



## Rules & Regulations for Construction

May 1, 2017

**Note: These are issued annually. Do not rely on old documents.**

New building, remodeling, and maintenance done within the MBA guidelines enhances our community and increases property values. Rules & Regulation and guidelines protect neighbors from excessive disturbances and ensure quality of life during the construction project.

- 1) MBA Building Permits are required for all Construction, Repair, Tree Removal, Maintenance and any other work for which MBA Building Permits are required.
  - a. **Large Projects:** Any work valued at \$25,000 or more.
  - b. **Small Projects:** Any work, repair, maintenance, or tree work valued at less than \$25,000.
  - c. **Demolition:** Any project which requires demolition of an existing or relocation from the community of an existing building.
  - d. **Emergency:** Notify MBA via the Emergency Repair notification form on MBA website (or notification to the MBA President by email or phone) within 48 hours of beginning Emergency Repair work to control immediate threats to people or property which if left un-remediated may result in injury, death or loss of property, and to obtain proper Sussex County and MBA Building Permits within seven days of beginning such Emergency Repair work.
- 2) Building Permits may be obtained from Right Property Management or from the MBA website: [www.middlesexbeach.org](http://www.middlesexbeach.org).
- 3) Permits for Large Projects must be submitted to Right Property Management along with:
  - a. Permit fee:
    - i. **Residential:** \$250 plus ½% of the project cost over \$25,000 to a maximum of \$1,500. If the lot size exceeds the MBA single lot, then the maximum permit fee is adjusted; double lot project has a maximum permit fee of \$3,000.
    - ii. **Commercial:** \$2,000 for new construction; \$1,000 for renovation
  - b. Deposit: 5% of the construction cost
  - c. Two (2) paper copies of building plans and specifications of the signed contract from the contractor including the estimated construction costs. Please see Addendum for Plan Specifics.

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### d. Notification of Intent to Conform

- 4) Permits for Small Projects may be submitted to Right Property Management or electronically to *building@middlesexbeach.org*.
- 5) Demolition Permits must be submitted to Right Property Management along with:
  - a. Permit fee: \$250
  - b. Damage Deposit \$1,000
- 6) The Permissible days and times for construction, emergency repairs, demolition, maintenance and tree removal/work are detailed in the Permissible Days & Times document.
- 7) Compliance with the Restrictive Covenants remains the responsibility of the property owner.
- 8) The construction deposit may be forfeited in part or in whole for any violations of the MBA Restrictive Covenants.
- 9) Violations of the Covenants, Rules & Regulations for Construction and/or the Permissible Days & Times document may result in fines of up to \$100 per day.
- 10) Construction must start within one (1) year from the date the permit was signed by the Building Committee. Otherwise the Permit will be declared null and void and permit fees forfeited. A project started after one (1) year will be considered a new project. A new permit must be submitted.
- 11) Setback requirements for Sussex County are not identical to those of MBA and construction must comply with both.
- 12) Property boundary corners must be PHYSICALLY STAKED and CLEARLY MARKED.
- 13) The property owner must inform the Building Committee in writing of any variation from the approved plans. Changes to the proposed footprint of any building will require a new or amended Building Permit
- 14) No building of any type shall exceed the height of thirty-five (35) feet. If the design height is more than thirty (30) feet above the highest point of the contiguous road, height verification will be done by a licensed surveyor with the cost being covered by the Building Permit fee.
- 15) Swimming pools and related equipment and structures (including fences and pumps) shall comply with guidelines approved by the Board *and all MBA governing documents*.
- 16) During construction, the property owner must provide a dumpster for all construction debris. Property owners must not allow piles of debris to accumulate on their property or blow off to the surrounding areas.
- 17) Such dumpsters and porta-potties may never be placed on community property.
- 18) No community property may be covered by impervious surfaces.
- 19) Property owners are liable for all damages, whether caused by their actions, or through

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the actions or negligence of contractors or subcontractors acting on their behalf.

- 20) It is the responsibility of property owners to restore, replace, or correct damage to existing culverts, driveways, wetlands and other areas because of the development of their lot.
- 21) All Building Permits must be returned at the completion of the project. Failure to do so may result in a fine to be determined by the MBA Board.
- 22) Signs/Signage: All signs/signage must be in compliance with the Covenants as per Sections (5), (6.7) (a). Changes to or additions to existing signage and/or erection of new signage must be approved by the MBA Board.