that if there is a door between levels then a detector is required on each level. All detectors shall be interconnected such that the actuation of one alarm will actuate all the alarms in the individual unit and shall provide an alarm which will be audible in all sleeping areas. All Detectors shall be approved and listed and shall be installed in accordance with the manufacturer's instructions.

This rule excludes mobile homes. Their provisions stand on their own. Effective (01/06/98).

Power source. In new construction, the required smoke detectors shall receive their primary power from the building wiring is served from a commercial source, and when primary power is interrupted, shall received power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection.

304.6 * **Vapor Barriers** - Vapor barriers are required in all framed walls, floors and ceiling on the warm in winter side of the thermal insulation. Vapor barriers shall have a maximum rating 1.0. Vapor Barriers required under the gravel in crawl spaces.

304.7 * **Foundation**

304.7.1 * **Wood Foundation** - See RCO for requirements.

304.7.2 * **Footings** - All footings must be a minimum of 36 inches below outside grade.

304.7.3 * **Visual Inspections** - Visual Inspection during footing inspection expects soils to bear 2,000 pounds per square foot. Unless soil bearing tests are performed, footing should be designed for 2,000 pounds per square foot. Testing is recommended as it is more accurate. Candlewood Lake Association or its employees accept no responsibility for soil bearing values.

304.7.4 * The minimum size of any footing shall be 6" deep by 12" wide for one story construction, 8" deep by 16" wide for two story construction.

304.7.5 * All foundation walls shall have at least 8" showing above grade.

304.7.6 * At a minimum, bolting in masonry is to equal one-half inch (1/2") Diameter bolts at 6 ft. on center, 15" embedment and within 12" of the corner. Straps are accepted in lieu of anchor bolts but require 2" - 8" on center spacing.

304.7.7 * Foundation walls require the following:

304.7.7.1 * Basement walls shall have rebar and grout reinforcement per RCO Section 404 Foundation Walls.

304.7.7.2 * Water proofing of basement below grade is required

304.7.7.3 * Backfill

304.7.7.3a * Porous Fill. The space between the excavation and the foundation wall shall be backfilled with the same material used for footing, up to a height of 1 foot, (305mm) above the footing for well drained sites or one-half the total backfill height for poorly drained sites. The porous fill shall be covered with strips of 30-pound (13.6 kg) asphalt paper or 6-mil (0.15mm) polyethylene to permit water seepage while avoiding infiltration of fine soils.

304.7.7.3b * Backfill. The remainder of the excavated area shall be backfilled with the same type of soil as was removed during the excavation. As with all foundations, the backfill should be placed 6- to 8-inch (153 mm to 203 mm) layers and tamped to consolidate the fill and remove voids where water might collect.

304.7.7.3c * Final Grading. Final grading shall provide a downward slope away from the house along all foundation walls. The final grade shall provide a minimum slope of one-half unit vertical in 12 units horizontal (4-percent slope) for a minimum of 6 feet (1829 mm) from the house.

304.8 * Crawl Space

304.8.1 * Crawl spaces are required to have 1 square foot of vent per every 150 square foot of crawl space.

304.8.2 * Crawl spaces shall be a minimum of 32 inches high.

304.8.3 * A minimum 18" x 24" access panel or hole shall be provided to the crawl spaces.

304.8.4 * All organic material including top soil must be removed from the crawl space area.

304.9 * Wall Construction

304.9.1 * Stud spacing shall be 2 x 4's or greater, 16 on center, stud grade or better.

304.9.2 * Any drilling or cutting that removes more than one third (1/3) of a structural member shall be reinforced with a metal strap.

- 304.9.3 * Double top plates are required.
- 304.9.4 * Headers shall comply with R 602.7 of the RCO.
- 304.9.5 * Building corners must have minimally one half inch plywood, 7/16 wafer board or metal corner braces for the first four foot (4') of corners in each direction.

304.10* Dwelling Structure Details

- 304.10.1 * **Siding** - All types of exterior siding must be approved by the ECC.
- 304.10.2 * The exterior siding material must be weather resistant.
- 304.10.3 * **Floor Joists** shall comply with Chapter 5 of the RCO.
- 304.10.4 * The minimum thickness of any floor slab shall be 3.5 “. All slabs are required to have a vapor barrier under the slab.
 - 304.10.4.1 Exception for detached garages, utility buildings and other unheated accessory structures.
 - 304.10.4.2 Exception for driveways, walks, patios and other exterior unheated slabs.
- 304.10.5 * A minimum 4" gravel base is required over a vapor barrier under the slab.
- 304.10.6 * **Roof Construction** shall meet the requirements of Chapter 8 of the RCO.
- 304.10.7 * Submit roof truss diagrams with approving engineers or architects stamps. Trusses may not be cut.
- 304.10.8 * Roof tie-downs are required.

304.11 Attic Ventilation of not less than 1 square foot free area per 50 square foot of attic space is required. One square foot free area per 300 square foot of attic space is required if soffit vents are used in conjunction with roof vent.

304.11.1 Rafters must be ventilated using the same requirements as the attic.

304.12 Attic Access - a readily accessible attic access framed opening not less than 22" by 30" shall be provided to any attic area having a clear height of over 30 inches.

304.13 Roofing - All roofs shall have a minimum inches of 8" of overhang. Number 15 felt tar paper is required under shingles.

304.14 Fireplaces - Factory built chimneys must be Underwriters Laboratories listed and installed to factory requirements.

304.14.1 Factory built fireplaces and/or stoves must be Underwriters Laboratories listed and installed to factory requirements.

304.14.2 Flue liner of a minimum 5/8" thickness are required.

304.14.3 Clean outs are required to meet factory requirements.

304.15 Railings - Porch railings must be installed where the height above adjacent finished grade exceeds thirty (30) inches. Railings shall be installed around open sides all stair wells. See RCO Section 312 Guards.

304.16 Mechanical:

304.16.1 Only approved appliances shall be installed.

304.16.2 Only a closed - looped pipe system is allowed for a Geothermal heating and/or cooling system.

304.16.3 A minimum requirement of 1" clearance around all appliances or the manufacturer's specification when greater than 1" is required.

304.16.4 Venting per manufacturer's recommendations is required.

304.16.5 Furnaces with condensate drains must be plumbed to an indirect drain.

304.16.6 See the RCO for requirements on mechanical equipment in attics and crawl spaces.

304.16.7 * An exterior disconnect is required on all exterior mechanical equipment.

304.16.8 * Electric resistance heaters shall be labeled and installed to manufacturer's recommendations.

304.16.9 * See the RCO for venting requirements of mechanical equipment.

304.16.10 * See the RCO for venting requirements of clothes dryers.

304.17 Plumbing - In addition to the requirements specified in this section, all Plumbing shall be accordance with 2005 Ohio Plumbing Code.

304.17.1 By the Ohio Revised Code, it is illegal for there to be a connection between a private water system (ie: private wells, cisterns with jockey pumps, etc...) and Candlewood's public water supply. However, if a private system installed and operable prior to the publication of this Building Code and Permit Handbook, a swing fitting is allowed to connect the systems. This provision is not grand fathered. All existing private systems must have their systems disconnected from the public water system by January 1, 1997.

304.17.2 * Use 1" K copper or 1" CTS (copper tube size), "SDR 9" water supply service line from the tap to the meter. This plastic tubing may only be joined by standard brass flare fittings and/or compression type fittings. (Not for use with insert fittings). This water service line will meet the ASTM D 2737 - 81 Standard and have a minimum 200 pounds per square inch rating.

304.17.3 All lavatories, sinks and laundry tubs shall have secondary shut-off valves in each water supply line.

304.17.4 * A main shut off valve easily accessible to the home owner is required.

304.17.5 * All drains are required to slope 1/8" per foot minimum and 1/4" per foot maximum.

304.17.6 * A clean out fitting is required at the point where the drains turn and go outside.

304.17.7 A means of controlling increased pressure caused by thermal expansion shall be provided where required in accordance with Section 607.3 Ohio Plumbing Code.

304.18 Electrical - In addition to the requirements of this section, electrical installation shall be in accordance with the National Electrical Code. The electric service meter must be mounted on the house. If there is no house, the electric service meter must be mounted on a pedestal, approved by the Environmental Control Committee.

304.18.1 Two separate kitchen general electrical outlet circuits fed by number 12 wire and on 20 amp breakers are required in all kitchens

304.18.2 Electrical panels shall be grounded to the outside.

304.18.3 GFIC's are required in bathrooms, basements, garages, outside and within 6' of the kitchen sink.

304.19 Energy Conservation

See Chapter 11 RCO Energy Efficiency

A self generated certificate showing compliance must be submitted.

This certificate is obtained using Res Check at the web site

<HTTP://www.energycode.gov/rescheck/download.stu>

304.20 Radon Control Methods

- 304.20.1** Vent pipe. A minimum 3-inch-diameter (76mm) ABS, PVC or equivalent gas-tight pipe shall be embedded vertically into the sub-slab aggregate or other permeable material before a slab is cast. A “T” fitting or equivalent method shall be used to ensure that the pipe opening remains within the sub-slab permeable material. Alternatively, the 3-inch (76mm) pipe shall be inserted directly into an interior perimeter drain tile loop or through a sealed sump cover where the sump is exposed to the sub-slab aggregate or connected to it through a drainage system. The pipe shall be extended up through the building floors, terminate at least 12 inches (305 mm) above the surface of the roof, in a location at least 10 foot(3048 mm) away from any window or other opening into the conditions spaces of the building that is less that 2 feet (610 mm) below the exhaust point, and 10 feet (3048 mm) from any window or other opening in adjoining or adjacent building.
- 304.20.2** **Vent pipe identification.** All exposed and visible interior radon vent pipes shall be identified with at least one label on each floor and in accessible attics. The label shall read, ”Radon Reduction System.”
- 304.20.3** **Vent pipe accessibility.** Radon vent pipes shall be accessible for future fan installation through an attic or other area out-side the habitable space.
- 304.20.3.1** **Exception:** The radon vent pipe need not be accessible in an attic space where an approved roof-top electrical supply is provided for future use.
- 304.20.4 *** **Sumps.** Sump pits open to soil or serving as the termination point for sub-slab or exterior drain title loops shall be covered with a gasketed or otherwise sealed lid. Sumps used as the suction point in a sub-slab depressurization system shall have a lid designed to accommodate the vent pipe. Sumps used as a floor drain shall have a lid equipped with a trapped inlet. Please see appendix F of the RCO for more information regarding “Radon Control Methods.”

305 * Occupancy - Home occupancy may begin upon receipt of Certificate of Use and Occupancy. This certificate will be issued after ECC final inspection and approval for occupancy. If the house is occupied without such certificate, the property owner shall be fined \$50.00 per day until such certificate is given. No deposit or bond shall be refunded, in whole or in part, until such time as a Certificate of Occupancy has been given and approval granted.

Mobile Homes

Note: Items in 303-305 with asterisk (*) also apply to Mobile Homes. Direct any questions to the office or E.C.C.

401 Set Back Requirements for mobile home units are as follows:

401.1 Front yard - twenty (20) feet as shown on the plat map.

401.2 Side Yard - five (5) feet

401.3 Rear Yard - five (5) feet. **NOTE:** For the purpose of this provision, eaves, steps and open porches shall be considered as part of a building.

401.4 Most mobile homes lots are 100 ft. long with the set back requirements an 80 ft mobile home will not fit. (80' minus 4' tongue =76') 100 ft lot minus 25' front and back set back equals 75'. The Committee does not grant variances for set back. The Committee recommends two lots for larger mobile homes.

402 General Requirements

402.1 The age of the Mobile Home unit shall be no older than two years and never titled.

402.2 Requirements Mobile Home - The exterior dimensions of each mobile home, exclusive of garages, carports, open terraces, open patios, open porches and breeze-ways shall be not less than twelve (12) feet in width and not less than forty- seven (47) feet in length. The minimum square footage for a twelve foot (12) wide Mobile Home is five-hundred sixty four (564) feet. The minimum square footage for a fourteen foot wide mobile home is six-hundred fifty -eight (658) feet.

402.3 Carport Requirements - The minimum size for a carport is one hundred fifty (159) square feet.

402.4 Railings - Porch railings must be installed where the height above adjacent finished grade exceeds twenty-four (24) inches. Railings shall be installed around open sides of all stair wells. You must read the IOTFDC explanation of railings etc. Sections 311, 314.1, 314.2, 314.3 and 315.

403 Garage - The minimum size of a garage located in Unit 5 and 6 shall not be less than twelve (12) feet in width, and not less than twenty (20) feet in length, with the maximum size not to exceed sixteen (16) feet in width, and twenty two (22) feet in length unless located on a double lot. No two-story garages in Units 5 & 6.

- 403.1** No structure shall have roll brick siding or similar material on the outside walls.
- 403.2** No outside toilets shall be allowed on the premises. No waste shall be allowed to enter into any lake located in Candlewood Lake Subdivision.
- 403.3** No building or structure of any kind shall be constructed or erected nearer to any lot line than the setback, or as shown on the record plat, in residential . For this purpose, eaves, steps and open porches shall be considered as part of the building. All construction on right of ways or green areas is prohibited.
- 403.4 Prohibition of used structures:** Structures on any numbered lot in the subdivision shall be constructed using primarily and substantially new materials. No used structures shall be relocated or placed on an such lot.
- 403.5** No owner of any lot in the Subdivision shall build, or permit the building on his lot of any dwelling house for use as a model home or exhibit house, unless prior written permission to do so has been obtained from the Board of Trustees.
- 404 Mobile Home Plan/Permit Procedure** - Application for a permit to place a mobile home is to be completed and filed in the Association Office. Application and plans will be submitted to the ECC for review and approval. The following items must be submitted to the Association Office.
- 404.1** Plot Plan. Two (2) copies. Drawn to scale. Plot plan must show location of mobile home on lot with the location of pads or runners and any deck or porches. Poured concrete footing and concrete block foundation is recommended for mobile homes. To prevent heaving, the base of pads or runners must be a minimum of thirty-six (36) inches below ground level, and pads must be a minimum of twenty-four (24) inches wide by twenty-four (24) inches long and the maximum spacing between pads shall not exceed ten (10) feet.
- 404.1.1** The Candlewood Building inspector should do a footing, a top-of-wall if on block, and a plan review when it is a double wide with an attached garage for inspections in Units 5 & 6.
- 404.2** Location of electrical pedestal. All electric meters will be required to be mounted on the house in Units 1,2,3,7,8,9,10,and11. In Units 4,5,6, the meters may be mounted on a pedestal within 18"-24" of the R.V. or mobile home. All wire from the property line into the dwelling unit, is to be buried as in the past. No meter pedestals will be permitted at the front of the property except for temporary service during construction. If there is a specific problem with a home now under construction that would prevent compliance with this requirement, please contact a member of the Environmental Control Committee.
- 404.3** Location of tie downs.
- 404.4** Location, length and diameter of culvert pipe for drive.

- 404.5 Diagrams of the mobile home if new, or 2 sets of colored pictures showing each side of the mobile home if used.
- 404.6 Lot must be staked to show all corners of mobile home plus any addition, based upon a certified survey.

Effective April 1, 2006

- 404.7 The Environmental Control Committee has determined that masonry walls that have a permanent frost footing under them shall be used for skirting. This exterior skirting wall may also act as a perimeter foundation wall if deemed appropriate by the mobile home or modular homes manufactures architect or engineer. No other skirting can be used without prior written approval of the Environmental Control Committee. Type of skirting must be specified, approved and maintained. The color white is prohibited.
- 404.8 Application, a copy of the certified surveyor's report, and the plans will be submitted to the ECC for review and approval. Any questions regarding the procedure for obtaining approval of your permit should be directed to the Association Office. Upon approval of your plans and permits application one (1) set of plans and a signed Building Permit will be returned to you. The permit must be displayed at the job site.
- 404.9 **After permit has been approved by the ECC, proceed as follows:**
 - 404.9.1 Install culvert pipe and drive. **NOTE:** See section 5, 501.1.
 - 404.9.2 Have the pads and/or runners inspected for location and size.
 - 404.9.3 Notify the Association Office in advance of the date of the mobile home is to be brought to the lot.
- 404.10 Building permit must be presented to the Security Guard at the Gate for routing of mobile home.
- 404.11 Skirting of the mobile home must be completed within thirty (30) days of placement on lot.
- 404.12 **DO NOT** move mobile homes across another lot. You will be liable for any damages incurred
- 404.13 Property owners should notify all utility companies before an excavation is undertaken in area of underground utilities (please see page 9 for list of utility companies).
- 404.14 Smoke detectors for mobile modular homes in units 5 & 6 are required to be 110 volts with battery backup (interconnected is recommended but not required) provided there is no more than one door between the detector and bedroom. When there is a basement interconnection is required to all smoke detectors. One (1) electric smoke detector with

battery backup is required per. Floor. Electric smoke detectors are required to be located outside sleeping rooms. These detectors count toward the one (1) required per. floor.

404.15 Mobile Homes shall have masonry skirting with permanent frost footings under them.

Any fees due or past due must be paid before a permit can be issued.

NOTE: Only Candlewood Lake Utilities Department can perform Water and Sewer tap-ins. The property owner is responsible for all sewer and water lines from their home/mobile home to the property line.

405 INSPECTION/REVIEW - Inspection may be made by individuals as designated by the Candlewood Lake Association Board of Trustees, to determine that the terms of this Code has been met. All inspections must be made on site (except 404.6). The following inspections will be required. A fine of \$250.00 per infraction will be levied for lack of inspection.

405.1 Plan review

Meeting all stipulations set forth in Appendix “A”

405.2 Staking of House - call for inspection

Property pins marked by surveyor

Erosion Control Measures in place Read 512, 512.1, 512.2, 512.3

All trees marked that are to be removed - note: may not be removed before building permit is issued.

405.2.1 Above must be done before permit is issued.

405.3 Footing

After excavation and forms are placed before pouring footings

Special instructions for footer inspection - (rain case) call building inspector as per instructions given at required Home Owner / Builder meeting.

405.4 Top of the Wall

A. If the house has a crawl space, inspection to be made after treated sill plate is installed

B. If the house has a basement , inspection to be made before treated sill plate is installed

C. If the structure is slab on grade, inspection to be made after treated sill plate is installed.

405.5 Final Inspection of Occupancy

All Electrical and plumbing work must be complete including cover plates installed.

All work must be completed - including stairs, in and out - railings

BUILDERS MUST BE PRESENT AND FURNISH A WRITTEN PROOF THAT THE HOME OWNER AND BUILDER HAVE HAD THEIR FINAL INSPECTION WALK THRU. (if owner chooses not to be present).

- 405.6** If the inspector and /or the ECC in their sole discretion determine after an Inspection that certain work fails to comply with the provisions of the Building Code, they may issue an order stopping all or part of the work until such time as the provision of this Building Code are fully complied with. This stop work order shall be served by hand delivery upon the builder and/or the owner or posted conspicuously on the premises. Upon service of the order, the work designated shall stop immediately until such time as the remedial work is preformed to the satisfaction of the inspector and/or the ECC. Any failure to strictly comply with the stop work order shall result in a fine of \$100.00 per day against the offending party.
- 405.7** No building shall be occupied until such time as the owner receives a Final Inspection for Occupancy from the ECC. If the building is occupied without such approval the owner shall be fined \$50.00 per day until such approval is received. No deposit or bond shall be refunded, in whole or in part, until such time as a Final Inspection for Occupancy has been given and approval granted.
- 405.8** Once a mobile home is set, skirting shall be completed within thirty (30) days.
- 405.9** All lot improvements and landscaping as authorized by the permit shall be completed within eighteen (18) months from the day construction begins.
- 405.10** If construction or placement has not begun within (6) months of the date of issuance of the permit, then the permit shall be void.

Miscellaneous Requirements For all Areas Except 4

- 501** **Culverts/Drives** - Culvert pipe will be commercially manufactured with the minimum diameter of ten (10) inches, or of such diameter as specified by the ECC. (Refer to Appendix C for placement and type of tile)
- 501.1** A three (3) foot break for clean out purposes is required between separate owner's lots. If adjacent lots have no culverts installed then 1 ½' is to be left short of the lot line.
- 501.2** There is to be a maximum of 300' between 3' clean out breaks.
- 501.3** Minimum slope to be 1% (1/8" per foot).
- 501.4** On lots with 15' or less of road frontage clean out is not required.
- 501.5** No barrels, or water tanks, will be allowed.

501.6 A permit is required.

501.7 Refer to culvert installation instructions (Appendix C)

502 **Accessory Structures** - The size of any out structure shall not exceed (12) feet in length and (10) feet in width and (12) feet high. At no time shall an out structure, boat house or temporary structure be used as a place for human habitation. Building Code requirements for garages are covered elsewhere in this document.

503 **Fences** - The construction of fences is prohibited without written approval from the ECC first.

504 Permit fees are as follows:		Maximum Applicable Fines
Decks/Porches	\$ 50.00	\$300.00
Simple Docks/Piers	\$ 100.00	\$100.00
Docks/Piers w/Boathouses or Boat lifts	\$ 175.00	\$300.00
Storage Sheds	\$ 35.00	\$100.00
Driveways / Culverts / Patios / Walks	No charge	\$100.00
Exterior pet runs	\$ 20.00	\$ 40.00
Gazebo with electric	\$ 75.00	\$200.00
Gazebo without electric	\$ 50.00	\$100.00
Garages/Additions	\$ 250.00	\$450.00
Car Ports	\$ 150.00	\$
Homes	\$1,250.00	\$750.00
Mobile Homes Single Wide	\$ 900.00	\$600.00
Mobile Homes Double Wide	\$ 1,000.00	\$600.00
Fences	\$ 20.00	\$ 40.00
Trees	No charge	\$ 10.00/inch

504.1 Environmental Control Committees rules or regulations with no existing fines shall be subject to a minimum fine of \$5.00 per day to a maximum of \$25.00 per day to be imposed at the sole discretion of the Environmental Control Committee. The Environmental Control Committee Chairman or the General Manager.

“No living tree over three (3) inches in diameter, at twelve (12) inches above the ground, may be removed from any lot without written consent from the ECC.” P305.09. Fines will be multiplied by two (2) for each additional same offense on the same property.

505 **Notification** - Property Owners should notify all utility companies before any excavation is undertaken in area of underground utilities.

506 Fuel Storage Tanks - Fuel storage tanks to be placed underground must be approved by the EPA and the ECC. The location of the tank must also be approved by the ECC. Fuel storage tanks must be located behind the front set back line.

506.1 All outdoor fuel tanks must be concealed from view by ECC approved fencing or landscaping.

506.2 CONTAINER PLACEMENT: See N.F.P.A. Attachment

507 External Antennas - The installation of antennas for the reception of television and/or broadcast signals are permitted within the Candlewood Lake Subdivision, providing the property owner or their authorized agent first obtains a Notice of Intent of Installation from the office showing location, type, landscaping, size and purpose. There is no charge for this Notice of Intent. However, after proper notice to the property owner failure to obtain a Notice of Intent of Installation will result in a delay of installation. Effective December 1, 1995. Antennas, mounted on houses need not be masked. However, antennas erected on the ground, must be within property lines and masked or concealed to minimize their appearance in order to conform to the overall aesthetics of the subdivision. (See rules provided at the office.)

Board Approved (04-23-07) Candlewood Lake Assumes **NO** responsibility for satellite dishes installed in road right-of-way.

508 Removal of Trees - No living tree over three inches in diameter as measured 12 inches from the ground may be removed from any lot in the subdivision prior to obtaining written approval from the ECC. Trees within 10 feet of existing and approved locations for new dwellings are exempt. **(Permit form in back of building packet)**

509 Lakeshore Protection - The Association requires that all lakeshore lots have shoreline protection in the form of either rip-rap or a sea wall.

510 Trash Disposal - Trash disposal is available to owners at Candlewood Lake from private haulers. It is required that all residents have trash removal. Trash receptacles must be hidden from view from the lake and road except during collection times.

511 Two Contiguous Lots - Whenever two contiguous (adjacent) lots in the subdivision are owned by the same persons, these persons may apply in writing to the Association for contiguous lot status. If approved, the two contiguous lots shall be treated as a single lot thereafter for determining operations charge, utility charges and such other fees as may be determined by lot ownership. Once put together under this provision, this "single" lot may not be again combined with other adjacent lots to create another "single" lot. These persons must also execute a legal document stating that if the lots are ever separated later, then the owner shall have to pay the operations charge, utility availability charges and such other fees which would have applied for the current and the previous four (4) years as if the lots had never received contiguous lot exemption. This document shall be recorded at the owner's expense in the Morrow County Recorder's Office and shall be binding on the property and successive title owners.

Members with contiguous lot status as of May 9, 1992 are exempt from this provision until the property is transferred, at which time the new owners must reapply for contiguous lot status on the terms described above.

Owners who build a home across the lot line so that it is located on two contiguous lots automatically receive contiguous lot status without the need to apply according to the above described procedure providing the Environmental Control Committee (ECC) has approved all constructions.

511.1 The two contiguous lots have been re-surveyed into single lot and has been filed as such with the County Recorder in Morrow County, Ohio.

511.2 An application for permit to construct, or place a dwelling, mobile home or recreational vehicle on the two contiguous lots has been approved.

511.3 A person has two contiguous lots with a dwelling, mobile home or recreational vehicle placed on at least one of the lots. (Effective 10/31/90)

“A property owner, prior to splitting any contiguous lots, must have a mortgage survey that is less than 30 days old, to show the current location of any building, structures, setback, or easement and property pins. Further, the Building Inspector must verify the survey to be current before the transfer is approved, and fee of \$75.00 will be charged for this transaction.” **09.079.06**

512 Erosion Control Devices - Property owners or contractors who are clearing, excavating or stripping ground cover from their lot or lots, shall provide a means of erosion control. No eroded material shall be allowed to enter the lake or adjoining properties whether owned by another private individual or by Candlewood Lake Association.

512.1 An erosion control device constructed of a geo-fabric material or bales of straw shall be placed on all properties where disturbance of the top soil occur.

512.2 The device shall be placed so as to successfully stop soil from moving into the lake or onto other property and shall remain in place until all soil in the area has been stabilized.

512.3 This device shall be in place before the Building permit is issued.

513 Exterior Pet Runs - Members must obtain a permit for a pet run. The following conditions must be met before the ECC can grant an exterior pet run.

513.1 Exotic animals are prohibited. See the By-Laws.

513.2 Commercially available chain link fences are approved enclosures.

513.3 Wood, plastic and other fencing will be reviewed by the ECC in regards to appearance, safety and ability to keep pets from escaping.

513.4 No enclosure may cover more than 300 square feet, and must meet the set back requirements. And be placed in a inconspicuous location.

513.5 The location of the enclosure shall be shown with the permit application.

513.6 As much as possible, the enclosure shall be masked from view.

513.7 Exterior pet runs shall be maintained in a clean and sanitary manner.

514 Boathouses - Boathouses are allowed on all lake front property providing the following criteria are met:

514.1 Plans for the boathouse must be submitted and approved by the ECC before any work may be done.

514.2 Boathouses shall be an open type.

514.3 Boathouses shall not extend more than 20' into the lake.

514.4 Boathouses shall not be larger than required to house a maximum of two boats.

514.5 Two different boat houses are not allowed on the same lot.

514.6 Boathouses shall be an open type structure and shall not exceed twenty (20) feet in height from the normal shoreline of the lake (elevation 1,205 feet).

515 Boat Docks - Approval by the ECC of the plans for the boat dock must be issued prior to start of construction.

515.1 All docks placed on Candlewood Lake shall not extend more than twenty (20) feet into the lake form the normal shore line.

515.2 Metal barrels are prohibited to be used as a flotation device.

515.3 All flotation docks must be adequately secured to the shore.

515.4 Setbacks as covered elsewhere do not apply to boat docks.

515.5 Shoreline alteration of any kind requires a permit approval by E.C.C. and adherence to standards approved by the Board 09/20/99. A copy can be picked up at the office.

APPENDIX A

1. Home Building at Candlewood Lake

The procedure for building a home or a mobile home at Candlewood Lake is much at the same as in most cities and towns. A Building Permit from the ECC is required. House Plans will have to be prepared to conform to all Governmental Regulations and the Building Code of Candlewood Lake. The Candlewood Lake Deed Restrictions are incorporated in this Building Code.

We suggest the following:

- 1.1 Select a home plan and present it to a reputable building contractor. Get his recommendations and opinions on the plans and have the contractor check it for compliance with our restrictions and Building Code.
- 1.2 After deciding upon a suitable house plan or mobile home, obtain the service of a qualified engineer or surveyor to survey the lot for placement of the home. This survey will be good for only 1 year. Draw your plot plan and stake the corners of your proposed home on the lot. Cost for service of this type is quite reasonable and should be considered as one of the critical steps in proper home construction.
- 1.3 After your building contractor is satisfied that the plans will meet all building requirements and your surveyor has drawn the plot plan to comply with our layout requirements, you should submit two (2) copies of the plot plan, three (3) copies of the house plan, your signed application for a building permit and all required fees to the Association Office. The Association will process your plans, and you will be notified as to the progress of your approval or if a problem exists. You may be asked to bring the plans to the ECC meeting in person. The stamped set must be on the job site at all times.

2. **Permit Fees - New Homes/Dwellings \$ 1,250.00**
 Mobile Home/Single Wide \$ 900.00
 Mobile Home/Double Wide \$ 1,000.00

3. Home Builder's Plan/Permit Procedure To Follow To Obtain A Building Permit:

- 3.0.0 Lot Corners must be staked by a Professional Surveyor before submitting application for a building permit.
- 3.0.1 An application for a building permit must be filled out and fees paid at the Association Office.
- 3.0.2 All builders, general contractors, manufactured home or mobile home dealer must furnish a certificate of liability insurance in the amount of \$300,000.00 minimum with every building permit application.

- 3.1.0 No work of any kind is to be performed on the lot until you have received a signed permit.
- 3.2.0 Application and plans are to be submitted to ECC for review and approval. Any questions regarding the procedure for obtaining approval of permit application should be directed to the Association Office.
- 3.2.1 Home construction and plot plans submitted to the ECC for approval shall consist of items Listed in 3.4 and 3.5.
- 3.3.0 Plot Plan - two (2) copies (Drawn to Scale)
- 3.3.1 Location (10" diameter minimum) and length of culvert for drive
- 3.3.2 Location of house on lot
- 3.3.3 Exterior dimensions of house, including overhang on any decks, porches, sheds, propane tank and any other items planned.
- 3.3.4 Location of utility poles and lines.
- 3.4.0 House Plans - three (3) copies (Drawn to Scale)
- 3.4.1 Floor plans should consist of basement floor and additional levels
- 3.4.2 Exterior plans should consist of basement floor and all levels.
- 3.4.3 Cross sections shall indicate materials to be used in building, such as frame, masonry, etc.
- 3.4.4 Cross sections of footings and foundations should be shown in detail.
- 3.4.5 Electrical plan should show the location of the main breaker box and all electrical features.
- 3.4.6 Plumbing diagram should show the location of all plumbing fixtures, size and location of drain, waste, vent pipes and the location of a lift station (if required).
- 3.4.7 Material list should give a detailed list of all material to be used.
- 3.4.8 **Drawings should be submitted on minimum 11"x17" size paper, smaller sizes will be rejected by the plan reviewer. Text smaller than 1/8" high will be rejected as too small by the reviewer. Site plan minimum 1" = 20. Wall section and details shall be minimum 1/4" = 1', other drawings, plans, elevation, etc. shall be minimum 1/8" = 1.**
- 3.5.0 The member and their agent / Contractor must meet with two members with the Environmental Control Committee to review any problems with plans and to review other rules and procedures.

- 3.6.0 Upon approval of your plans and permit application, one set of plans and a signed building permit will be returned to you.
- 3.7.0 Building Stakes: Building dimensions including overhang, must be staked on the building lot by the owner or owner's representative this requires inspection.
- 3.7.1 Tree Permit: Permit to remove trees must be obtained at this time. All trees located within the approved building stake area located within the approved building stake area may be removed without a permit. All other trees require a permit. Trees to be removed must be marked with ribbon.
- 3.8.0 The tree permit **MUST** be displayed at the job site.
- 3.9.0 Water and sewer tap-ins will be performed **only** by Candlewood Utility Department. The builder is responsible to run the water and sewer line from the house to the property line. Contact Candlewood Utilities for location of hookup termination point at property line. When you pay your water and sewer tap-in fees you will be given complete instructions and specification on hookups. Tap-ins will be completed within **30 days** of the date the tap-in fees are paid.
- 3.10.0 Property owners should notify all utility companies **BEFORE** any excavation is undertaken in area of underground utilities.

Ohio Utilities Protection Service - 1-800-362-2764

Consolidated Electric Co-Op - 1-419-947-3055 Not covered by OUPS

Candlewood Lake Water / Sewer - 1-419-947-1138 Not covered by OUPS
1-419-946-5175

Knox Energy 1-888-863-0032

Property Owners Signature: _____ Date: _____

Unit _____ Lot _____

Contractors Signature: _____ Date: _____

APPENDIX B
Procedure for Dealing With Violations of ECC Rules or
Relevant Deed Restrictions

1. Whenever a violation of the Deed Restrictions or the ECC rules and/or Building Code occurs, the person or persons complaining must first complete and submit a Candlewood Lake Association Complaint Form (Attached). Verbal Complaints will not be dealt with by the Committee although they may be given to the Chairman of the ECC Committee, any member of the committee or the Candlewood Lake Business Office. However, when verbal or written complaints are presented, the complaint will be referred to the appropriate subcommittee Chairperson for action.
2. After the Complaint form has been received, at least two designated Association Officials will visit the offending party to verify the violation. If a violation exists, it will be discussed with the offending party in an attempt to resolve it amicably. In the event the issue is not resolved at this step, the Chairman of the Subcommittee will proceed as follows:
 - 2.1 The appropriate ECC subcommittee will meet and decide the issue. After it has been decided, a written opinion or correction order will be issued in writing to the offending party. A date will be set for correction and if not corrected by that date, the problem will be referred to the entire ECC for action. All correspondence to this point will be signed by the subcommittee Chairman or their designated representative.
 - 2.2 When the ECC meets to discuss the issue, the offending party and the complainant will be invited to attend and present their views. Following the input of information the ECC will meet in closed session to discuss the issue, possible action, and resolution. Once action is decided, the committee in open meeting will issue their decision and then forward the results and reasoning to the offending party. In the event the offending party does not agree with the committee's decision, they have the right to appeal to the Board of Trustees. The decision of the Board of Trustees will be final in all cases.
3. Whenever written correspondence occurs, copies will go to the offending party, the complaining party, the Candlewood Lake Business Office, the Secretary of the ECC and the file of the offending party. The chairman of the ECC, a subcommittee chairman or a member of the ECC will not act unilaterally, only in extreme emergencies. In the event such an emergency arises a written statement regarding action taken will be sent to each ECC member outlining the reasons for such action within 24 hours of the emergency.

APPENDIX C
Builder-Contractor Highlights

Please note the following highlights from the Candlewood Lake Building Code.

1. See Appendix A for permit procedure.
2. Building permit fees must be paid before a permit application will be approved.
3. All buildings must be inspected. **There are 6 inspections to be completed:**
 - 3.1 **Plan Review**
 - 3.2 **After Staking Of House**
 - 3.3 **Before pouring Footers**
 - 3.4 **Top of Wall**
 - 3.5 **Rough Framing, roof - before drywall and installation
Rough Wiring, Rough Plumbing, HVAC, Rough Fireplace, Working Flue.**
 - 3.6 **Final Inspection of Occupancy**
4. Any reinspection will cost \$40.00 additional per inspection
5. It is the builder and/or property owner's responsibility to contact the inspector at (419) 947-1138. See new fax instructions.
6. Propane tanks are to be concealed by approved fencing or landscaping within 30 days of installation. Propane tanks must be placed behind the front set back line.

GUIDELINES FOR FUEL TANK CONCEALMENT

1. **The fence must be made of wood or other material approved by the E.C.C.**
2. **The fence must be as high as the highest part of the fuel tank.**
3. **The fence must be on all four sides around the tank.**
4. **The fence must completely conceal the tank from view at ground level. Must not be able to see any part of the fuel tank.**
5. **A gate or two steps must be installed for reasonable service of the tank.**
6. **The fence must have ventilation at the ground level for safety reasons.**
7. **The fence must be earth tone or the same color as the residence. No white.**
8. **Placement guidelines at 506.2 in this handbook.**

7. All electrical, telephone, and other cables are to be underground.
8. ECC members or its designee will occasionally check on construction.
9. All correspondence with the ECC will be in writing.
10. Candlewood Lake speed limit is 25 miles per hour where posted and 20 miles per hour elsewhere. All employees, subcontractors, and contractors must obey these limits. Any violations not paid by violator will be the responsibility of the property owner.
11. Dumpsters for trash removal will be required at all job sites for the building of houses. Dumpsters must be in place at the time of the footer inspections. Dumpster will not be required for the construction of smaller structures, such as storage buildings as long as all trash and scrap is removed each day.
12. Portable toilets are required at each job site prior to and during construction. An exception will be made if the construction is an addition, storage building, garage or other structure and there is a home on the same property with working restroom facilities available to workers. Candlewood Lake restroom facilities are not to be used.
13. No open fires without proper approval from Security.
14. No outside storage of any kind.

ONLY PLASTIC/PVC CULVERT PIPE MAY BE USED