

Design Inspections; fees

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Design Inspections; fees

- (3) If property lies within 100-year flood plain, an approved Certificate of Elevation is on file.
 - (4) An approved Termite Treatment Certificate has been issued and on file.
 - (5) MUD Plumbing Inspection has been performed approved and no non-conformances are certified to be present.
 - (6) The exterior of the building or structure has been completed per the Building Committee approved plans. The exterior of the building or structure is not missing any building features, furnishings or functions depicted on the plans and the exterior is finished/trimmed/painted as per Building Committee approved plan.
 - (7) The building site and adjacent sites has been cleaned and any damage to curbs, streets, and adjacent property has been repaired and corrected in a manner satisfactory to the Building Committee.
 - (8) Building or structure meets all setback and easement requirements. If not, any and all required variances have been reviewed and approved by the building committee.
- (Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 2006-14, passed 9-5-06) Penalty, see § 10.99

Design Inspections; fees

(3) **REMODELING.** Reconstruction, alteration, or addition of existing single-family dwelling, duplex, town house, condominium, or commercial building, and/or any additional construction that involves work on electrical, plumbing, or HVAC (utilities) to same.

(4) **SECURITY DEPOSITS.** Used as clean up fees and are refundable either in part or whole at the discretion of the City Building Committee depending on the compliance of the depositor with § 150.71 of this chapter.

(B) *Permit fees.*

(1) Permit fees shall be paid prior to the issuance of a permit and are non-refundable.

(2) Permit fees shall be established by the City and posted per a fee schedule at City Hall.

(Ord. 00-01, passed 4-4-00; Am. Ord. 01-10, passed 12-4-01; Am. Ord. 04-02, passed 7-6-04; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-32, passed 11-7-06)

§ 150.73 CERTIFICATE OF OCCUPANCY.

A Certificate of Occupancy, completed, signed, and issued by the Building Committee Chairperson is a mandatory requirement prior to any person occupying a building or structure in a manner defined herein. The outfitting and/or “moving-in” of any furniture, household furnishings, and/or sleeping accommodations (temporary or permanent) inside the living area of a building or structure prior to receipt of an approved Certificate of Occupancy is prohibited. A person commits an offense if such person(s) outfits or moves into a dwelling or structure, or allows a person to do same; any household items, furniture or sleeping accommodations (temporary or permanent) without having been issued and, in possession of, an approved Certificate of Occupancy. This restriction and commitment of offence potential is applicable to any person, or persons conducting the above-prohibited act; including the builder, owner, renter, lessee or any person in occupancy. A person shall not use the building or structure as temporary living space or sleeping area for any length of time, regardless of how short in time duration, without an approved Certificate of Occupancy. A person commits an offence if such person uses as temporary living space or sleeping area, any portion of the living area of a building or structure, for any length of time, regardless of how short in duration, without being in possession of an approved certificate of occupancy for the building or structure. The Building Committee (nor any other person or official of the City) is not authorized to grant a verbal authorization to a person to occupy the building or structure, either physically, or for a person to conduct the above defined prohibited acts. A person(s) who proceeds with only a verbal authorization to occupy or otherwise “move-in” a building or structure as defined above, shall have committed an offense regardless of having verbal authorization.

The Building Committee Chairperson (or designee) shall use the following list of requirements and conditions as the minimum criteria to be met before a certificate is issued.

- (1) Building is compliant with all requirements and constrains contained herein, with respect to applicable International Codes and National Electrical Codes (NEC).
- (2) All plumbing, electrical, and mechanical inspections have been conducted and no non-conformances are certified to be present.

Design Inspections; fees

(C) *Further inspections.* The Building Committee, the City's Construction Code Inspector, and MUD Inspector, shall be entitled to enter and inspect all sites where building or installation of structures is occurring to determine compliance with the provisions of this chapter and the provisions of any restrictions applicable to the site, and to issue orders to cease and desist any work which may be in violation of this chapter or of any restrictions until compliance with this chapter and the restrictions are shown to the satisfaction of the Building Committee.

(6) Prior to the addition of water, or otherwise filling of a newly constructed swimming pool, hot tub or spa; a mandatory inspection by the Building Committee is required to ensure compliance to approved plans, ordinances and building codes. A person commits an offense if above reservoirs are filled with water prior to an inspection being performed certifying compliance.

(7) In addition to plumbing inspections conducted by the Building Committee and City Construction Code Inspector, the MUD shall conduct a final plumbing inspection. Successful passing of the MUD inspection and issuance of the MUD Inspection Certificate is a required prerequisite to issuing a Certificate of Occupation.

(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 97-2-8, passed 2-8-97; Am. Ord. 00-03, passed 5-23-00; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-32, passed 11-7-06) Penalty, see § 10.99

§ 150.71 SECURITY DEPOSIT.

Each applicant for a building permit, with the exception of fences and decks, shall post a security deposit to guarantee that the job site will be maintained and will be left in a clean and orderly condition during, and after the construction has been completed. If the permit holder has not complied with any request of the Building Committee to clean the site and to clean-up and make repairs correcting damage done to adjacent properties (including streets and curbs), all or any portion of the security deposit may be used by the Building Committee to cover the cleaning cost, if the site has not been cleaned or damages repaired and corrected within ten days after written notice from the Building Committee to do so. The required Security Deposit dollar amount is defined in the Appendix A10 to this Code. The Building Committee shall be the City's final authority on whether the construction permit holder has successfully satisfied requirements and is entitled to the Security Deposit being refunded.

(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 00-01, passed 4-4-00; Am. Ord. 2006-14, passed 9-5-06) Penalty, see § 10.99

§ 150.72 CONSTRUCTION DEFINITIONS.

(A) *Definitions.* For the purpose of this section the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

(1) **NEW CONSTRUCTION.** The initial building of a single-family dwelling, duplex, town house, or condominium or commercial building.

(2) **PERMIT FEES.** Fees charged by the city and may include inspection fees and are non-refundable.

Design Inspections; fees**§ 150.70 INSPECTION BY BUILDING COMMITTEE.***(A) Preliminary inspections prior to pouring foundation.*

(1) The permit holder, before any concrete slab is poured, and upon forming up the proposed foundation of the improvement, shall provide a form survey by a licensed surveyor locating the concrete slab forms upon the ground and depicting proposed overhangs and/or eaves, and the form survey shall indicate the location of all lot lines, building setbacks and easements. All improvements to be constructed shall lie in such a manner as to not violate any setbacks or easements affecting the lot.

(2) The form survey must also show the proposed slab elevation, and curb elevation from the approximate center point of the curb in relation to the lot and the elevation of the highest point of the natural grade as measured at a distance of five feet from the edge of the foundation wall at the referenced point.

(3) Should all or any part of the owner's lot lie within the 100-year floodplain as defined by Chapter 151, before any concrete slab is poured, the form survey shall further contain an elevation certificate showing that the proposed concrete foundation and structure is in compliance with Chapter 151, and requirements contained herein which govern the design and construction of structures built within the 100-year floodplain.

(4) Before construction of a foundation or the placing of the foundation slab commences, a completed form survey and, if applicable, also a completed elevation certificate shall be provided to the Building Committee Chairperson (or designee) for review, approval and filing. The approval of the survey (including elevation certificate, if applicable) shall be a constraining prerequisite to the placing of any portion of the slab or proceeding with foundation construction. The forms may not be relocated or the elevation of the proposed slab altered once approved by the Building Committee. To do so shall invalidate both the survey and elevation certificate, and result in an immediate "red tag" stop work order being issued. A person commits an offence if such person proceeds with the placing of any portion of the slab or commences construction of the foundation prior to receiving approval by the Building Committee, or a person places a slab or commences foundation construction with an invalidated form survey or elevation certificate. The form survey and, if applicable, elevation certificate, must be approved before construction proceeds by the Building Committee Chairperson, or his designee, who shall evidence his approval and retain a true and correct copy of same. The forms may not be relocated or the elevation of the proposed slab altered without re-survey and re-approval as stated herein, unless waived in writing by the Building Committee Chairperson or his designee.

(5) Before any concrete slab is poured, all plumbing and electrical conduits intended to be encased therein, shall first be installed in such a way as to allow the installation to be tested, inspected and approved.

(B) Should any of the property lie within the 100-year floodplain as defined by Chapter 151, a certificate of elevation based on finished construction, certifying compliance to BFE requirements for the foundation contained herein, shall be submitted to the Building Committee. A Building Committee approved elevation certificate is a constraining prerequisite for issuing of Certificate of Occupancy.

Land Usage

§ 150.60 RADIO FREQUENCY (RF) TRANSMITTING AND RECEIVING EQUIPMENT.

(A) In keeping with Federal Law (Telecommunications Act of 1996, as amended from time to time) receiving equipment for AM (amplitude modulation), FM (frequency modulation) commercial broadcast reception broadcast to direct broadcast satellites (DBS), multichannel multi-point distribution providers (wireless cable) and television broadcast stations (TVBS) are permitted. A person commits an offense if such person installs or causes such equipment to be installed so that it is visible from the street adjoining the residence or office building unless such location causes unreasonable delay or prevents installation, maintenance or use; causes unreasonable increase in the cost of installation, maintenance or use; or precludes reception of an acceptable quality signal. A person commits an offense if such person installs any DBS or wireless cable dishes larger than 39 inches in diameter, or if dishes, AM, FM or TVBS antennae are attached to a pole in excess of 12 feet above the roof line. If dishes, AM, FM or TVBS antennae are visible from the street adjoining the residence or office building where installed, a person commits an offense if such fails to paint same in a fashion that will not interfere with reception, but blends into the background against which it is mounted.

(B) RF equipment for purposes other than listed above shall adhere to the following requirements and restrictions.

(1) The location of antenna tower shall not cause any portion of the antenna elements, associated mechanisms or tower to overhang or encroach onto property setbacks or easements. Antenna towers shall only be in the backyard and behind a residence, such that base of tower is not visible from the front street.

(2) The maximum height of the antenna tower assembly (antenna tower, antenna, antenna elements, and all associated apparatus) shall not exceed the height of the home (roofline of the residence) by more than 12 feet when measured with respect to a horizontal plane that is perpendicular to a vertical plumb line. No guy wires may be used.

(3) Antenna towers for purposes other than those listed in (A) above shall require an approved Architectural Committee/Building Committee Permit. The criteria for issuing an approved permit shall be adherence to requirements contained herein along with safety reviews to assure human safety and the structural integrity capability of the antenna and tower assembly. A person commits an offense if an antenna tower assembly is constructed without prior approved permit. The fee for the permit is defined in the Appendix to Meadowlakes Code of Ordinances.

(4) Operating RF equipment for the purpose of providing a commercial service is prohibited.

A person commits an offense if such person installs or allows RF equipment to be installed in a manner that does not adhere to these requirements and restrictions.

(Ord. 00-04, passed 7-5-00; Am. Ord. 2006-03, passed 4-4-06; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06)

Land Usage

§ 150.58 COMMERCIAL PARKING REQUIREMENTS.

(A) *Purpose.* To insure adequate customer and employee parking for commercial office and country club buildings within the city, the Building Committee shall review each plan submitted for compliance with the parking requirements listed below.

(B) *Minimum parking requirement.*

- (1) One parking space shall be provided for each 400 square feet of office space.
- (2) One parking space shall be provided for each 200 square feet of heated country club buildings.
- (3) Parking spaces shall have a minimum width of nine feet and a depth of 18 feet.
- (4) Parking area can be shared by written and filed agreement of adjacent property owners.
- (5) Parking accommodations shall comply with ADA (American Disabilities Act) guidelines for handicap parking. One handicap space shall be provided for every 7,000 square feet of office or country club building area. Handicap spaces shall have a minimum width of 12 feet and a depth of 18 feet and shall be identified.
- (6) An unobstructed backup lane of 20 feet shall be provided for above mentioned spaces.
- (7) All required parking spaces must be within the property lines, exclusive of easements. Parking areas shall be paved using an impervious material such as asphalt or concrete and must be curbed. Parking spaces must be identified by striping.
- (8) Incorporate one additional parking space for every 400 square feet of storage space in commercial projects. Storage space is defined as all areas within a building designated on the plans as storage spaces, closets, restrooms, equipment or mechanical rooms.
(Ord. 97-7-12, passed 7-12-97; Am. Ord. 2006-14, passed 9-5-06) Penalty, see § 10.99

Cross-reference:

Parking regulated, see Chapter 92

§ 150.59 EROSION PROTECTION.

(A) During construction the construction site shall comply with LCRA erosion protection guidelines.

(B) After construction a person commits an offense if such person is the owner of a new residence and shall fail to provide erosion protection in the form of sod, grass seeding, ground cover plantings, or stone cover within 60 days after occupying such new residence.
(Ord. 00-04, passed 7-5-00; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06) Penalty, see § 10.99

Supplemental Regulations

§ 150.55 WATER AND SEWER SERVICES.

(A) A person commits an offense if such person obtains water and sewer services within the city from a source other than the Meadowlakes Municipal Utility District. An exception is granted to Lake Marble Falls lakefront property owners who are allowed to install irrigation systems that may draw water directly from Lake Marble Falls for only the specific purpose of irrigating their respective lot. Such allowance is only granted subservient to rules and restrictions that may be imposed by the governing entry for the water source. Such water is restricted to serve only non-potable uses to the lakefront property owner.

(B) No individual potable water supply received through plumbing at a property within the City or sewage disposal system shall be permitted on any lot, except as permitted by the Meadowlakes Municipal Utility District (MUD). Only Meadowlakes MUD or its successor may provide water and sewer service, except as stated above. A person commits an offense if such person fails to obtain a permit issued by Meadowlakes Municipal Utility District prior to installation of systems for supply of potable water, irrigation or sewage disposal.

(Ord. 00-04, passed 7-5-00; Am. Ord. 05-001, passed 4-5-05; Am. Ord. 2006-05, passed 5-2-06) Penalty, see § 10.99

§ 150.56 TERMITE CONTROL REQUIRED.

After grading is completed and before pouring the slab, slab supported/constructed porches or entrance platforms, preconstruction subterranean termite controls will be applied on all new construction sites using an EPA approved termiticide. This application will establish an unbroken vertical and/or horizontal chemical barrier between wood in the structure and the termite colonies in the soil.

(Ord. 87-7-11, passed 7-11-87) Penalty, see § 10.99

§ 150.57 PROHIBITIONS.

(A) A person commits an offense if such person sells, stores, transports, or uses explosives within the city limits. In the event that the use of explosives becomes necessary in construction work, a written request for such use, explaining the reason, type of explosive and safeguards, must be filed with the City Secretary and a permit may be granted if, in the discretion of the Building Committee, same can be done with safety.

(B) The burning or burying of trash or building materials is prohibited. Reference §130.10 for specific restrictions and requirements.

(C) A person commits an offense if such person drills a water well within the city limits. (Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Ord. 87-7-11, passed 7-11-87; Am. Ord. 00-04, passed 7-5-00; Am. Ord. 02-11, passed 10-1-02; Am. Ord. 2005-11, passed 3-7-06; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-15, passed 9-8-06) Penalty, see § 10.99

§ 150.26 CLEAR CORRIDOR REQUIRED FOR VEHICULAR TRAFFIC ON STREETS OF MEADOWLAKES.

Tree and vegetation overhang over streets shall be controlled so as to maintain a clear corridor for vehicular traffic. Owners of property that contain trees and vegetation adjacent to Meadowlakes streets shall maintain owner's trees and vegetation such that a clear and unobtrusive corridor is maintained. Trees and any portions of trees and vegetation are prohibited in this required clear and unobtrusive corridor. The clear and unobtrusive corridor that shall be maintained is that solid volumetric space defined by the following four planes: A plane 12 feet above and parallel to the surface of the street; a plane represented by the surface of the street; and two planes perpendicular to the surface of the street each of which intersects the street at the base of each and opposite curb. A property owner commits an offence if property owner fails to prune and otherwise trim their respectively owned trees and vegetation such that the corridor defined herein is not maintained clear of owner's tree and vegetation appendages. Property owners are encouraged to trim to a height of 16 feet for the purpose of establishing a growth margin with respect to the 12 feet restriction. For circumstances that represent a safety hazard, the City is granted the additional authority to trim trees and vegetation to meet above requirements with reimbursement of City expenses required by the property owner.

(Ord. 2007-12; passed 12-8-08) Penalty, see § 10.99

§ 150.27 CLEAR PEDESTRIAN PATH ON STREETS OF MEADOWLAKES.

Property owners and residents are required to maintain a continuous four-foot wide walkway located adjacent to the curb and for the entire length of all street segments bordering their respective property, clear of leaves, trimmings, trash, and debris. A person commits an offence for depositing or allowing accumulation of leaves, trimming, trash, or debris within the above-defined required pedestrian walkway.

(Ord. 2007-12; passed 12-8-08) Penalty, see § 10.99

Design Standards

Multi-family purposes, whether same be duplexes, triplexes, quadruplexes, town homes or condominiums, shall mean that each living unit shall be occupied by a single family as defined herein. All residential dwellings shall never be used as a commercial "time share" residence as defined by Texas law. Occupancy rental for a period of less than 30 days is prohibited on any property within the confines of the City. A person commits an offence if such person violates the above occupant restrictions.

(Ord. 05-001, passed 4-5-05; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-29, passed 11-7-06) Penalty, see § 10.99

§ 150.25 DRAINAGE CONTROL REQUIREMENTS AND RESTRICTIONS.

Drainage control areas are reserved as shown on the maps. These areas shall never be impeded by construction of structures, by planting, or other material being placed or permitted to remain, and no other activities shall be permitted to be undertaken that might damage or interfere with established slope ratios, create erosion or change the direction of flow of drainage channels, or obstruct or retard the flow of water through drainage channels. Natural drainage patterns shall not be substantially changed or altered. A person commits an offense if a person's actions divert or impound the natural flow of surface waters within the City, or permit a diversion or impounding to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded. Such diversion or impounding is also covered by Texas Water Code paragraph 11.086, which states "A person whose property is injured by an overflow of water caused by an unlawful diversion or impounding has remedies at law and in equity and may recover damages occasioned by the overflow."

Drainage structures under private driveways shall have sufficient net opening size to permit the free flow of water without creating backwater.

For structures that do not lie within the 100-year flood plain, fill at the foundation shall be tapered down to natural ground level in the first four (4) feet away from the foundation in order to provide positive drainage away from foundation walls.

Backfill against foundations, which lie, or partially lie within the 100-year floodplain, shall be limited to only that volume of fill necessary to support the foundation wall and provide a reasonable down slope from the top of the foundation to the surrounding natural grade. Specifically, fill at the foundation shall meet the following constraints: The maximum backfill quantity shall be limited to only that amount necessary to obtain a foundation to natural grade slope-down pitch of 1 in 3, as a minimum (vertical drop to horizontal run respectively.) The use of a steeper pitch and less fill volume is acceptable. Furthermore; the fill shall not extend beyond 13 feet from the foundation wall or beyond the property line. This allowance to backfill against the foundation, shall in no way take precedence over drainage control, state statutes or other drainage control requirements contained herein. Reference § 150.20 (C)
(Ord. 05-001, passed 4-5-06; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-11, passed 9-8-06; Am. Ord. 2006-32, passed 11-7-06) Penalty, see § 10.99

Design Standards

- (5) All building materials and equipment shall be stored only on the property upon which the construction is being performed. Building materials and equipment shall not be stored or parked on public property, without specific written permission from the Building Committee.”
- (6) The Meadowlakes Property Owners Association controls access for non-resident workers performing construction in Meadowlakes, including restrictions on allowable times for conducting construction activities. It is an offense for any person to loiter at a construction site. It is an offense for any person to consume alcohol on construction site properties.

(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 94-9-10, passed 9-10-94; Am. Ord. 00-11, passed 11-8-00; Am. Ord. 05-001, passed 4-5-06; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-32, passed 11-7-06; Am. Ord. 2007-04, passed 5-1-07) Penalty, see § 10.99

§ 150.22 SCREENING OF UTILITY BOXES AND OTHER UTILITY OUTCROPPINGS.

A person commits an offense if such person screens utility boxes and other utility outcroppings from street view unless such screening is by fencing, planting flowers or shrubs, and such flowers or shrubs are harmless or noninjurious to persons desiring to read the electric meter and to utility workmen, and such screening is not of such height or dimension as to cause a traffic hazard, and is designed to provide an opening for reading the electric meter.
(Ord. 00-04, passed 7-5-00; Am. Ord. 2006-05, passed 5-2-06)

§ 150.23 SIGHT DISTANCES AT INTERSECTIONS.

A person commits an offense if such person erects or places a fence, wall, hedge, or shrub planting that obstructs sight lines at elevations between two and six feet above the roadway on any corner lot in a triangular area formed by the street property lines and a line connecting them at points twenty-five feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines as extended. The same sightline limitation shall apply on any lot within ten feet (10') from the intersection of a street-property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain with such distances at intersections unless the foliage line is also maintained to meet the sight-line requirements set forth above.
(Ord. 02-05, passed 4-2-02; Am. Ord. 05-001, passed 4-5-05; Am. Ord. 2006-05, passed 5-2-06)
Penalty, see § 10.99

§ 150.24 SINGLE-FAMILY DWELLING USE RESTRICTIONS.

Occupants residing in dwellings on lots platted for single-family residential use are restricted to the following occupant combinations. All occupants using a single-family use dwelling must meet the following condition(s):

- i. occupied by one person living alone,
- ii. occupied by two or more natural persons who are related by marriage or kinship, or
- iii. not more than four natural persons who are not related by marriage or kinship.

An owner or occupant of a single-family use dwelling commits an offense if such person violates the above restriction.

(H) All service lines of the telephone and cable companies shall be encased in conduit. All such service lines shall be buried a minimum of 18 inches in depth. The conduit used shall be electrical type with sweep 90's and 45's and shall be at least $\frac{3}{4}$ -inch in the inside diameter. Any length installed of 100 feet or longer shall be provided with a pull string. The conduit shall run to within 12 inches of the servicing pedestal and shall be terminated 24 inches above finished ground level at the point where the inside wires emerge. The telephone and cable conduits must be separated from the electrical servicing line by at least 12 inches of soil at all points. Conduits for all services from the servicing pedestal (utility outcropping) to the structure shall be furnished and installed by the builder. The telephone and cable companies shall adhere to this chapter when installing their portion of their service lines.

(I) Each dwelling whether same be private single-family or multi-family shall provide an enclosed garage. A person commits an offence if such person either initially fails to provide or subsequently converts a dwelling such that a functional enclosed garage is not provided. Existing dwellings that do not have an enclosed garage are grandfathered as exempt, provided only for the case that the dwelling was initially constructed without a garage or a garage conversion was completed before March 1, 2005. (Ord. 91-2, passed 6-8-91; Am. Ord. 05-001, passed 4-5-06; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06) Penalty, see § 10.99

§ 150.21 CONSTRUCTION SITE REQUIREMENTS.

(A) Before commencing construction on any property, or commencing with the preparation of the property site for construction; the following requirements and restrictions shall be complied with. These requirements shall apply to all construction projects that require a permit as defined herein. A person commits an offense if such person or persons violate the requirements, conditions, and constraints defined herein.

- (1) Construction permit request must be submitted and approved by the Building Committee. A trash receptacle and sanitation facilities shall be placed on site before the actual permit will be issued.
- (2) Trash receptacles shall be of hard-walled construction and deemed acceptable by the Building Committee.
- (3) Provisions for water and electrical power services shall be provided.
- (4) A construction site sign shall be placed at the site for new construction projects. The sign shall be compliant with requirements and restrictions in section 152.

(B) Before and during the period of construction activities, the following requirements and restrictions shall be complied with.

- (1) Trash receptacles shall be routinely emptied with sufficient frequency so as not to allow overflow of material.
- (2) Construction site trash shall be “picked-up” daily and trash deposited in trash receptacles. This requirement is applicable to all days when construction activity is performed.
- (3) Before foundation construction begins, all vegetation shall be removed (i.e. “scraped-away”) from the portion of the property intended to underlie the foundation.
- (4) A Termite Treatment Certificate shall be provided to the Building Committee prior to actual construction of the foundation or placing of the foundation slab.

Design Standards

Design Standards

- (g) Fully enclosed portions of the structure below the BFE shall have hydrostatic equalization provisions certified by a registered professional architect, or meet or exceed the following requirements.
 - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings shall be on opposite walls.
 - iv. Opening may be equipped with screens, louvers, valves, or other covering or devices provided they permit the entry and exit of floodwaters, without manual or electrical actuation assistance.
- (h) Within the floodplain, the addition of fill requires analysis demonstrating that the cumulative effect of the proposed development will not increase the water surface elevation of the base flood (100 year) by more than one foot at any point within the community. This analysis is commonly referred to as a “Hydrology and Hydraulics (H&H)” study and can be performed by most licensed surveying and engineering firms. An exception to this requirement is granted if the purpose of the fill is only to support the structure, or the fill is acquired from previously existing sources located on the property. To qualify for this exception requires only a “No Rise Statement” from a licensed surveying and engineering firm.
- (i) Additional foundation elevation inspections and certificates are required for structures constructed on property that is within, (or partially within) the 100-year flood plain. See section 150.70.

(Ordinance 2006-14; passed 9-5-06; Am. Ord. 2006-32, passed 11-7-06)

(D) Without a variance from the City Building Committee, a person commits an offense if such person constructs a new residential building containing less than 75% exterior wall masonry construction. Exterior doors and windows shall be considered as included in this percentage requirement if located within a masonry wall and surrounded by masonry. Masonry construction shall mean stone or brick. Stucco or stucco appearance material shall not be considered masonry construction. Each such installation shall be in accordance with manufacturer's specifications and compliant with UL, BOCA, SPCE and ICBO.
(Ord. 00-04, passed 7-5-00; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-29, passed 11-7-06)

(E) On all exterior walls the siding or masonry will begin no more than twelve inches nor less than 8 inches from the finish grade level.

(F) All roofing shall consist of fire-resistant material and shall comply with International Building Codes as adopted herein. All metal roofs shall have a manufactured finish. Corrugated metal roofing is prohibited.

(G) All fireplace and chimneys must be constructed of rock or brick (exterior portion at a minimum). Fireplace and chimney design, construction, and installation shall be in compliance with manufactures specifications and compliant with International Building Codes adopted herein.

(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 91-1, passed 6-8-91; Am. Ord. 94-9-10, passed 9-10-94; Am. Ord. 95-5-11, passed 5-11-95; Am. Ord. 2006-14, passed 9-5-06)

Design Standards

Design Standards

§ 150.20 BUILDING SPECIFICATIONS.

(A) The drip line from the roof of every building or structure must be within setbacks and shall be located at least five feet from the interior property line and 25 feet from the street or golf course property line upon which the building or structure is situated, and no drip line of any roof or downspout shall be erected as to discharge water upon any lot other than the building site upon which the building or structure is situated.

(B) (1) *Condition #1 The elevation of the top of the curb natural grade at the front of the building line is at or above the elevation of the curb.* No finish floor elevation of a habitable room shall be lower than 12 inches above the highest point of the natural grade as measured at a distance of five feet from the edge of the foundation wall at the referenced point.

(2) *Condition #2 The elevation of the natural grade at the front of the building line is below the elevation of the top of the curb.* No finish floor elevation of a habitable room shall be lower than 18 inches above the highest point of the natural grade as measured at a distance of five feet from the edge of the foundation wall at the referenced point.

(3) If the final grade of a property is such that runoff is directed toward adjacent property, it must be approved by the Building Committee prior to issuance of a building permit. (Ord. 00-02, passed 5-23-00)

- (C) The following additional requirements and restrictions shall be applicable for all structures built or placed on properties that lie within the 100 year floodplain.
- (a) The structures shall meet the requirements and restrictions defined by the FEMA (Federal Emergency Management Agency) applicable to structures of which any portion is within the 100 year floodplain, and in addition shall meet the following requirements and restrictions:
 - (b) Be designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - (c) For the portion of the structure that resides below BFE,
 - i. Be constructed of materials resistant to flood damage.
 - ii. Be constructed by methods and practices that minimize flood damage.
 - (d) Be constructed with electrical, heating, ventilation, plumbing, and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - (e) The lowest living area space floor shall be elevated to or above the BFE.
 - (f) Portions of the structure that are below BFE, shall be designed and constructed for serving only the functions of operational vehicle parking, structure access, or storage. Location of electrical provisions or electrical equipment is not allowed below BFE.

Design Standards

(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 94-9-10, passed 9-10-94; Am. Ord. 2005-10, passed 12-6-05; Am. Ord. 2006-01, passed 1-3-06; Am. Ord. 2006-02, passed 2-7-06; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-27, passed 11-7-06; Am. Ord. 2007-19, passed 12-4-07) Penalty, see § 10.99

§ 150.18 OUTBUILDINGS; STORAGE.

(A) All outbuildings and/or structures (except fences, RCPs, uncovered decks, mailboxes, or landscaping accessories) situated on any lot shall be connected to the main structure by continuity of roof components, and shall be of the same basic materials as the main structure. Except as specifically defined as allowable herein, no other types of free standing structures are allowed.

(B) The interiors of all garages shall be finished in such a way as to conceal framing, insulation material or unfinished masonry.

(C) A person commits an offense if such person:

(1) Possesses within the city a butane, propane, gasoline, kerosene container or tank, other than butane or propane tanks (30 pounds or less) used typically for gas grills, gasoline cans (six gallons or less) for lawnmower or golf cart use, or unless the person is a commercial butane or propane distributor and such tank is affixed to a commercial vehicle used for such purpose;

(2) Installs without the prior approval of the Building Committee a buried butane or propane tank or connects to kerosene, butane, propane, or natural gas source with a capacity in excess of quantities stated above, or

(3) Installs buried tanks by someone other than the supplier of the product or by technicians licensed by the State of Texas or not in accordance with International Codes adopted herein.

(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 00-04, passed 7-5-00; Am. Ord. 05-001, passed 4-5-06; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06) Penalty, see § 10.99

§ 150.19 BUILDING AND STRUCTURE SETBACKS RESTRICTIONS.

All structures (except air conditioner pads, mailboxes and landscaping accessories) and buildings shall comply with established setback and easement requirements. A person commits an offense if such person creates a structure (including the drip line of the structure thereof) located on any lot nearer than 25 feet to any exterior lot line (i.e., on a street or on a golf course) nor nearer than five feet to any interior lot line. Fence structure locations are regulated by requirements and restrictions defined in § 150.15 (B).

(Ord. 00-04, passed 7-5-00; Am. Ord. 05-001, passed 4-5-06; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06) Penalty, see § 10.99

Design Standards

- (2) Currently existing RCPs that were not registered within 90 days after August 8, 2004 shall be considered in violation. Such RCPs shall be required to meet all standards including a permit application and fees as applicable.
- (3) RCP configuration, maximum size, colors, materials, construction and location are subject to standards and requirements as listed in the AG document.
- (4) RCP permit requirements and fees are listed in the AG document.
- (5) All RCP's must be located within all set back and easements and only behind a residence. See AG document for location restriction specifics.
- (6) Tree houses of any type, enclosed or open, are not permitted in Meadowlakes.
- (7) Playhouses are not allowed in Meadowlakes. Existing playhouses may be grandfathered per procedures defined in the AG document.
- (8) Copies of the AG Document can be obtained by contacting Meadowlakes City Hall.
- (9) *Offense*; A person commits an offense if such person constructs, installs, or continues to have in place a structure (or structures) that violate the above standards and restrictions (C or C1 through C8) or violates the standards and restrictions as listed in the AG document for same.
(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 96-4-13, passed 4-13-96; Am. Ord. 96-6-8B, passed 6-8-96; Am. Ord. 98-7-11, passed 7-11-98; Am. Ord. 00-01, passed 4-4-00; Am. Ord. 00-04, passed 7-5-00; Am. Ord. 04-01, passed 8-2-04; Am. Ord. 05-001, passed 4-5-05; Am. Ord. 2006-05, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-27, passed 11-7-06; Am. Ord. 2006-29, passed 11-7-06; Am. Ord. 2006-33, passed 1-8-07) Penalty, see § 10.99

§ 150.17 PLUMBING, ELECTRICAL AND MECHANICAL STANDARDS.

(A) All construction shall comply with the currently adopted I-Codes (International Codes) and Electrical Codes as defined herein.

(B) All electrical wiring from the meter box to the circuit breaker panel and all wiring within any building or structure shall be copper wiring.

(C) All tubing for potable water installed in any building or structure shall be type L or heavier copper tubing. Acceptable potable water tubing system alternates are cross-linked polyethylene/aluminum/cross-linked polyethylene (PEX-AL-PEX), or polyethylene/aluminum/polyethylene (PE-AL-PE), or cross-linked polyethylene (PEX) plastic tubing. The above listed alternative tubing materials are allowed only when used in conjunction with connection hardware that is certified to be compatible as specified in International Plumbing Code and International Residential Code.

Design Standards

(2) The Building Committee (or designee) is granted both the authority and responsibility to halt construction activity at a site for occurrences where construction is not being performed per adopted building code(s) and/or construction is not being performed consistent with the construction plans (including updates) previously approved by the Building Committee, or in violation of an ordinance. Execution of the halt directive (in the form of posting a "red tag" at the site) shall be done as soon as practical after the non-conformance is observed. A person commits an offense if such person fails to immediately stop all construction activities after posting of a "red tag" at the site.

(B) (1) It shall be an offense for a person to install a fence, wall, lattice, deck or plant a shrubbery hedge on any lot nearer to the street or streets adjoining such lot than is permitted for placement of the main residence on such lot except for screening of utility outcroppings permitted in § 150.22. It shall be an offense for a person to construct a fence or allow a hedge to exceed six feet in height, except if such fence or hedge borders the golf course, it shall be unlawful for same to exceed four feet in height, extending at the four foot height along the side lot line to the rear twenty-five feet setback line.

(2) Fences shall be constructed such that all posts, poles, and supports are situated on the inside of the fence, where inside is defined with respect to an observer located on property being fenced.

(3) Fence permit requirements shall be as follows.

(a) Three sets of plans must be submitted with application.

(b) Plot plan or marked-up form survey drawing shall show the dwelling location with reference to streets and adjacent properties and property lines.

(c) Location of the fence shall be shown on the plot plan.

(d) The height as well as the linear footage shall be shown.

(e) A description of the type of material to be used in constructing the fence shall be included.

(4) Permit fees shall be paid for all construction projects defined herein as requiring a permit. The actual fee for the project varies and is defined in the Fee Schedule section of the Meadowlakes Code of Ordinances Appendix.

(C) Residential children's play-sets (herein RCP's) can be an allowed structure as long as they are in compliance with specific standards and restrictions. This restricted class of structure encompasses the general class of children's residential outdoor play-sets including (but not limited to) freestanding swing sets, slides, playscapes and trampolines. Specific standards and detail are further defined in the Meadowlakes Architectural Guidelines Document contained in Code Appendix A (also herein referred to as AG), which when issued and/or updated become an enforceable extension to the standards and requirements contained herein.

(1) Existing RCPs can be grandfathered. To be grandfathered, the RCP must have been registered at City Hall within 90 days after August 8, 2004. Grandfathering details and process is listed in the AG document.

General Provisions

Texas. The commercial activity restriction includes but is not limited to prohibitions on conducting "garage sale," "estate sale," or "open house" activities. (Am. Ord. 2006-13, passed 9-5-06; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2007-10, passed 6-5-07)

§ 150.06 CONTRACTOR REGISTRATION AND LICENSING.

(A) Reserved.

(B) All plumbing, electrical and mechanical work shall only be performed by, or under the direct supervision of, person(s) holding state licenses entitling them to perform work of the type involved. A contractor commits an offense if such work is performed by persons not licensed or not being directly supervised by a licensed person per the requirements defined above. A copy of valid license certificate(s) shall be provided to the Building Committee and placed on file as a prerequisite to release of permits for construction. (Am. Ord. 2010-06, passed 5-11-10)

§ 150.08 CONSTRUCTION SIGN REGULATIONS.

A construction permit holder shall erect a sign at a new-construction construction site. The construction sign shall meet the requirements and restrictions that are specified in Section § 152. (Ordinance 2006-14, passed 9-5-06)

Design Standards

§ 150.15 DWELLINGS; FENCES; DECKS; TREE HOUSES; PLAYSETS.

(A) (1) A person commits an offense if such person initiates, without an approved permit, any project as defined herein as a project that requires a pre-approved permit. Any person desiring to construct, reconstruct, enlarge, convert or alter a dwelling or other permitted improvement, including but not limited to the addition of fences, swimming pools, spas, hot tubs, arbors, RCP's (residential children's playsets), decks (defined as wooden platforms), or porches in the city shall first submit to the Chairperson of the City Building Committee three sets of plans (one of which, if stamped, is required to be a "red-stamped" original) for the work. The format, quality and completeness of the plan drawings and specification sheets must be acceptable to the Building Committee. All plans will require the signature of the Building Committee Chairman and three or more members of the Building Committee for approval. The signature of the builder is also required on the plans. The applicant shall, within 30 days of approval of the plans, secure from the city a building permit. Failure to secure same within this period shall void the Building Committee approval. A building permit will automatically be terminated six months from the date of issue if construction has not been started. The Building Committee will meet as required to review and approve building plans, approve applications for building permits and will perform a final inspection prior to issuing a certificate of occupancy. The entire project must be completed with a certificate of occupancy issued no later than one year from the issuance of the original building permit. The Building Committee is authorized and empowered to require as many inspections as it deems proper and may also set the inspection schedules.

of the Property Owners Association (POA) Board of Directors or recommendations there from in determining the appropriateness of the appeal. A person commits an offence if such person proceeds with a project for which a variance is required prior to same variance being approved by the Building Committee, or in the case of a variance appeal, the appeal being granted and approved by the City Council.

(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 01-01, passed 3-6-01; Am. Ord. 01-01-A, passed 4-3-01; Am. Ord. 05-001, passed 4-5-05; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-29, passed 11-7-06)

§ 150.04 CODES ADOPTED.

(A) The following codes are hereby adopted by reference as though they were copied herein fully.

(1) International Codes

- a. International Building Code – 2006 Edition
- b. International Residential Code for One and Two Family Dwellings – 2006 Edition
- c. International Mechanical Code – 2006 Edition
- d. International Plumbing Code – 2006 Edition
- e. International Fire Code – 2006 Edition
- f. ICC Electrical Code, Administrative Provisions – 2006 Edition
- g. International Energy Conservation Code – 2006 Edition
- h. International Fuel Gas Code – 2006 Edition
- i. International Property Maintenance Code - 2006 Edition
- j. International Existing Building Code - 2006 Edition

(2) 2005 National Electrical Code

(B) Within these codes, when reference is made to the duties of a certain official named therein, that designated official of the city who has duties corresponding to those of the named official in the code shall be deemed to be the responsible official insofar as enforcing the provisions of the code concerned. The Building Official/Building Committee is responsible to ensure construction projects are in compliance with approved permits, approved construction plans, adopted building codes and ordinances. Ordinance Control Officer is responsible to enforce compliance to ordinances. The Meadowlakes Construction Code Inspector is responsible to ensure compliance with building codes.

(Ord. 01-12, passed 12-4-01; Am. Ord. 2006-06, passed 5-2-06; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-32, passed 11-7-06)

§ 150.05 COMMERCIAL ACTIVITIES RESTRICTED.

Except for the Meadowlakes Country Club operations, a person commits an offense if such person conducts a profession, business or commercial activity, to which the general public is invited, inside the Meadowlakes Drive entry gate and within the city limits of Meadowlakes,

General Provisions

(C) The Building Committee may act as a joint committee with the POA Article 1 authorized Architectural Control and Landscape Committee, if so enabled by agreement with the POA Board and City Council of Meadowlakes. Members of the Building Committee may also serve as members of the POA Architectural Control and Landscape Committee.

(D) The Building Committee shall be authorized and required to review all plans and specifications (including revisions thereof) for projects that require a Building Committee permit (also referred to as permit herein) per the procedures defined herein. The Building Committee shall ensure that all plans and specifications comply with all applicable requirements and restrictions defined herein for the proposed project, prior to issuing an approved permit for proceeding with the associated project. The Building Committee shall monitor the project in-process to ensure compliance with Building Committee approved plans and permit per the procedures and authority defined herein.

(E) An application for permit can be rejected for providing insufficient information. A permit can be canceled for providing false information. The Building Committee shall have broad, discretionary authority to interpret and apply standards defined herein. In rejecting an application, the committee shall detail the reasons for rejection and suggest how the applicant could remedy the deficiencies.

(F) If the Building Committee fails to approve or reject an application for proposed work within 60 days after submission, then the Applicant shall tender a reminder notice to the Building Committee by certified or registered mail. If the Building Committee fails to approve or reject an application within 30 days from date of receipt of the reminder notice, then committee approval shall not be required, and the Applicant shall be deemed to have fully complied.

(Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 94-9-10, passed 9-10-94; Am. Ord. 00-04, passed 7-5-00; Am. Ord. 2006-14, passed 9-5-06; Am. Ord. 2006-29, passed 11-7-06; Am. Ord. 2010-06, passed 5-11-10)

§ 150.03 GRANTING OF VARIANCES, RIGHT OF APPEAL AND *DE NOVO* REVIEW.

(A) *Variances.* The Building Committee may grant a variance to the requirements, standards and restrictions contained herein as they affect structure locations, setbacks, type of material used in construction, the temporary placement of building materials during times of construction, size and location of television antenna and dishes, and other matters directly under the jurisdiction and control of the Building Committee. The Building Committee's authority to grant variances is limited to the above and does not include the authority to grant variances from construction code, or the granting of variances to any other requirement and/or restriction contained herein, unless so granted by specific Meadowlakes Code of Ordinances language. The Building Committee shall operate per Texas Open Meetings Act (TOMA), as amended, for all discussion/action on variances, appeals from the determinations of administrative officials under the City's zoning ordinance and Chapter 211, Texas Local, and other functions the City Council may assign to the Building Committee when it sits as the Board of Adjustments.

(B) *Rights of appeal and De Novo Review.* Any person who has been aggrieved by the failure of the Building Committee to take any action or with action taken by the Building Committee, including granting or denying variances, shall be entitled to file a written notice of appeal to the City Council for a *De Novo* Appellate Review. The written notice of appeal to the City Council must be filed with the City Secretary within ten days of the date following Building Committee action, and then the City Council must hear the matter *De Novo* within 30 days after receipt of the notice and enter the appropriate order. All variance appeals must be reviewed and approved by the city council in order to be in effect. The City Council may consider the actions **General**

Provisions

Meadowlakes - Land Usage

- 150.58 Commercial parking requirements
- 150.59 Erosion protection
- 150.60 Radio frequency (RF) transmitting and receiving equipment

Design Inspection; Fees

- 150.70 Inspection by Building Committee
- 150.71 Security deposit
- 150.72 Construction Definitions
- 150.73 Certificate of occupancy

GENERAL PROVISIONS

§ 150.01 STATUTORY AUTHORIZATION.

The City of Meadowlakes hereby requires uniform application and enforcement of Tex. Loc. Gov't Code, §§ 212.004 *et seq.*, to all property and citizens in the city of any restriction contained or incorporated by reference in any duly recorded plan, plat or replat or other instrument affecting a subdivision within the city, if the restriction does not violate the Constitution of the United States or of Texas. In addition, the City of Meadowlakes hereby requires uniform application and enforcement of Texas Local Government Code 214.211 through 214.216, governing building codes for all dwellings, building and structures constructed or erected in Meadowlakes. An offense is committed if a person constructs, erects, or rehabilitates a structure in a manner that violates the building codes as adopted herein. (Ord. 86-8-23, passed 8-23-86; Am. Ord. 87-3-14, passed 3-14-87; Am. Ord. 2006-14, passed 9-5-06)

§ 150.02 BUILDING COMMITTEE; MEMBERSHIP.

(A) The Building Committee of the City of Meadowlakes (herein referred to as the Building Committee) is hereby created with authority and responsibilities as defined herein. The Building Committee shall be designated and appointed by the City Council in a manner to conform in all respects, as to membership, responsibilities, authority and procedures as defined herein.

(B) The City Council shall designate and appoint a Building Committee of not less than 5 (five) or more than 7 (seven) persons, all residents of Meadowlakes, Texas, which shall serve at the pleasure of the City Council. The terms of office shall be for two years. The terms shall uniformly expire on May 1st of the year consistent with the provision that even numbered places expire in even years and odd numbered places expire in odd years. Members shall continue serve until such time that City Council appoints a replacement or upon voluntary resignation by the member. A person serving on the Building Committee is prohibited from serving concurrently as a member of the City Council. A person serving on the Building Committee is also prohibited from serving concurrently as a member of the Planning and Zoning Commission

CHAPTER 150: BUILDING REGULATIONS

Section

General Provisions

- 150.01 Statutory authorization
- 150.02 Building Committee; membership
- 150.03 Granting of variances, right of appeal and *De Novo* Review
- 150.04 Codes adopted
- 150.05 Commercial activities restricted
- 150.06 Contractor registration and licensing

- 150.08 Construction sign regulations

Design Standards

- 150.15 Dwellings; fences; decks; tree houses; playsets

- 150.17 Plumbing, electrical and mechanical standards
- 150.18 Outbuilding; storage
- 150.19 Building and structure setbacks restrictions
- 150.20 Building specifications
- 150.21 Construction site requirements
- 150.22 Screening of utility boxes and other utility outcroppings
- 150.23 Sight distances at intersections
- 150.24 Single-family dwelling use restrictions
- 150.25 Drainage control requirements and restrictions
- 150.26 Clear corridor required for vehicular traffic on streets of Meadowlakes
- 150.27 Clear pedestrian path on streets of Meadowlakes

Supplemental Regulations

- 150.55 Water and sewer services
- 150.56 Termite control required
- 150.57 Prohibitions

Land Usage

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TITLE XV: LAND USAGE

Chapter

150.BUILDING REGULATIONS

151.FLOOD DAMAGE PREVENTION

152.SIGN REGULATIONS

153.ZONING CODE

154.SUBDIVISION REGULATIONS