

Middlesex Beach Association

Permissible Days & Times

for Emergency Repairs(1), Construction & Demolition(2), Repairs(3), Maintenance(4), and Tree Removal/Work(5)

May 2017

MBA Construction Regulations concerning the permissible days and times of allowable Construction or other work on property and/or lots are designed to enable Lot Owners to cost effectively undertake and quickly complete building projects and also to ensure the peace and quiet of all in the community and "...prevent the occurrence of any public nuisances, or eyesore, or menace to public health, safety or welfare, or which threatens to adversely affect the safety of or value of Middlesex Beach and the other properties therein..." per Section (9.1) NUISANCES of the MBA Restrictive Covenants.

Permissible Days & Times for Construction now include clear definitions of work types and expansion of work day and hours.

MBA Lot Owners must legally comply with these regulations and any applicable Sussex County Code, Rules and Regulations.

MBA Permissible Days & Times for work on all MBA Lots apply to: a) all Contractors engaged by MBA Lot Owners and b) to all MBA Lot Owners, their family members, house guests, and renters.

- (1) *Emergency Repairs* are defined as an unexpected and immediate threat to people or property which if left un-remediated may result in injury, death or loss of property. Work, which would normally require a permit, but can be defined as an "Emergency" by this definition may proceed temporarily without a formal MBA building permit. As soon as is practical but not later than seven (7) calendar days from discovery of the Emergency, notification to the President of the Association of the type and extent of the Emergency is required. Please see "Emergency Repair Procedures" on the MBA website.
- (2) *Construction & Demolition*: Construction is defined as any Interior or Exterior Work resulting in a new, added, or altered main structure and its attachments; detached accessory buildings including sheds and detached garages; fences, walkways or retaining walls; trash and recycling enclosures; signs; and/or imperviously paved areas. This includes any demolition, pile driving, drilling, excavating, filling or grading associated with the construction, as well as the staging/storage of materials and equipment related to the construction.
- (3) *Repairs* are defined as repair and/or replacement. This is Interior or Exterior Work related to patching; restoration; or minor replacement of materials, elements, components, equipment, or fixtures on a like-for-like basis for the purpose of restoring structures or paved areas to safe and usable conditions. Replacing a door; window; outside deck board; small section of leaking roof shingles; electrical fixture; faucet with a similar like-for-like item is repair. Repair is considered "Construction" subject to (2) above if the scope of work expands to result in a "altered structure" such as adding a door or window or installing a door or window of a different size; expanding a deck; replacing roof or wall sheathing in conjunction with replacing roof shingles or siding boards; adding additional electrical fixtures or running a new water line.
- (4) *Maintenance* is defined as all Interior or Exterior Work that is not Construction or Repair but is routinely required to preserve land appearance such as cutting grass, landscaping, and cleaning ditches; or work required to prevent the interior or exterior of structures from deterioration by painting or staining with hand tools or residential sized power washers.

- (5) *Tree Removal/Work* is defined as any work requiring power tools to cut, chip, and grind or remove a tree or its branches, stump or roots from a Lot. This definition is not intended to prevent the use of hand tools for cutting of small trees, or preparing those small trees for yard waste pick up.
- (6) *Signs/Signage*: All signs/signage must be in compliance with the Covenants as per Section (5). Changes to or additions to existing signage and/or erection of new signage must be approved by the MBA Board.

Contractor work is defined as any work performed by an individual or company hired to perform work for a Lot Owner.

Lot Owner(s) work is defined as any Construction, Repair, Tree/Removal Work or Maintenance performed by the Lot Owner(s) and their family or house guests, and renters.

Holiday and/or Holiday Weekend Work

No work of any kind by Contractors may be performed on Holidays and/or Holiday weekends.

Lot Owner(s) may perform Interior Construction, Repair work, and Maintenance on Holidays and Holiday weekends. Exterior Construction and Repair is not permissible on these days:

New Year's Day	4 th of July
Martin Luther King Weekend (Sat, Sun, Mon)	Labor Day Weekend (Sat, Sun, Mon)
President's Day weekend (Sat, Sun, Mon)	Columbus Day weekend (Sat, Sun, Mon)
Easter weekend (Sat, Sun)	Veteran's Day provided the Federal holiday falls on a Mon or Fri
Memorial Day weekend (Sat, Sun, Mon)	Thanksgiving weekend (Thur, Fri, Sat, Sun)
Christmas Day	

Building Permits

MBA Building Permits are required for all Construction, Repair, Tree Removal, Maintenance and any other work for which MBA Building Permits are required.

- 1) **Large Projects**: Any work valued at \$25,000 or more.
- 2.) **Small Projects**: Any work, repair, maintenance, or tree work valued at less than \$25,000.
- 3.) **Demolition**: Any project which requires demolition of an existing or relocation from the community of an existing building.
- 4.) **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 unremediated 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.

Work by Contractors

		Emergency Repairs (1)	Construction & Demolition: (2)	Repairs (3)	Maintenance (4)	Tree Removal/Work (5)
Work by Contractors	September from the day after Labor Day to October 31	If immediate threat to life or property exists, work is allowed 24hrs/day, 7 days/week until immediate threat is controlled. Once the immediate threat has been remediated work shall take place per the regular schedule of permissible hours for Repair Work.	M-F: 8:00 AM with departure from site no later than 6:00 PM	M-F: 8:00 AM with departure from site no later than 6:00 PM	M-F: 8:00 AM with departure from site no later than 6:00 PM	M-F: 8:00 AM with departure from site no later than 6:00 PM
	November 1 to June 30		M-F: 8:00 AM with departure from site no later than 6:00 PM . Saturdays: 9:00 AM with departure from site no later than 4:30 PM . Note: No new exterior construction may begin after June 1. Exterior construction underway may continue until 30 June.	M-F: 8:00 AM with departure from site no later than 6:00 PM . Saturdays: 9:00 AM with departure from site no later than 4:30 PM	M-F: 8:00 AM with departure from site no later than 6:00 PM . Saturdays: 9:00 AM with departure from site no later than 4:30 PM	M-F: 8:00 AM with departure from site no later than 6:00 PM . Saturdays: 9:00 AM with departure from site no later than 4:30 PM
	July 1- September until the day after Labor Day		Effective July 1, 2017, construction work is NOT allowed through the day after Labor Day.	Only Interior Work within completely enclosed space with windows & doors closed M-F: 8:00 AM with departure from site no later than 6:00 PM . Repairs by these contractors may be performed at any time due to their nature and inability to limit schedule: cable, HVAC, pumps/sewer/plumbing; propane; telephone; electricity.	M-F: 8:00 AM with departure from site no later than 6:00 PM . Repairs by these contractors may be performed at any time due to their nature and inability to limit schedule: cable, HVAC, pumps/sewer/plumbing; propane; telephone; electricity.	No work allowed except for work that meets "Emergency Repair Procedures" requirements

Work by Lot/Property Owner(s) with Family & House Guests & Renters

		Emergency Repairs (1)	Construction & Demolition: (2)	Repairs (3)	Maintenance (4)	Tree Removal/Work (5)
Lot Owner(s) with Family & House Guests & Renters	September from the day after Labor Day -October 31	If immediate threat to life or property exists, work is allowed 24hrs/day, 7 days/week until immediate threat is controlled. Once the immediate threat has been remediated work shall take place per the regular schedule of permissible hours for Repair Work.	M-F: 8:00 AM until no later than 6:00 PM	M-F: 8:00 AM until no later than 6:00 PM ; Saturdays: 9:00 AM-4:30 PM Sundays: 9:00 AM-4:30 PM	M-F: 8:00 AM until no later than 6:00 PM ; Saturdays: 9:00 AM-4:30 PM Sundays: 9:00 AM-4:30 PM	M-F: 8:00 AM until no later than 6:00 PM ; Saturdays: 9:00 AM-4:30 PM Sundays: 9:00 AM-4:30 PM
	November 1 to June30		M-F: 8:00 AM until no later than 6:00 PM . Saturdays: 9:00 AM until no later than 4:30 PM ; Sundays: 9:00 AM-4:30 PM	M-F: 8:00 AM until no later than 6:00 PM . Saturdays: 9:00 AM until no later than 4:30 PM ; Sundays: 9:00 AM-4:30 PM	M-F: 8:00 AM until no later than 6:00 PM . Saturdays: 9:00 AM until no later than 4:30 PM ; Sundays: 9:00 AM-4:30 PM	M-F: 8:00 AM until no later than 6:00 PM . Saturdays: 9:00 AM until no later than 4:30 PM ; Sundays: 9:00 AM-4:30 PM
	July 1- September until the day after Labor Day		Effective July 1, 2017, construction work is NOT allowed through the day after Labor Day.	Only Interior Work within completely enclosed space with windows & doors closed. M-F: 8:00 AM until no later than 6:00 PM ; Saturdays: 9:00 AM until no later than 4:30 PM ; Sundays: 9:00 AM-4:30 PM . Repairs by these contractors may be performed at any time due to their nature and inability to limit schedule: cable, HVAC, pumps/sewer/plumbing; propane; telephone; electricity.	M-F: 8:00 AM until no later than 6:00 PM . Saturdays: 9:00 AM until no later than 4:30 PM ; Sundays: 9:00 AM-4:30 PM . Repairs by these contractors may be performed at any time due to their nature and inability to limit schedule: cable, HVAC, pumps/sewer/plumbing; propane; telephone; electricity.	No work allowed except for work that meets "Emergency Repair Procedures" requirements.