

**LAKE TIMBERLINE PROPERTY RULES & REGULATIONS**  
(Revised February 2020)

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# LAKE TIMBERLINE PROPERTY RULES & REGULATIONS

(Updated September 2019)

2305 Timberline Drive  
Bonne Terre, MO 63628  
(573) 358-2620 Fax (573) 358-5749

Office Hours: 9:00 AM - 4:00 PM - Monday, Tuesday, Friday & Saturday

**NOTICE:** These rules and regulations will be enforced as provided by Article IV, paragraph 9 of the “Amended Restrictive Covenants and Conditions Pertaining to a Subdivision of Land in St. Francois County, Missouri” (Reference Book 442, Page 227 and all amendments), herein referred to as the “Restrictive Covenants”. These rules and regulations are implemented to ensure the safety and enjoyment of all property owners and their guests. The Lake Timberline Trustees and Security Department have the legal power and duty to enforce all Rules & Regulations and issue fines while in Lake Timberline. Failure to observe these rules or cooperate with security may cost you the use of pond Timberline Improvements, facilities and/or appropriate fines. We all would hope for and would truly appreciate your cooperation. Thanks for your help in making this a better place to live and to enjoy.

## I. EMERGENCY / SECURITY / FIRE:

1. For an emergency, dial 911.
2. To get in contact with a Security Officer, call 358-8710. Hours vary by season, but in the Summer months, there should be someone in the security building from 6:00 A.M. until 10:00 P.M. Sunday –Thursday and 6:00 A.M. until 2:00 A.M. Friday and Saturday.
3. If a police officer is needed for a non-emergency situation, and no one is in the security building, please call Central Dispatch at 573-431-3131, and an officer will be dispatched.
4. To contact the Fire Department (non-emergency), call 358-3681.

## II. FINES AND PENALTIES:

1. This schedule shall be followed for violations of ALL rules and regulations described herein and provisions of the Restrictive Covenants.

- First Offense: Verbal / Written Warning
- Second Offense: \$ 50 Fine
- Third Offense: \$100 Fine
- Fourth Offense: \$250 Fine
- Fifth Offense: \$500 Fine

**2. Procedure.** Here is the procedure which will be followed for imposing fines. However, nothing herein shall prevent or delay additional enforcement actions authorized in the Restrictive Covenants or elsewhere in these Rules and Regulations, with the exception of self help actions. (Procedures for self help actions such as cleaning up debris, or removing unsightly accumulation of material, vehicles, campers, sheds or dwellings are set out in The Restrictive Covenants, Article III). **Security**

**officers or Board members have the right to forego the written/verbal warning step if the offense is serious enough to warrant an immediate fine.**

- a. **After receiving a Verbal or Written Warning or fine for any violation of these rules or the Restrictive Covenants (except moving violations), the violation must be corrected within 10 days, unless additional time is agreed to in writing by the Board of Trustees. If not corrected within that time, it will be considered a Second Offense and a ticket or other written notice of violation, imposing a \$50 fine (for a first offense within 12 months), shall be delivered personally or mailed to the offender and to the property owner (if different from offender) at their last known address.**
- b. **Any violations involving a moving vehicle, ATV, motorcycle or boat (a “moving violation”) must be corrected immediately. Otherwise, another fine, at the next cost level, may be imposed immediately upon committing repeated or another moving violation.**
- c. **If either the fine goes unpaid or the offense/violation is not corrected in 10 days from the issuance of the fine (by either ticket or other written notice of violation), all gate cards related to the offending party and the owners of the property who sponsors any non-owner violator into Lake Timberline or allows the offender to live on their property, shall be deactivated until the fine is paid and the offense/violation is corrected. This shall also be the procedure for any subsequent offenses, with the fine level increasing for each additional offense as set out in paragraph 1 of this section.**
- d. **If the owner and/or violator can not be personally given the notice of violation, it shall be served by mailing a letter to the last known address of the offender and to the property owner who sponsored a non-property owner into Lake Timberline. Whenever a notice or ticket is mailed, an additional five days will be added to the time allowed to correct the violation and pay the fine(s), which time shall begin when the mailing is postmarked.**
- e. **These fines and penalties shall be imposed as a progression of fines even if the violations are different; i.e. First Offense: Dogs, Second Offense: Speeding, Third Offense: Littering. If an offender goes for 12 months without receiving a fine, the next offense will be treated as a first offense**
- f. **Once a gate card is deactivated, the owner may have it reactivated upon payment of all fines, plus correction of violation(s) and payment of a reactivation fee of \$10.00.**

**3. Damages to property.** In addition to the above fines, the offender shall be responsible for paying the reasonable cost of repair and/or replacement of any damaged property.

**4. Responsibility.** Property Owners will be responsible for the actions of their family members, or guests, to include paying any fines imposed and restitution for any damage their family members or guests might cause.

**5. Other Actions.** In addition to the above fines and penalties, the Board of Trustees may place a lien on the property of the offender and/or take legal action to enforce these rules and regulations as provided in the Restrictive Covenants.

### **III FEES AND ASSESSMENTS:**

1. **LOT ASSESSEMENT:** As of January 2020, annual lot assessments are \$125 for the property owner's primary lot, and \$115 per additional lot (Due by January 31<sup>st</sup>). As provided in the amendment to the Restrictive Covenants approved by property owners in 2019, the lot assessment on the primary lot will increased by \$10.00 per year through 2025.
2. **AUTO STICKERS:** \$18 per year (plus \$5.00 late if paid after Jan. 31<sup>st</sup>)
3. **GATE USAGE FEE:** \$13 per year (for each gate card and/or remote)
4. **GATE CARD:** \$23 per card (one time fee)
5. **GATE REMOTE:** \$40 per fob, \$50.00 per clip-on remote (one time fee)
6. **RE-ACTIVATION OF GATE CARDS OR REMOTES** If gate access card or remote is turned off for unpaid fines, assessment or other violation: \$10
7. **BOAT TAG:** \$23 per year for motorized boat; \$15 per year for non-motorized boat.
8. **ATV REGISTRATION (STICKERS AND PLATES)**
  - a. ATV Sticker: \$23 per year, per ATV
  - b. ATV Plate: \$5 per ATV (one time fee)

### **IV. GENERAL RULES:**

1. **PETS:** No pets shall be allowed to run at large.
2. **CURFEW:** No person shall walk/drive about the area after 11:00 PM without a legitimate reason.

#### **3. GATE USAGE:**

Any violations of gate usage rules shall subject the violator and/or the property owner to the fines and/or penalties set out in Section II above. Property owners and renters in good standing may access their property through any one of the open gates with a valid gate card and sticker, with the limitations set out in this paragraph. Additionally, gate cards will be turned off if they are used by someone other the property owner or their immediate family (a spouse, partner, child, or parent who is residing with the property owner). However, it is also a violation to loan gate cards even to immediate family members when their gate card has been turned off for violations of these Rules and Regulations,

- a. When property owners are expecting a visitor, they must contact Security at the Front Gate and give the required information to the person on duty. Then, when the visitor arrives, the security guard will issue a visitor's tag for up to three (3) days. No one shall allow a visitor to enter through one of the back gates.
- b. Property owners may purchase a visitor/family card/sticker at the Front Gate for persons who come to Lake Timberline on a frequent basis
- c. If no Security Personnel is on duty and a property owner wishes to allow a guest without a card to visit, then the property owner must meet the visitor(s)

at the Front Gate Only. (The Front Gate is the gate on Timberline Drive, where the guard shack and office are located) Once there, property owners may use their card to grant access to visitor(s) through the Front Gate. Property owners may not allow guests or anyone else in or out of Lake Timberline through any of the other gates.

- d. Only the Front Gate is to be used when towing a trailer of any kind. Vehicles with trailers are prohibited from using the “back” gates.
- e. Only the Front Gate will be operational during major holidays to ensure security.
- f. Any of the gates may be opened during inclement weather or during an emergency as determined necessary by the Board of Trustees.

#### **4. VISITORS/GUESTS:**

No visitor shall use Association facilities unless accompanied by a Property Owner. However, a Property Owners' immediate family members may utilize that Owners' property IF the family member has the appropriate “Family” auto sticker. Property Owners will be responsible for the actions of their family members, visitors or guests, to include paying any fines imposed and restitution for any damage their family members or guests might cause.

#### **5. LITTERING/TRASH:**

Littering will not be allowed in any Lake Timberline area, including the lakes. The dump site area located at Bee Run Park is to be used for garbage and everyday trash accumulated WITHIN the Development. No one, including Property owners, is allowed to bring trash in from outside of Lake Timberline for disposal. No brush/limbs, tires, lumber, furniture or large appliances, or other large items allowed at the dump site. However, appliances may be dropped off in the designated disposal area near the front gate (check with office or gate guard for directions). No dumping in barrels at parks and beaches. State law prohibits dumping lead batteries, waste oil or whole waste tires.

#### **6. FIREWORKS:**

Fireworks are allowed ONLY on private lots with owners' consent and ONLY between the hours of 10:00 AM and 11:00 PM, from June 15 through July 10. Individuals shall not set off fireworks on ANY road, and must clean up any debris associated with setting off their fireworks, including debris that might travel outside the private lot.

#### **7. NOISE/PEACE DISTURBANCE:**

Please respect every property owner's right to peacefully enjoy their property. No person shall unreasonably and knowingly disturb or alarm any Timberline property owners or their guests by:

- a. Playing music to a volume level that produces complaints from person(s) outside the lot, after being asked to turn down the volume.
- b. Driving motor vehicles without a muffler or other device required to keep the volume to a reasonable noise level, as compared to other motor vehicles.

c. Using noisy power equipment or tools that are likely to disturb others, after sunset.

d. Using offensive language in a face-to-face manner, to specific individual(s), under circumstances likely to incite a fight or other violence.

e. Fighting inside the boundaries of the Lake Timberline community.

f. Purposely causing inconvenience to another person by unreasonably and physically obstructing vehicular or pedestrian traffic or the free ingress or egress to or from a public or private place.

## **V. LICENSED MOTOR VEHICLES.**

1. Missouri State Highway Traffic/Vehicle Laws as well as Associations' Covenants, Rules and Regulations will be enforced.

2. The speed limit within Lake Timberline is 20 miles per hour (or as posted)

3. All motor vehicle operators and vehicles must be properly licensed.

4. All vehicles shall have proper mufflers with noise a major consideration.

5. No off-road use of licensed motor vehicles allowed.

6. Property Owner/Family vehicle permits must be current and will be permanently affixed to the motor vehicle in lower left corner of the windshield, on the driver's side. Persons operating vehicles within Lake Timberline without proper permits (stickers) or an authorized visitor's pass will be considered trespassing.

7. No licensed motor vehicles are allowed on dams or any of the Association's property, except on designated roadways and authorized parking areas.

## **VI. NON-LICENSED MOTOR VEHICLES.**

All applicable Missouri State Highway Traffic/Vehicle Laws and Lake Timberline Covenants, Rules and Regulations will be enforced.

1. All ATVs (All Terrain Vehicles), UTVs (Utility Task Vehicle or "side by sides"), Dune Buggies, Golf Carts, Motor Bikes less than 50CC, and similar vehicles **MUST**:

a. Purchase a license plate and permit sticker from the office.

b. Display a current Lake Timberline Association vehicle sticker to the license plate, on the rear of the vehicle, in a manner where it is easily read.

c. Display a rod-mounted red or orange flag on a pole that is at least five (5) feet high and attached to the rear of the vehicle, or display a "Slow Moving Vehicle" sign on the rear of the vehicle.

d. All riders are strongly encouraged to wear safety helmets.

2. The Property Owner must provide proof of ownership of the vehicle and proof of liability insurance for the vehicle (Not covered in homeowner's policy).

3. Only those persons age 14 or over will be allowed to operate vehicles mentioned in paragraph 2 on their own. Those under the age of 14 **MUST** be accompanied (on the vehicle) by an adult (no less than age 18).

4. No unlicensed dirt bikes or motor bikes with an engine 50cc or greater are allowed to be operated within Lake Timberline.
5. Go-Carts are restricted to private property only (with property owner's consent).
6. Riding is allowed ONLY during daylight hours from October 1<sup>st</sup> through March 31<sup>st</sup> and between the hours of 8:00 AM and 10:00 PM from April 1<sup>st</sup> through September 30<sup>th</sup>. Vehicles shall not be operated off road in public areas (beaches, parks, etc.) other than to/from parking areas.
7. Reckless operation or abusive conduct will not be tolerated.
8. Violators are subject to fines and/or loss of riding privileges, plus possible impoundment of vehicle.
9. We appreciate your cooperation and understanding of the fact that these rules have been designed with safety as the major consideration.

## **VII. BOATING/WATER SKIING/TUBING:**

### **A. BOATING:**

1. Only Property Owners, who have paid their yearly assessments and have properly affixed a sticker to their boats, will be permitted to use lakes in the Development.
2. Boats without proper permits affixed will not be allowed in development.
3. All boats shall be operated in compliance with the regulations of the Missouri Boating Commission, except as otherwise specified by these regulations. Any violators of such rules may be denied the right to use lakes within Lake Timberline. All operators of boats shall be responsible for knowledge of all such regulations.
4. Coast Guard approved life jackets required for each passenger.
5. Fire extinguisher required on boats with motor drive.
6. No wake allowed on Lakes Timberline and Primrose except during skiing hours listed below. No wakes above a "slow-no wake" speed on any other lake or on Lakes Primrose and Timberline within 50 feet of any shoreline.
7. No person shall operate any type boat while under the influence of alcohol/drugs.
8. All boats shall move in a counter-clockwise direction – no cutting across traffic.
9. At all times, boats must follow the directions of any Security Officer.
10. At all times, boats shall be used in a careful and prudent manner.
11. Boat speed is limited to 35 MPH.
12. All boats should avoid any and all wildlife at all times.

### **B. WATER SKIING**

1. Water skiing and tubing are only allowed on Lake Timberline and Lake Primrose. All other lakes in the development are designated "NO WAKE" lakes.

2. Water skiing and tubing are only allowed during the following schedule:

Day after Labor Day – June 30 <sup>th</sup>	10:00 AM – 6:00 PM
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July 1<sup>st</sup> – Labor Day

10:00 AM – 8:00 PM

**“NO WAKE” SPEEDS REQUIRED AT ALL OTHER TIMES.**

3. All skiers and tubers MUST wear Coast Guard approved flotation devices.
4. No boat shall pull more than 2 persons at any time.
5. Towing boat must display a red flag when a skier/tuber is down.
6. No other boat should be within 50 foot of a downed skier/tuber except at slow/no wake speed and this should be avoided whenever possible.
7. No skiing/tubing within 50 feet of designated swimming areas, shorelines or dams.

(Note: Lakefront property owners are allowed to swim out to 50 feet from their shorelines, therefore all boats above a slow/no wake speed must stay at least 50 feet from shorelines.

8. Skiing/tubing is limited to main channels of the lakes.

9 NO JET SKIS/PERSONAL WATER CRAFT ARE ALLOWED ON ANY LAKE IN THE LAKE TIMBERLINE DEVELOPMENT.

**VIII. SWIMMING, BEACH AND PARK USE:**

(SWIM AT YOUR OWN RISK—NO LIFEGUARDS ON DUTY.)

1. All beaches must be vacated by dark (except during annual fireworks display).
2. No swimming from boats except in areas outside the main channel.
3. Swimming is allowed: 1) In designated swimming areas, 2) If you own a lake lot, you and your guests may swim within 50 feet of your lot shoreline, 3) From a boat if within a cove/inlet (outside the main channel).

No fires or vehicles allowed on Lake Timberline Development beaches/park areas.

5. No pets shall be allowed in designated swimming areas or in the common beach area.
6. No littering-----Barrels have been provided so please use them.
7. Persons using Development facility will not engage in any activity or use any language that disturbs the peace of others.
8. Bathroom facilities are to be used ONLY from April 15 through September 15.

**IX. FISHING/HUNTING**

Missouri Game/Fishing permits are required. Obey all game Laws/Limits'

1. No hunting allowed within Lake Timberline Development.
2. No firearms or any instrument that shoots a projectile in any way shall be discharged within the Development except by any Security Officer in the performance of his/her duties.
3. Only fishing by pole and line or rod and reel is allowed.



4. No fish may be taken by using jugs, trout line, limb line, throw line, nets, explosives, gig, gun, hand, spear, bow & arrow, sieve or trap. No fishing inside of swimming areas—ever.
5. Bullfrogs may be taken by pole, hand or gig, but only in season.
6. Trapping allowed only by written permit from the Board of Trustees.

**X. Building Code.** See Addendum 1.

**XI. Regulations and Restrictions pertaining to housing/raising chickens.** See Addendum 2.

**BY AUTHORITY OF THE BOARD OF TRUSTEES OF LAKE TIMBERLINE**

**BONNE TERRE, MO, FEBRUARY 2020**

## ADDENDUM 1

### LAKE TIMBERLINE BUILDING CODE

*Revised February 2020*

#### I. LOT REGULATIONS

1. **Use for Dwelling Purposes.** Upon each lot there shall be constructed or positioned only one Single-Family Dwelling, to be used exclusively for residential purposes. (Par. 2 of ARTICLE III of Restrictive Covenants). Further, the front of the Dwelling shall face the principal street of the lot and have a street address accordingly. Corner lot dwellings shall also face the principal street. If the property owner holds title to an abutting corner lot, then the dwelling may optionally face either street at the corner. Construction of Boathouses shall not be allowed. No shed or non-dwelling structure shall be equipped, furnished, maintained, or used as a temporary or permanent camping or living facility within the Development. [Restrictive Covenants, ARTICLE III, Para. 7(b)]

2. **Minimum Dwelling Floor Space.** No dwelling shall be used or constructed on any lot or tract purchased in this Subdivision with less than six hundred (600) square feet of floor space, and said floor space shall be ground level and exclude unenclosed porches and porticos, and said dwelling shall include only that actual living space under an enclosed roof. No basement shall be occupied until the dwelling is completed. (Par. 8 of ARTICLE III of Restrictive Covenants).

3. **Property Line Setbacks.** Construction or positioning of any permanent structure or facility upon any lot within the Subdivision, including but not limited to any dwelling, shed, garage, porch, septic system, water well, deck, carport, external satellite dish, television or radio antenna, or Camper positioning, shall meet the setback requirements as prescribed in this Code. No portion of any permanent structure, except fences or walls, shall be nearer than twenty-five (25) feet from the front lot line. The distance from each side of permanent structures, except fences or walls, shall be no closer than ten (10) feet from the side of the line of said lot. Nothing contained in these setback requirements shall be construed to permit any portion of a building on a lot to encroach upon another lot. No permanent structure of any kind, such as but not limited to fences, walls, buildings, fixed or portable carports, etc. shall be erected or positioned by the property owner on any Association easements and/or road right-of-way. If two (2) adjoining lots are owned by the same owner and a dwelling is built, the ten (10) foot side clearance requirement shall not apply between these two (2) lots. (Par. 2 of ARTICLE III of the Restrictive Covenants). No part of any dwelling or other structure shall be nearer than five (5) feet from the rear lot line except fences, and walls.

4. **Location of Garages and Outbuildings.** All other structures, including but not limited to garages, carports and outbuildings, shall meet all required set-backs, and be back of the rear line of the dwelling house except that a garage may be constructed in front of or at the side of the house when it is attached to and is a part of the dwelling house or when the general lay of the land makes it extremely difficult to locate a garage or other outbuilding to the rear of the dwelling house. All such buildings shall be sightly, of neat construction, and of a character that will enhance the value of the property. (Par. 3 of ARTICLE III of Restrictive Covenants). Lake front storage sheds shall be located at

least five feet back from the lake front Association property line. Such structures are not allowed on Association owned lake front property under any circumstances.

**5. Subdivision Prohibited.** No lot shall be re-subdivided nor shall a fractional part of any lot be sold without permission of the Board of Trustees of the Subdivision. (Par. 12 of ARTICLE III of Restrictive Covenants)

## **II. BUILDING PERMITS**

### **1. PERMITS REQUIRED.**

Any property owner shall, prior to constructing, erecting, installing or maintaining any of the improvements described in this Code, obtain a permit from the Board of Trustees upon the terms and conditions set forth in this Code. The Board shall not issue any construction permit until the property owner has furnished to the Board of Trustees a copy of a deed or other documentation of ownership of the property which may be required by the Board. Prior to constructing or positioning any new home, the Property Owner shall acquire an approved septic installation permit from the State of Missouri through the St. Francois County Public Health Department or sign a waiver absolving the Board of any liability if an existing well and/or septic system is to be used to service the new home. A property boundary survey conducted by a professional surveyor is also recommended prior to any major construction project.

**A. Construction Permit.** Building permits are required for all construction, including but not limited to, placement of or erection of new structures, additions to any existing structure, installation of water wells, installation of or modification to existing septic systems, fences, boat docks, decks, walls, sidewalks, concrete or asphalt driveways, culverts or major excavation. No construction permit is required for landscaping or routine structural maintenance or repairs such as painting, re-siding, or re-roofing, so long as "new materials" are used for external surfaces. Any change of materials used on any of the above mentioned items will require a Building Permit. All building plans must be approved by the Board of Trustees of said Subdivision. The plans for all construction must receive written approval in the form of a permit from the Board of Trustees before construction can begin. (Par. 9 of ARTICLE III of Restrictive Covenants). A GENERAL SITE PLAN for ANY construction must be submitted to the Board of Trustees for its prior review and approval. The SITE PLAN must include property dimensions, location of existing or possible future location of water well and septic system, location and dimensions of existing structures, location and dimensions of proposed construction, and setback distances from right-of ways and neighboring properties. The lot corner-stakes shall be located and clearly flagged. Before any concrete or asphalt is poured you must contact the Board of trustees so forms and footings can be checked by the Building Code Committee, also any change of location or variance of the original site plan must be submitted and approved prior to project being started. The lot number and name of person requesting the permit shall be placed to the front of the lot where it will be visible from the road. All permit applications shall be reviewed by the Building Code Committee. No building permit shall be issued to a Property Owner if any portion of Assessments, fines, or fees is delinquent, or if the Property Owner has not corrected a Covenant or Rule violation of which he has been notified in writing by the Board of Trustees or the Lake Timberline Police Department.

All approved Building Permits shall be prominently displayed at the construction site for the duration of the construction project. Building Permits are valid for six (6) months from date of issue. Any Property Owner starting construction prior to receiving an approved Building Permit is Page 3 subject to a fine per Restrictive Covenants ARTICLE IV General Powers, Paragraph 18. Additional fines may be assessed against the Property Owner if he/she fails to cease work on a construction project after having been cited with a "no permit violation", and he/she has further failed to apply for a building permit from the Board of Trustees authorizing the construction project. The Property Owner is also subject to a fine if he/she carries out modifications to an approved building plan without written approval from the Board of Trustees. Further, "Construction Contractors" shall not begin or complete construction on any project until the Property Owner has been granted an approved Building Permit from the Board of Trustees. Any Construction Contractor found in violation of this policy, may be restricted by the Board of Trustees from operating within the Development for a one year period for each violation.

**B. Major Excavation.** A Building Permit is required for any excavation other than landscaping upon any privately owned lot. An excavation plan must be submitted to and approved by the Board of Trustees prior to commencement of excavation.

**C. Septic System Permit.** When any dwelling is installed or erected on any lot purchased in this Subdivision, the Property Owner shall at that time obtain a permit from the Board of Trustees to construct and install adequate sewage disposal facilities. (Par. 4 of ARTICLE III of Restrictive Covenants). The system shall be designed and installed in accordance with the State of Missouri and St. Francois County Health Department regulations. The Board of Trustees shall not issue a permit for the construction of any new home or sewage disposal facilities until the applicant provides the Board with an approved "septic installation" permit from the Department of Health of the State of Missouri through the St. Francois County Public Health Department or unless the applicant has signed a waiver absolving the Board of any liability if an existing well and or septic system is to be used to service the new home.

**D. Water Wells.** Prior to installation of any water well on any lot within the Subdivision, the owner shall obtain an approved building permit from the Board of Trustees. The well shall be constructed in accordance with current State of Missouri regulations and St. Francois County Health Department requirements. All wells shall be located not less than one hundred (100) feet from and preferably upland from any septic drainage system, including neighboring systems. The water well location shall be no closer than five (5) feet from neighboring property lines or Association right-of-ways. The recommended depth for new wells is 250 feet or greater. If an existing well is to be used to service a new home, the Property Owner shall sign a waiver absolving the Board of any liability prior to commencing construction or positioning any new home on the property. A GENERAL SITE PLAN shall be submitted to the Board of Trustees indicating the current location or possible future location of septic systems and permanent structures.

**E. Culvert Permit.** A permit from the Board of Trustees shall be required to install any culvert. The Board of Trustees shall have the right and power to regulate the

size and location of culverts in the Development. (Par. 7 of ARTICLE IV of Restrictive Covenants).

## **2. PERMIT FEES. The following permit fees shall be assessed:**

**A. New Home Construction.** In addition to any other fees required in this Code, any property owner constructing or installing a residential dwelling shall, before or at the Page 4 time of issuance of a Building Permit from the Board of Trustees, pay a fee of \$500.00 which covers the building fee for all construction aspects of the permit and any road damage caused by the construction.

**B. Sewage Disposal/Holding Facilities.** \$50.00.

**C. Boat Docks.** \$50.00

**D. Culverts.** \$50.00 (\$200.00 Installation Fee). Must be installed by Board.

**E. Water Wells.** \$50.00

**F. Other Construction.** \$50.00 for each permit issued for construction of any dwelling addition which includes attached or unattached decks, porches, and room additions, as well as construction of any detached shed, garage, non-dwelling structure, or ground excavation, and any other construction requiring a permit as defined in Section I, Paragraph 1,A of this Code. Building permit fees for good of the community building-projects at the Hilltop Lodge, Paddle Club, Dogwood Chapel, Fire Department, or the Board of Trustees shall be waived. 3. DURATION OF CONSTRUCTION PERMIT. Each permit issued pursuant to this Code shall be effective for a period of up to six (6) months from date of issue. If at the end of said 6-month period the construction of the improvement is not completed, the Property Owner shall apply for a 6-month extension of the construction permit at no cost or be subject to a fine. If after twelve (12) months the construction project is not completed, the Property Owner shall at the request of the Board of Trustees submit to an inquiry by the Board, and shall furnish any documentation requested by the Board relating to reasons for delay in completion of the project. If upon such inquiry the Board determines that there is insufficient cause for delay in completion, or that there is no prospect of completion of the improvement within a reasonable period of time, the Board may in its discretion refuse to issue an extension of said permit. If in the Board's determination there has been sufficient cause for the construction delay, the Board of Trustees may elect to extend the permit for an additional six (6) months. All Building Permit extensions shall be accompanied by a \$50.00 fee except the first six (6) months extension.

## **3. BUILDING PLAN DEVIATIONS**

Any changes or modifications to an approved building plan must be reviewed and given written approval by the Board of Trustees or their designated building inspector or Committee. The Property Owner is further subject to a fine if he/she carries out modifications to an approved building plan without written approval from the Board of Trustees.

#### **4. NOTICE TO PROPERTY OWNER**

At the time of issuance of any of the foregoing permits, the property owner shall be furnished with a copy of these Rules and Regulations, and shall execute and deliver to the Board of Trustees a written acknowledgment of receipt thereof Page 5

#### **5. REJECTION OF PERMIT**

The Board of Trustees shall reject any application for a building permit which does not comply with any of these Rules and Regulations, or which indicates construction which will violate any of the terms hereof, or which indicates construction which the Board of Trustees in its discretion determines to be inadequate, unsightly, hazardous, or unlawful.

#### **6. CONSTRUCTION STANDARDS AND REGULATIONS**

**A. Materials.** All materials used for the construction of the outside of all structures shall be new or otherwise approved by the Board of Trustees, and all exterior construction must be completed within six (6) months from the commencement of said construction. (Par. 7 and Par. 8 of ARTICLE III of Restrictive Covenants). If building materials are transported by commercial vehicles within the Subdivision, the property owner shall be required to escort or direct the delivery of such materials to their property.

**B. Septic System.** All sewage disposal facilities shall meet the requirements of the Board of Health of the State of Missouri and the County in which the facilities are located and shall be maintained functional at all times. No sewage field lines shall be permitted to be installed any closer than fifty (50) feet to any Subdivision lake or stream, nor any closer than One Hundred (100) feet from any potable water well which includes neighboring properties. The field shall be adequate to receive discharge from the unit and disburse said discharge underground. Any surfacing of discharge from the system will require additional field lines until the surfacing of discharge is eliminated. Twice a year inspections of all aerator, septic and self-contained containers may be made by a member of the Board or its representatives to insure compliance with the State and County Health regulations. All violations will be reported to the Board of Health of the State of Missouri through the St. Francois County Health Department. (Par. 4 of ARTICLE III of Restrictive Covenants). No outside toilets or direct discharge of sewage into the ground shall be permitted under any circumstances. **Portable self-contained rental toilets may be allowed on with prior Board of Trustees approval as detailed in subsection J. below.** (Par. 5 of ARTICLE III of Restrictive Covenants).

**C. Electrical.** Not less than 200 amp service is recommended for all new home construction or positioning. All electrical wiring, apparatus and appliances shall be installed in accordance with the National Electrical Code as approved by the American Standards Association. When running underground electricity from one building to another, the property owner must use Schedule 40 PVC conduit buried at least eighteen inches deep, embedded in soil back-fill and any such wiring shall be rated for underground use.

**D. Fences.** All fences shall be pre-approved by the Board of Trustees. Fencing shall not exceed 48 inches in height and shall be aesthetic in design. No fence shall be constructed on Board of Trustee right-of-ways. All fencing must be located on the owner's property, and shall not encroach upon any neighboring property. Any fence height variance must be approved by the Board of Trustees if special circumstances warrant it.

**E. Culverts.** Fabricated concrete or galvanized steel piping shall be used for all new or replacement culverts. The size and location of the culvert shall be approved by the Board of Trustees prior to installation or replacement. The property owner shall be responsible for keeping culverts in good condition and clean and free from debris. If not so maintained, the property owner shall be given a written notice by the Board to clean-out, repair or remove the culvert within thirty (30) days. Said written notice may either be personally delivered to the property owner or shall be deemed delivered by depositing the same in the United States mail, postage prepaid, addressed to the last known address of the property owner. If at the end of said 30-day period the property owner has failed to comply with the Board's notice, the Board shall assess the property owner a fee according to the Board's determination of the extent of obstruction and clean-up. In the event of removal, replacement, or installation of a new culvert, the Board may assess the property owner a fee equivalent to labor and materials incurred by the Board.

**F. Garages and Outbuildings.** Garage height shall not exceed a 12 feet wall height, and garage roof must have a minimum 4/12 pitch. The siding for garages and carports shall match that of the dwelling, or otherwise be approved by the Board of Trustees. All outbuildings located on residential lots shall not exceed 16 ft. width x 24 ft. length x 10 ft. high, with minimum roof pitch of 4/12. The external materials of construction of all outbuildings shall be new and compliment the overall appearance of the property. Residential lots shall be defined as lots containing a home or lots abutting the home lot if said abutting lot is owned by the homeowner. All outbuildings on nonresidential lots shall not exceed 12 ft. width x 16 ft. length x 8 ft. wall height, and shall have a minimum roof pitch of 4/12 pitch. Carports and all outbuildings including pre-manufactured storage buildings must be constructed in accordance with setback requirements. The Board may grant garage height variances to allow storage of travel campers or other special circumstances.

**G. Roofs.** Roof shingles shall not exceed two (2) layers on any dwelling or other roofed structure. No Building Permit is required for re-roofing so long as "new materials" are used.

**H. Signs.** No signs may be placed or maintained on any lot except a sign of not more than five (5) square feet advertising the property for sale, and a sign with the name or address of the owner which shall not exceed three (3) feet long and one (1) foot wide. (Par. 10 ARTICLE III of Restrictive Covenants). All non-profit organizations such as the Fire Department, Dogwood Chapel, Paddle Club and Hill Top Lodge shall be allowed to display signs advertising their name and future functions.

**I. Boat Docks.** All boat docks shall be permanently affixed to the lake shore line and be located strictly on the lake frontage abutting the Property Owner's property. No property owner shall be allowed under any circumstances to construct and/or maintain a boathouse or outbuilding on Board of Trustees property. No off-shore floating docks shall be allowed on any lakes. The dock dimensions, materials of construction, design, specific site location, and protrusion into the lake must be approved by the Board of Trustees. Factors such as site inspection, safety, aesthetics, and lake size will be taken into consideration in the Board's decision. As a rule smaller lakes will warrant smaller docks. No commercial barrels, drums, kegs, carboys, or similar containers shall be used for dock floatation purposes. Prior to constructing or expanding an Page 7 existing dock, the property owner shall sign an acknowledgment regarding the Board's continued lakefront ownership and maintenance rights to the lake and shoreline.

**J. TOILETS.** Commercially manufactured portable, self-contained toilets that meet all county, state and Lake Timberline regulations may be used permanently at Lake Timberline within the guidelines set forth herein. (Restrictive Covenants, Art. III, Para. 5). Before any such toilet is brought into Lake Timberline, after February 28, 2020, the owner must obtain a permit at no cost, from the front office, and the toilet must be inspected by Lake Timberline staff. Portable toilets placed before that date shall be exempt from permitting. All such toilets must be maintained so that they do not cause a visual or odor nuisance to other property owners and do not allow waste to escape onto the ground or into the water.

## **7. MOBILE AND MODULAR HOMES AND CAMPERS**

**A. Use for Dwelling Purposes.** No single wide mobile home shall be used for a residence or dwelling or part of said premises at any time, except in Plat 25 as approved for such use. This shall not be interpreted to rule out double wide or modular homes authorized in Par. 8 of ARTICLE III of Restrictive Covenants.

**B. Recreational Vehicles.** No recreational vehicle of any type (including but not limited to campers, portable trailers, motorized vehicles) shall be used at any time for a full time residence or full time dwelling. For purposes of this section, a recreational vehicle is being used as a fulltime residence or dwelling if a person is sleeping in it during a period of twenty-one (21) or more consecutive, 24-hour periods, or for more than 120 days per calendar year.

**C. Single Wide Mobile Homes.** Single wide mobile homes shall be authorized in Plat 25, provided that no property owner shall place upon any such lot a mobile home which is more than five (5) years old at the time of initial installation upon such lot. With respect to any mobile home which is more than one (1) year old, the property owner shall submit such mobile home to the off-site inspection of the Board of Trustees for its approval prior to installation within Plat 25. The Board may in its discretion disapprove the installation of any such mobile home that is found to be inadequate, unsanitary, unsightly, or unsafe. Any single wide mobile home placed on piers shall be tied down.



**D. Double Wide Mobile Homes.** No property owner shall install upon any lot a modular or double wide mobile home that is more than five (5) years old at the time of initial installation. With respect to any modular or double wide mobile home which is more than one (1) year old, the property owner shall submit such modular or mobile home to the off-site inspection of the Board of Trustees for its approval prior to installation upon any lot. The Board may in its discretion disapprove the installation of any such modular or mobile home that is found to be inadequate, unsanitary, unsightly, or unsafe. Modular or double wide mobile homes must be constructed with a concrete external foundation of sufficient height to allow adequate access to crawl spaces. A crawl space of three (3) feet height is recommended. The minimum crawl space height allowed shall not be less than eighteen (18) inches. The external foundation wall which supports the weight of the home shall be a minimum of eight (8) inches thick and shall be constructed with poured concrete or mortared concrete block, and supported with a poured concrete footing. The top of the footing shall be a minimum of eighteen inches below ground level to guard against winter-frost damage and shall also be at least six (6) inches thick, and not less than sixteen (16) inches wide. Further, the supportive footing and concrete walls shall be constructed prior to positioning or installing the Modular or Mobile Home. External skirting in place of the concrete foundation shall not be permitted under any circumstances.

**E. CAMPERS.** Camper shall be placed within the same setback requirements as required for residential dwellings. The property owner shall be responsible for maintaining any camper in good, sightly, sanitary and safe condition year-around. No more than two campers shall be allowed to be positioned on any given lot. Lean-to additions to any camper shall not be allowed. Canvas-sided pop-up campers and tents are not to be left erected during winter months.

**ACKNOWLEDGEMENT** The Lake Timberline Building Code is provided to you for the purpose of expediting your construction while adhering to minimum construction standards, as well as assuring compliance with the Restrictive Covenants. If you have any questions regarding your specific project, our office personnel or Building Committee will be glad to assist you. Lake Timberline Association is a growing recreational and home community. Your Board of Trustees is dedicated to working to make our development even better as we grow. We are pleased that you are investing in a construction project to further develop your property. Quality construction will ultimately lead to increased property values, making Lake Timberline an even more desirable place in which to live. By signing this Acknowledgment you do hereby acknowledge receipt of a complete copy of the Lake Timberline Building Code, and you further acknowledge that you have read and understood the terms and conditions set forth therein. This Acknowledgment must be signed and returned to the Board of Trustees prior to issuance of any construction permit.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Property Owner(s) Signature: \_\_\_\_\_

Lake Timberline Building Code Revised September 2019

## **ADDENDUM 2**

### Regulations and Restrictions pertaining to housing/raising chickens

1. Only permanent PROPERTY OWNER residents may house/raise chickens—no chickens are allowed on rental property, or lots only containing camper, sheds, tents, or bare lots.
2. Owner must obtain approved permit prior to construction of chicken coop and run, before introduction of chickens to property.
  - a. Permit application requires: site plan showing property lines and existing buildings, and proposed coop and run site with dimensions.
  - b. Must comply with location and setbacks from property lines as described in Coop and Run Regulations (below).
  - c. Initial permit costs \$50.00, with a yearly renewal fee of \$10.00.
3. Inspections. The Code Inspector must inspect the premises prior, during and after the completion of the coop and run, prior to introduction of chickens to property. Additionally, yearly inspections are required.
4. Chickens shall be limited to six (6) hens. No roosters are allowed in the Lake Timberline development.
5. Property owner must correctly manage the chickens' overall health: chickens must be fed properly, kept disease free, maintained humanely. No slaughtering of chickens.
  - a. No free range chickens are allowed outside intended fenced areas.
  - b. Feed must be maintained in metal containers with tightly fastening lids.
  - c. No unsightly coops and runs allowed. Be considerate of your neighbors.
  - d. Must correctly manage noise and smell.
6. Coop and Run Regulations:
  - a. Maximum size of coop shall be twenty (20) square feet.
  - b. Must be completely stationary and fenced.
  - c. Must have a solid roof covering
  - d. Must be situated on rear portion of lot, at least ten (10) feet from the rear property line and at least twenty-five (25) feet from the lake.

- e. Must be constructed with washable interior surfaces--vinyl or concrete floors, walls and shelving.
  - f. The coop must be cleaned a minimum of three (3) times per year, and the waste must be disposed properly—not at the community dump or common grounds.
  - g. The run shall be 150 square feet – designed to house the maximum chickens allowed. No exceptions.
7. Violations and complaints shall result in immediate closure of coop and run and removal of chickens from the property.
8. **Please be mindful of your neighbors with all aspects of your environment.**