

# REGULATIONS FOR CONSTRUCTION AND RESIDENTIAL HABITATION

## HOLIDAY ISLAND PLANNING COMMISSION

#1 PARKCLIFF DRIVE, SUITE D

HOLIDAY ISLAND, AR 72631

PHONE: 479/981-3091

ONLINE: [hiplanningcommission.com](http://hiplanningcommission.com)

### COMMISSION MEETINGS

The Holiday Island Planning Commission meets regularly the first Friday of each month at 9:00 a.m. A quorum of three (3) of the five (5) members of the Commission must be present to hold an official business meeting. The minutes of the previous meeting shall be made available at #1 Parkcliff Drive, Suite D or online at [hiplanningcommission.com](http://hiplanningcommission.com). Special interim meetings will be held if requested by two or more members of the Commission to handle business matters requiring immediate attention in the opinion of the members calling the meeting.

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### INTRODUCTION

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

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

## SECTION I PERMIT REQUIREMENTS

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

1. A plot plan, drawn to scale on a copy of an original survey, showing the legal description of the property, the location of the structure to be erected, and indicating the setback from the property lines. The location and type of the planned driveway shall be shown on the plot plan.
2. Foundation plan, fully dimensioned.
3. A floor plan, drawn to scale, dimensioned, with all areas clearly identified. Electrical drawings (power and lighting) may be shown on the architectural plan. Plan shall indicate the area enclosed by the structure.
4. All elevations and partial elevations, drawn to scale, indicating all openings and materials to be used.
5. All exterior materials shall be clearly indicated on the construction drawing.
6. A copy of the license of all Arkansas licensed Building Contractors, Master Plumbers, Master Electricians, and Heat and Air contractors supervising or performing all plumbing, electrical, and heating and air conditioning work for said construction, shall be on file with the Holiday Island Planning Commission.

B. Road Damage Permit is required by the Holiday Island Suburban Improvement District. The permit may be obtained at the HISID office located at 110 Woodsdale Avenue.

### C. Permit Information

1. Upon approval of the application for Building Permit, one (1) set of stamped construction plans and the survey showing the plot plan will be returned to the applicant, along with a copy of the Building Permit.
2. Upon the issuance of a Building Permit for new construction or remodeling, construction is to be completed within 365 consecutive calendar days. Failure to complete construction within the time constraints shall require a new permit to be obtained. Time limit on the second permit shall be 183 consecutive calendar days.
3. **Permit Fees:** Permit fees shall be submitted to the Commission at the time of application. Fees shall be \$250.00 for the initial permit and \$400.00 for a second permit. Checks for permit fees shall be made payable to Holiday Island Planning Commission (HIPC).

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

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

F The location, type, and installation of portable buildings, fences, decks, or other permanent structures are subject to the Commission's prior approval, which approval shall be evidenced by inclusion in the minutes of the Commission and/or the issuance of a supplemental permit. A drawing showing the location in relation to the house, dimensions, and materials to be used is required when applying for approval.

## SECTION II MANUFACTURED HOMES

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

### A. Mobile and On Frame Modular Homes

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

1. Pre-wired and pre-plumbed mobile or modular homes are permitted only in Unit 1.
2. All mobile homes and on frame modular homes shall have a HUD sticker.
3. The applicant shall be required to provide the Commission with all applicable information as set forth in Section I, including construction plans as defined therein, and the applicable fee.
4. An actual photograph and date of manufacture must be submitted in the event that the mobile home will not be **new**.
5. Foundations for mobile homes or on frame modular homes must conform to the International Building Code or the International Residential Code or One and Two Family Dwellings as adopted by the State of Arkansas, plus the Holiday Island Planning Commission Regulations for Construction and Residential Habitation and other applicable Arkansas State Law and Regulations.
6. The mobile home or on frame modular home must be skirted with approved material and properly anchored. 8. Mobile homes and on frame modular homes in Unit 1 must have a minimum of 1,200 square feet of habitable living area as described in Section I Paragraph B of these regulations.
7. Mobile homes and on frame modular homes may not be parked at any time on the street right-of-way.

### B. Modular Homes

Modular homes will be considered by the Commission on a case by case basis. The applicant shall be required to submit to the Commission all applicable information as set forth in Section II, Paragraph A, including construction plans as defined therein and the applicable fee.

All modular homes shall be assembled by an Arkansas licensed building contractor. No portion of any such house shall be parked at any time in the street right of way.

## SECTION III LOG AND A-FRAME STRUCTURES

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

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

#### **SECTION IV WATER SYSTEM REQUIREMENTS**

A. No water meter, other than a construction meter, may be installed or connected to the Holiday Island Suburban Improvement District's water system until the plumbing service has been approved by the Holiday Island Suburban Improvement District

B. The Holiday Island Suburban Improvement District water and sewer systems are approved by the Arkansas Department of Health, no structure will be allowed to be connected to the water and sewer system unless it meets the applicable codes and regulations of the Arkansas Department of Health.

#### **SECTION V LICENSED CONTRACTORS**

All residential construction must be erected by an Arkansas licensed building contractor. An unlicensed property owner **may** construct **one (1)** residence for his own use. The unlicensed owner/builder must take full responsibility for the construction and must remain on the construction site anytime there is work in progress.

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

#### **SECTION VI CONSTRUCTION GUIDES**

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

1. International Building Code
2. International Residential Code for One and Two Family Dwellings
3. Arkansas Fire Prevention Code, Volumes 1, 2, and 3 with State of Arkansas Revisions
4. Arkansas Standard Gas Code
5. Arkansas Standard Mechanical Code
6. Arkansas Standard Plumbing Code
7. Arkansas Standard Electrical Code
8. Holiday Island Planning Commission Regulations for Construction and Residential Habitation,
9. Holiday Island Declaration of Reservations for the unit shown on the Building Permit.

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

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

D. Service Entrance Cable shall **not** be used from the meter to the electric panel.

E. All electrical from service meter to electrical panel shall be in electrical PVC conduits and wire size shall be in accordance with NEC ratings of amperage. All electric circuitry will be 12-2/WG except for fire

detectors.

F. Please note that Arkansas Mechanical Code Section 601.3.1 requires that heating and air conditioning ducts be sealed as soon as installed. As a result, use of the heating and air conditioning systems during construction is **not** allowed.

G. In the event of any conflict between the standards set forth in any of the publications set forth in paragraph A, the more restrictive shall control.

H. All multi-family structures, residential or commercial, shall have a two-hour firewall between units.

## **SECTION VII CONSTRUCTION - GENERAL INFORMATION**

A. Driveway culverts and paving beyond property line to roadway surface will be coordinated through and approved by the Holiday Island Suburban Improvement District Public Works Department. It is required that concrete paving include an expansion joint or saw cut on the property line.

B. During the course of construction, if a contractor or property owner develops variations or deviations from the approved plan that would be considered major; the contractor shall be required to submit such variations or deviations to the Commission for approval prior to proceeding.

C. All lot surveys must be performed by an Arkansas registered land surveyor.

D. Exact location of the water and sewer hookups for each lot must be determined at the job site by Holiday Island Suburban Improvement District Public Works Department.

E. Cross-connections: Holiday Island Suburban Improvement District adheres to the Safe Drinking Water Act of 1974 (Public Law 93-523). Toward that end, it is necessary for backflow prevention devices to be installed to protect the public water supply from potential contamination due to cross connection. Backflow prevention devices shall be installed in accordance with HISID Regulation No. 21 and all applicable state and federal laws.

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

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

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

I. All handrails on exterior decks, patios or stairs more than 30" above grade shall be a minimum 36" high for residential construction and a minimum of 41" high for commercial construction.

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

## **SECTION VII RESIDENTIAL HABITATION - GENERAL INFORMATION**

### **A. Protective Covenant Enforcement**

1. The Holiday Island Planning Commission (formerly known as the Committee of Architecture) is chartered, through the Declarations of Reservations adopted for all Holiday Island units, with the responsibility of determining whether the "Conditions contained in the Declaration are being complied with." These covenants assign the right to every property owner in the unit to make complaints and/or litigate against violations of these rules. The Holiday Island Planning Commission accepts complaints, makes investigations, and attempts to resolve the violation in the best interests of the community.
2. Every property owner has the responsibility to review, understand and comply with the terms of the Declaration of Reservations for his or her unit. A property owner who wishes to make a violation complaint about another property owner in their unit must submit a covenant violation report to the Holiday Island Planning Commission that specifies the name, address and legal description of the property in question, a description of the violation and the signatures of two (2) or more unrelated property owners in the Unit. A covenant violation report is available at the Planning Commission office or online at [hiplanningcommission.com](http://hiplanningcommission.com).

### **B. The following organizations should be contacted in regard to the indicated services:**

1. Electric Service: Carroll Electric Cooperative, Berryville, Arkansas. Phone 1-800-432-9720.
2. Telephone Service: Southwestern Bell, Fayetteville, Arkansas. Phone 1-800-990-2300.
3. Water and Sewer Service: Holiday Island Suburban Improvement District, Holiday Island, Arkansas. Phone 253-9700.
4. Arkansas One Call: prior to digging for utility marking. Phone 1-800-482-8998

C. Propane tanks shall be screened or fenced so as not to be visible from any public right of way. All such tanks shall be placed a minimum of ten (10) feet from any building and ten (10) feet from all property lines, in accordance with all applicable federal, state and local laws, statutes and declarations. Tanks with a capacity of over 500 gallons shall be placed at least twenty-five (25) feet from any structure, which can be occupied. No propane tanks shall be placed closer to the front of the lot than the back of the residential structure except when adjoining the golf course.

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

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

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

**SECTION VIII  
MISCELLANEOUS**

A. Whenever the context requires the use of gender or number, masculine shall include feminine, feminine shall include masculine, singular shall include plural, and plural shall include singular.

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

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

These Regulations for Construction and Residential Habitation shall be effective from and after the 3<sup>rd</sup> day of

May, 2013.

Myrna Peterson  
Myrna Peterson

Mickey Finefeld  
Mickey Finefeld

Nile Carrothers  
Nile Carrothers

Frank Smith  
Frank Smith