



The Lakes Architectural Control Committee

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NOTICE TO BUILDERS AND LOT OWNERS

The purpose of the Architectural Criteria and Requirements outlined on the "New Home Construction Approval Request Form" (ACC-1-C) is to ensure that Health, Safety, and Environmental issues are addressed and to ensure that each Property Owner has the greatest opportunity to protect and enhance the value of their specific property and The Lakes Subdivision as a whole.

The "Declaration of Covenants, Restrictions, and Easements for The Lakes Subdivision" provides that The Lakes Property Owners Association, by and through the Architectural Control Committee (ACC) may enforce the provisions of such Declaration; including the right to proceed at law or equity for the recovery of damages, or for injunctive relief, or both.

Every effort has been made to make the "Architectural Criteria and Requirements" as clear, concise and unambiguous as possible. A copy of every approved "New Home Construction Approval Request Form" is provided to both the Lot Owner and Builder/Contractor. Included on this form is the designation of the assigned ACC contact. Should questions or need for clarification arise at any point during the construction process, the assigned ACC contact should be contacted at the telephone numbers provided. Requests for modifications to plans and specifications provided as part of the approved New Home Construction Approval Request must be made by the builder/Lot Owner in writing and be approved by the ACC. To prevent delays in the construction process, the ACC will, if necessary, convene a special meeting to consider and take action on plan modifications and change order requests.

Both the builder/contractor and the lot owner shall be jointly and severally liable for all violations and for any damages, cost of remediation, legal costs, or fines imposed pursuant to these Requirements. The builder/contractor's liability arises under the contractual agreement provided by the submission of the "New Home Construction Approval Request Form" (ACC-1-C) and the lot owner's liability arises under the provisions of the "Declaration of Covenants, Restrictions, and Easements for The Lakes Subdivision".

Violations, Remediation Required, and Enforcement Actions

Note: Compliance, correction, or remediation at any point will make further enforcement action unnecessary.

Major Violations:

I. Start of work, including lot clearing prior to ACC approval.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation	Legal Action
Owner/Builder Action Required		
Stop Work Complete Approval Request Obtain ACC Approval	Stop Work Complete Approval Request Obtain ACC Approval	

II. Failure to start construction within 120 days after approval date or complete construction within 12 months of construction start. Note: Reasonable requests for extension to the start and completion requirements will be considered by the ACC upon written request. Specific factors affecting the start/completion of the project must be cited, e.g. administrative delays (permits, inspections, etc.), weather delays, utility installation delays, unforeseen materials shortage, etc.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation	Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Explanation of delay Request Extension Start/Complete Project	Explanation of delay Request Extension Start/Complete Project	

III. Violation of setback requirements.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation Request for Administrative Action (Horry County Code Enforcement and Zoning Compliance)	Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Correct setback violation	Stop Work Correct setback violation Provide new certified site survey	

IV. Failure to follow submitted and approved Plans and specifications.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation Request for Administrative Action (Horry County Code Enforcement) as appropriate.	Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Correct deficiency or request exemption/variance Obtain ACC approval	Stop Work Correct deficiency or request exemption/variance Obtain ACC Approval	

V. Construction of Bulkhead, Swimming Pools, Fencing and Docks, as part of initial home construction without the submission of ACC Forms and obtaining ACC approval.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation to Lot Owner and/or Builder	Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Complete Appropriate Approval Requests Obtain ACC Approval.	Stop Work Complete Appropriate Approval Requests Obtain ACC Approval	

VI. Installation of surface or overhead utility lines or above ground fuel storage tanks.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation	Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Correct Violation	Stop Work Correct Violation	

VII. Driveway Drainage Provisions,; failure to comply.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation	Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Correct deficiency	Stop Work Correct deficiency	

VIII. Drainage Plan Provisions; failure to implement as approved.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation Request for Administrative Action (Horry County Code Enforcement) as appropriate	Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Correct deficiency and/or request modification to plan	Stop Work Complete deficiency and/or request modification to plan.	

IX. Landscaping Plan Provision; failure to implement as approved.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation	Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Correct deficiency and/or request modification to plan	Stop Work Complete deficiency and/or request modification to plan.	

Minor Violations:

X. Erosion Control Plan; failure to implement as approved, and/or failure to maintain control measures.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation Request Administrative Action (Horry County Code Enforcement)	Fine - \$50.00 per day after notice. Forfeiture of Compliance Deposit Legal Action
Owner/Builder Action Required		
Implement Measures	Stop Work - Implement Measures	

XI. Signage; failure to provide and maintain a sign as required to identify the Builder and building site.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder	Written Notice of Violation to Lot Owner and/or Builder	Fine - \$10.00 per day provided within 72 hours of Written Notice. After 30 days, Fine doubles.
Owner/Builder Action Required		
Provide required signage.	Written acknowledgement and provide required signage.	

XII. Construction Hours limitation; failure to follow.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
1st Violation: Verbal Notification & Warning to Lot Owner and/or Builder	2nd Violation: Written Notice of Violation to Lot Owner and/or Builder	\$250.00 fine per incident
Owner/Builder Action Required		
Abide by Construction hours and limitations.	Written acknowledgement and subsequently abide by Construction Hours Limitations	

XIII. On-site Toilet Facilities; failure to provide, proper place, and/or maintain.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
1st Violation: Verbal Notification & Warning to Lot Owner and/or Builder	2nd Violation: Written Notice of Violation to Lot Owner and/or Builder	\$250.00 fine per day of non-compliance.
Owner/Builder Action Required		
Provide and maintain on-site toilet facilities.	Written acknowledgement and subsequently provide and maintain on-site toilet facilities.	

XIV. On-Site Burning.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
1st Violation: Verbal Notification & Warning to Lot Owner and/or Builder	2nd Violation: Written Notice of Violation to Lot Owner and/or Builder	\$50.00 fine incident after notification.
Owner/Builder Action Required		
Abide by burning restriction.	Written acknowledgement and subsequently abide by burning restriction.	

XV. Concrete Trucks: Allowing dumping of excess concrete or the cleaning of concrete delivery trucks anywhere within The Lakes.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder PLUS cost of cleanup if not undertaken by builder.	Written Notice of Violation PLUS cost of cleanup if not undertaken by Builder.	\$100.00 fine PLUS cost of cleanup if not undertaken by Builder.
Owner/Builder Action Required		
Removal of excess concrete/site cleanup.	Removal of excess concrete/site cleanup.	

XVI. Tropical Storms/Hurricanes/Gale Force Wind: Failure to take precautions to secure site.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder PLUS cost of cleanup by Builder. Builder shall be liable for all damages caused by failure to comply.	Written Notice of Violation PLUS cost of cleanup if not undertaken by Builder. Builder shall be liable for all damages caused by failure to comply.	Forfeiture of Compliance Deposit. Legal Action.
Owner/Builder Action Required		
Builder shall <u>immediately</u> take all steps necessary to secure the building site.	Builder shall <u>immediately</u> take all steps necessary to secure building site, cleanup debris and repair damage.	

XVII. Street Cleaning and Provisions for Vehicle Access Pad; failure to provide, maintain, and cleanup.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder, PLUS cost of cleanup if not undertaken by Builder	Written Notice of Violation PLUS cost of cleanup if not undertaken by Builder.	\$50.00 fine per day PLUS cost of cleanup if not undertaken by Builder.
Owner/Builder Action Required		
Removal/cleanup of tracked soil or debris. Subsequently provide and maintain gravel pad.	Written acknowledgment and subsequently provide and maintain gravel pad. Removal/cleanup of tracked soil or debris.	

XVIII. Construction Debris; failure to provide and maintain collection and control; provide dumpster/trash cage; provide service to prevent overflow, cleanup trash/debris.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder, PLUS cost of cleanup if not undertaken by Builder.	Written Notice of Violation PLUS cost of cleanup if not undertaken by Builder.	\$50.00 fine per day on non-compliance PLUS cost of cleanup if not undertaken by Builder.
Owner/Builder Action Required		
Provide and maintain on-site debris control.	Written acknowledgement and subsequently provide and maintain on-site debris control.	

XIX. Clean-up; failure to comply Allowing trash and/or debris from the construction site to be blown or otherwise carried onto adjacent lots, roadways, or waterways. Failure to remove all excess materials, and construction debris, including cleared brush, stumps and trees, from the lot.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder PLUS cost of cleanup if not undertaken by Builder.	Written Notice of Violation PLUS cost of cleanup if not undertaken by Builder.	\$50.00 fine per day PLUS cost of cleanup if not undertaken by Builder. Forfeiture of compliance deposit. Legal action.
Owner/Builder Action Required		
Provide and maintain on-site debris control. Remove excess material.	Written acknowledgement and subsequently provide and maintain on-site debris control. Remove excess material.	

XX. House Numbers: failure to provide per the Horry County Fire Protection Code, as required prior to completion.

ACC 1st Action	ACC 2nd Action	ACC 3rd Action
Verbal Notification and Warning to Lot Owner and/or Builder.	Written Notice of Violation	Withhold refund of compliance deposit until provided.
Owner/Builder Action Required		
Provide required numbers.	Written acknowledgement and provide required numbers.	

I/We acknowledge receipt of The Lakes “Notice to Builders and Owners” and agree to the corrective measures and penalties contained therein.

Builder/Contractor Signature and Date: _____

Homeowners Signature and Date: _____