

# Lake Panorama Building Codes



**As adopted effective  
June 29, 2016**

This edition of the LPA Building Codes includes revisions based on additions for penalties for not obtaining required permits and indicating road embargoes may be established which can affect construction. These Codes are adopted under the authority of the Amended Covenants and Restrictions and adopted under the guidelines of the LPA By-Laws.

## **Building Code Questions**

**(641) 755-2301 Phone**

**(641) 755-3810 Fax**

**For Email -- [lpa@lakepanorama.org](mailto:lpa@lakepanorama.org)**

**The full building codes are available on the LPA website.**

**<http://www.lakepanorama.org>**

**LPA office hours—Monday through Friday 8 a.m. to 4:30 p.m.**

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### Inspection Deposits adopted 3/23/15

Projects requiring construction inspection are subject to inspection deposits. The deposit is returned to the owner (or if designated on the permit application—the contractor) upon receipt of an occupancy permit from the inspector. Deposits were added to emphasize the importance of obtaining inspections for home construction, home additions, detached garages with habitable space, and shoreline sun shelters and related projects. Decks and any addition attached to a home are considered as requiring inspections:

#### Inspection Deposit Amounts

|   |         |
|---|---------|
| Decks, Seasonal Enclosures (unfinished or screened), shoreline sun shelters | \$200   |
| Detached Garage with habitable space  | \$300   |
| Additions, enclosed and finished  | \$500   |
| Homes 2,000 square feet or less   | \$500   |
| Homes from 2,001 to 3,500 square feet                                       | \$1,000 |
| Homes over 3,500 square feet  | \$1,500 |

## **Article 1 The Building Codes Committee**

### **1000 Committee Establishment**

#### **1001 Appointment**

1001.1 There shall be appointed by the Lake Panorama Association Board of Directors (the Board), a Building Codes Committee, hereinafter referred to as the Committee, consisting of nine (9) members, according to the Committee Policy established by the Board.

#### **1002 Qualifications**

1002.1 Committee members shall be active members of the LPA, only two of which shall hold any elective office in the LPA as appointed from the Board.

1002.2 Members shall be qualified by knowledge or experience to act in matters pertaining to the development of Lake Panorama.

#### **1003 Term of Office**

1003.1 The term of office of the members of the committee is three years.

1003.2 The terms of not more than one-third of the members shall expire each year.

#### **1004 Vacancies and Replacements**

1004.1 Vacancies on the committee will result in a successor being appointed for the remainder of the term.

1004.2 The appointment will be according to the Board's committee policy then in place.

### **1100 Committee Powers and Duties**

#### **1110 Duties**

1110.1 The Committee is hereby directed to recommend to the Board architectural rules and guidelines, defining and regulating the building or alteration of structures on platted residential lots as well as recommending practices to protect the quality of the environment of the lake.

1110.2 Review variance requests on behalf of the Board for recommendation to the Board

1110.3 Review any plan that is not a single-family structure or an accepted structure as defined for residential lots in the Code.

1110.4 To periodically review the Code for recommendations and updates.

1110.5 The Building Committee shall make recommendations to the Board regarding the inspections of all buildings to determine adherence to standards of construction, maintenance, and safety contained in the accepted codes and rules.

1110.6 The Building Committee shall review building proposals for commercial lots and provide recommendations to the Board regarding the proposals.

**1200 Committee Relationship with LPA Management**

1201.1 The Committee may recommend to the Board changes in procedures and policies as well as the duties outlined in section 1110.

1201.2 Management will be responsible for the enforcement of the building codes, issuance of permits, maintain files of all permits issued and collect fees as authorized by the Board.

1201.3 Management will assist the Committee by coordinating Committee meetings and processes, but has no direct authority over the Committee.

1201.4 The Board authorizes Management to do the following:

1201.41 Keep the reports and records of building activities.

1201.42 Account for fees and other monies collected under this code.

1201.43 Keep records of the names of the persons upon whose account the fees were paid, the date and amounts of fees, the location of the building or premises to which they relate, and a record of the plans and specifications of the projects involved.

1201.44 Management shall maintain a permanent file of building permits organized by the lot(s) for which the permits are issued.

## **Article 2 Building Permits and Architectural Requirements**

### **2000 Permits and Building Requirements**

#### **2100 Building Permits**

##### **2101.1 Activities Requiring Permits**

No person, firm or corporation shall erect, construct, enlarge, move or demolish any house or garage or other structure, or begin excavation for future construction in the LPA development, without previously obtaining a building permit from the LPA.

##### **2101.11 Penalties for Permit Violations**

2101.111. Failure to obtain a building permit prior to excavation for new home construction or addition may be assessed a minimum fine of \$2,000, up to \$6,000 with fines escalating based upon violations of the following:

a. Fines of \$1,000 for each of the following if done prior to permit issuance.

1. Encroachment onto neighboring property without written owner permission.
2. Failure to provide silt control to protect any or all of the lake, ditches, and neighboring property from siltation issues where needed.
3. Failure to engage building inspector.
4. Failure to locate and fence off septic lateral location prior to excavation.

2101.112. Construction work, including excavation, begun without a permit may be given a cease and desist order from the LPA or its authorized legal representative. Violations of such a “stop work” order will be \$1,000 per day for homes and additions, \$500 per day for detached garages and \$100 per day for other structures begun without permit approval. LPA shall be entitled to reimbursement from the owner of the property for reasonable attorneys’ fees and costs incurred by LPA to enforce the action.

2101.113 Failure to obtain a building permit prior to excavation, grading or other work involved in a detached garage, shoreline sun shelters, gazebos, swimming pools or permanent docks projects may be assessed a minimum fine of \$1,000 up to \$5,000 based upon violations outlined above in Section 2101.11 (1) a.

2101.114 Failure to obtain a building permit prior to construction of a fence or storage shed may be assessed a fine of up to \$500 up to \$2,500 based upon violations outlined above in Section 2101.1 (1) a.

2101.115 Serious violations causing property damage, setback violations, boundary encroachment, etc. shall be taken into account by LPA and will be fined accordingly.

2101.116 Any non-permitted construction or installation violating building code requirements or Covenants may result in required removal or modification to meet codes.

2101.117 If encroachment by an owner or their agents occurs on neighboring property, with or without damage, a deadline may be set by LPA for removal of equipment, materials, usage or other encroachment of the property and a fine of \$100-\$200 per day may be assessed against the owner for continued violation beyond the deadline.

2101.118 Damage to LPA property may result in the owner being required to either return the LPA property to its pre-existing condition or reimburse the LPA to repair the damage, in the sole discretion of LPA.

### **2101.2 Permit Fees**

Fees for All permits are noted in the Fee schedule adopted from time to time by the Board. Fees established as of 1/1/2011 are:

2101.21 Fee for all new homes is \$400

2101.22 Base fee for all other permits, except swimming pools is \$35. Pools are \$50.

2101.221 Fee for attached garage addition or detached garage is \$100.

2101.23 Road Repair fee of \$1000 shall be applied to all new residences or additions that add 30% or more to the square footage of a home.

2101.24 A water hook-up fee shall be collected for all new residences or new water hook-ups on empty lots of \$700. This shall be collected with the permit.

2101.25 A water meter fee of \$165 shall be assessed to new homes without an existing meter. This will be collected with the permit.

2101.26 A variance request processing fee is \$35 and must be filed prior to obtaining a hearing.

### **2101.3 Permit Application Requirements**

2101.31 All permits will be done on forms supplied by the LPA.

2101.32 Applications for permits require signatures of owners.

2101.321 Applications for new home permits require the signatures of the owners on a property owner's agreement acknowledging the building and



architectural requirements and the fact the LPA highly recommends soil testing.

## **2200 Land Disturbing Permit**

### **2201 Qualifying Activities Requiring Permits**

2201.1 Disturbance of the ground cover of more than 1,000 square feet of property

2201.2 Disturbance of the ground cover of any area within 100 feet of the lake

2201.3 Installation of a new driveway or widening a driveway in the LPA right-of-way.

2201.4 Filling or disturbing roadside ditches

( See Article 3)

### **2202 Exceptions to requirements**

2202.1 A building permit with an approved erosion control plan shall negate the need for a land disturbing permit for that project.

2202.2 Utility and sanitary installations and/or repair and servicing are exempt from having a land disturbing permit, but must employ adequate erosion control practices to prevent sediment movement offsite.

2202.3 All building permits where ground disturbance exceeds the limit that require a land disturbing permit, or where surface drainage is likely to move loose soil onto adjacent ditches, drainages, or other property or the lake shall have an erosion control plan that shall designate erosion control practices necessary to keep silt on the project property, but shall not be required to obtain a separate land disturbing permit.

## **2300 Definitions**

**2301 Structure** is defined as any building defining an enclosed space, or a platform or deck built for occupation by individuals that extends above the ground more than two (2) steps. In-ground pools are considered structures.

### **2302 Site Plan**

2302.1 All site plans shall show a map of the property showing lot boundaries, directional information, 911 address or lot number, location of all structures and attachments, location of septic fields and tanks, location of driveways, and approximate measurements of proposed project to lot lines and/or shoreline.

2302.2 Individual permits for various structures may require additional information.

### **2303 Setbacks**

2303.1 Building overhangs and extensions must be included in measuring setbacks from lot lines and the lake.

- 2303.2 Sidelot setback is 10 feet.
- 2303.3 Front lot setback is 35 feet from front lot pins.
- 2303.4 Back lot setback is 20 feet. (non-lakefront)
- 2303.5 Lake setback is 50 feet from shoreline.
- 2303.6 Permanent dock construction is 10 feet from side lot line.

**2304 Completion rules and definition**

- 2304.1 All structure exteriors shall be completed in six (6) months from permit issuance.
- 2304.2 Fences shall be completed in 60 days from issuance.

**2305 Habitable or Occupiable Space**

- 2305.1 Habitable and/or occupiable space is a space in any building for living, sleeping, eating or cooking.
- 2305.2 Bathrooms, toilet rooms, closets, halls, storage and utility spaces and similar areas shall not be considered habitable (occupiable) space.
- 2305.3 For the purposes of the LPA codes, any finished space of 70 or more square feet shall be considered occupiable or habitable and shall conform to the accepted codes.

**2306 Overnight Facilities**

- 2306.1 Bathing facilities shall be defined as having a tub and/ or shower and the presence of same defines overnight facilities.

**2307 Road Embargo**

- 2307.1 An embargo of LPA streets limiting vehicle weight/size and put in place to protect road surfaces from damage at critical periods. Road embargo details are noted in Section 4.1 (k) of the Rules and Regulations.

**2400 Structures and Activities Requiring Permits**

- 2400.1 All permits of all types are subject to the LPA designation of a road embargo. All members, their contractors, guests, or those delivering or otherwise needing to visit a project site are subject to the embargo. A valid building or land disturbing permit does not guarantee access to the lake or any lot via LPA streets when a road embargo is established. The member is responsible and may be subject to fines and/or restrictions as designated by the table of fines then in effect as adopted by the Board of Directors and as amended from time to time. LPA retains the right to ban or enforce other restrictions against any contractors, delivery companies, material suppliers, etc. that violate the road embargo.

**2401 The following structures require permits for construction:**

- 2401.1 New residences

- 2401.2 Additions to residences
- 2401.3 Decks, whether attached to a home or in landscapes
- 2401.4 Enclosed decks, porches, seasonal rooms
- 2401.5 Detached garages
- 2401.6 Storage buildings
- 2401.7 Swimming pools
- 2401.8 Gazebos or structures defined as gazebos
- 2401.9 Fences
- 2401.10 Permanent docks
- 2401.11 Any building structure not-defined by the above terms.
- 2401.12 Shoreline (or Lakeshore) Sun Shelter

**2402 Non-typical construction or design**

2402.1 Shall be submitted to the Building Codes Committee for review and approval from the Board of Directors is required prior to a permit being issued.

**2403 – Permits for Demolition / Removal of structures**

2403.1 Definitions

2403.11 Demolition shall be defined as the destruction of a building by disassembly, whether piecemeal to recycle material or by destruction by heavy equipment and the completion of removal debris and site restoration.

2403.2 A permit shall be required for the demolition and/or removal of the following:

2403.21 Homes, condominiums, detached garages

2403.3 No permits shall be needed for demolition and removal of any unlisted structure.

2403.4 The LPA shall simply be notified in writing of the removal of any other structure.

**2500 Authorized Permit Issuance**

**2501** LPA management will authorize certain qualified individuals to approve plans for the issuance of permits and to oversee on-site inspections to insure that minimum LPA architectural specifications are met.

**2600 International Residential Codes Adopted**

**2601** The LPA has adopted the most recent version of the International Code Council's International Residential Code (IRC) as the base code for construction at the lake. *Adopted 1/1/08*

**2602** Architectural requirements are in Section 2800.

**2700 Building Safety and Construction Inspection**

**2710 Hazardous Buildings**

## **2711 Declaration of Nuisance**

2711.1 All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, or harboring rodents or other infestation as specified in this code or any other effective rules, are, for the purpose of this section, unsafe buildings. All such buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in subsection (b) and (c) of this section. If the abatement of the nuisance is not begun or completed within the times specified in the notice, the LPA management may pursue such other legal remedies to abate the nuisance to obtain compliance with this code as may be available under the LPA rules or state law.

## **2712 Damaged and Unsafe Structures**

### **2712.1 Determination of Condition**

LPA management shall examine or cause to be examined every such building or structure or portion thereof reported as dangerous or damaged and, if it is found to be an unsafe building, the LPA management shall give to the owner of the building or structure written notice stating the defects found.

#### **2712.11 Emergency Inspection Authorized**

A search warrant shall not be required if the person in possession permits entry of the building inspector nor in an emergency situation involving an imminent threat to the life or safety of persons within the building or members of the general public. In all other cases, a search warrant obtained and executed in accordance with state law shall be necessary to effect entry.

### **2712.2 Direction to Mitigate**

The notice may require the owner or person in charge of the building or premises, within 30 days, to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof. All required work shall be completed within 90 days from date of notice, unless otherwise required by the management. The notice may also require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed and have been inspected, and approved by LPA

management.

#### **2712.3 Service of Notice**

Service of the notices required by LPA management shall be by personal service upon the owner of record, if that person shall be found. If the person cannot be found, service may be made upon by registered or certified mail, in which case the designated period within which the owner or person in charge is required to comply with the order of LPA management shall begin as of the date owner received the notice.

#### **2712.4 Posting of Nuisance**

LPA management shall cause to be posted at each entrance to the building or structure or part of the structure a notice to read, "Do not enter. Unsafe to occupy. By order of LPA." This notice shall remain posted until the required repairs, demolition, or removal is completed. This notice shall not be removed without prior approval of LPA management and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building.

### **2720 Declaration of Non-compliance**

#### **2720.1 Stop Orders**

Whenever any building work is being done contrary to the provisions of the code, LPA management may order the work stopped by notice in writing served on any person engaged in doing or causing such work to be done. These persons shall stop the work until authorized by LPA management to proceed. (*also see 2101.1*)

### **2730 Construction Inspections Authorized**

LPA management shall direct the inspection of all buildings to determine adherence to standards of construction, maintenance, and safety contained in the codes and rules described here.

2730.1 Inspections shall be required for all residential structures and commercial structures that are intended for human occupancy or have habitable space.

2730.2 The presence of habitable space does not qualify a building for overnight usage. The only buildings at Lake Panorama that may be used for overnight usage are single family residences, condominiums, townhouses, and commercial properties approved for such usage.

2730.3 Garages or accessory structures with less than six (6) feet of open space between the structure and a home (as

measured using overhangs and projections) shall be considered attached and be subject to current residential codes as adopted and structured for the LPA.

2730.4 All detached garages that incorporate water, electricity and second floor or sub grade habitable spaces shall comply with the current residential codes and be subject to inspection.

2730.5 Detached garages or accessory structures that are not intended to have habitable spaces shall conform to the International Code Council's International Residential Code (IRC) to ensure a durable and safe structure and demonstrate acceptable workmanship and shall not be subject to inspection unless falling under the six foot open space definition.

2730.6 All garage and accessory structures shall comply with current code requirements for live loads, snow loads, wind loads, and seismic risk.

#### **2740 Inspection Procedure Required**

2740.1 Inspections shall be done by a certified building inspector at the cost of the property owner on all residential structures and all commercial structures that are intended for human occupancy or have habitable space.

2740.2 The only inspection, except emergency inspections, required that is done by the LPA will be to check staking for setback compliance prior to issuing building permits.

#### **2750 Inspector Qualifications and Requirements**

2750.1. Inspectors shall be qualified to inspect at Lake Panorama if they meet **one** of the following conditions:

2750.11. Shall hold current International Codes Council certification that qualify for residential building inspection.

2750.12 Shall have 10-years experience as a plan reviewer or inspector with State or Municipal departments of fire and building services.

2750.13 Shall be a licensed architect or licensed professional construction engineer with ten years experience involving residential inspection.

2750.2 For the purposes of this section, other certifications, such as those for home inspection services, shall not be approved for qualified building inspection at Lake Panorama.

2750.3. In order for the Lake Panorama Association to accept and approve inspection reports for permit approval and occupancy permit, the inspector shall have on file with

the Lake Panorama Association documentation that shows the certification, experience and/ or licensing required for inspection services.

2750.4 The LPA must also have a current certificate of insurance on file for the firm or individual involved.

## **2760 Required Inspections of Structures**

### **2761 Inspections Required for Homes**

The following minimum inspections are required. Additional inspections may be required by an approved inspector as contracted by the owner.

#### 2761.1 Plans

Upon application for the building permit, construction plans must show that the plans meet International Residential Code (IRC) requirements before a building permit is issued.

#### 2761.2 Foundation

2761.21 Trenches and basement areas after excavation is completed.

2761.22 Forms erected and required reinforcing in place prior to placement of concrete.

2761.23 Inspection shall include thickened slabs and special requirements for wood foundations.

#### 2761.3 Plumbing, Mechanical and Electrical

2761.31 Made prior to covering or concealment.

2761.32 Before fixtures are set and prior to framing inspection.

2761.33 As of 2010 all electrical inspections done in unincorporated areas of Iowa will be done by the State of Iowa.

#### 2761.4 Framing and Masonry Inspection

2761.41 Made after roof, masonry, framing and bracing are in place after plumbing, mechanical and electrical inspection.

#### 2761.5 Wallboard Inspection

2761.51 Made after all interior wall board is in place (before joints and fasteners are taped and finished)

2761.52 Firewall inspections are required for multifamily dwellings or commercial construction when firewalls are required. (added 1/27/09)

2761.53 *No wallboard inspection shall be required for single-family dwellings.*

#### 2761.6 Final Inspection

2761.61 Made after residence completed

2761.62 Final code compliance—ingress/egress stairs, systems operation, handrails, smoke detectors, etc.

2761.63 Installation of appliances (hard wired) and fixtures, distribution panels, etc, according to current code.

## **2762 Inspections Required for Accessory Buildings (January 2008)**

### **2762.1 Decks & Seasonal Porches**

2762.11 Footing- Schedule inspection after all holes have been dug and prior to placement of concrete. Footing Depth- Shall be a minimum of 42 inches from adjacent grade in depth with an 8-inch minimum diameter post hole for decks.

2762.12 Framing/Electrical (rough-in) Only necessary if framing/electrical will be covered before final inspection.

2762.13 Final--Schedule inspection after completion of all railings and stairs.

### **2762.2 Detached Garages**

2762.21 Inspections required if detached garage is within 6 feet of residence as measured from the overhangs and extensions or has habitable space.

2762.22 Footing- Inspection after footing and/or slab area is dug and reinforcement (if required) is in place, but prior to the placement of any concrete.

2762.23 Framing/Electrical (rough-in)- Only necessary if framing/electrical will be covered before final inspection.

2762.231 *Plumbing (if present)*

2762.24 Final- After all framing and/or any finish work is completed and after any electrical has been completed.

### **2762.3 Residential Additions**

2762.31 Footing--Inspection after footings are dug and reinforcement is placed, but prior to the placement of any concrete. Footing Depth- 42"

2762.32 Foundation and foundation reinforcing steel- inspection after all reinforcement has been placed in the wall and prior to any concrete being poured.

2762.33 Foundation Tar, Tile, and gravel-- Inspection after all damp proofing, drainage tile,



and gravel over drainage tile has been installed and prior to backfilling.

2762.34 Plumbing Ground Works- Any plumbing ground works that will be installed below a concrete slab. (If Necessary)

2762.35 Framing, Electrical, Plumbing, Mechanical (rough-in)--Inspection after

framing, rough plumbing, mechanical, and electrical are completed and prior to insulation and drywall.

2762.36. Final--Inspection after final electrical and plumbing. Structure should be totally completed and ready to occupy.

#### 2762.4 **Shoreline or Lakeshore Sun Shelters**

2762.41 Inspection shall be required for the installation of proper footings for shoreline sun shelters and for attachments of structural elements.

2762.42 Inspection shall be done by a competent inspector including qualified landscape

architects, engineer or International Residential Code qualified inspectors.

2762.43 Inspection reports shall be delivered to the LPA from the qualified inspector showing the footings and attachments are suitable for the shelter design and installation.

### **2763 Deposits Required for Projects Requiring Inspection**

2763.1 **The LPA shall establish deposits** for building permits and all building permits requiring inspections for habitable spaces.

2763.11 Deposits shall be established by the Board of Directors and included in the annual approved fees list 2763.12 Deposits shall be proportioned to size of the permitted project and purpose of the deposit and, in the case of habitable space projects, to the required number of inspections needed.

2763.13 Deposit shall be collected at time of permit issuance and refunded to the owner upon acknowledgement of receipt of occupancy permit or other document showing inspections have been completed and the project is approved for usage from the inspection firm or individual.

2763.14 Approved deposits shall be a timely

completion deposit and an inspection deposit.

**2763.2 Permit deposits shall be forfeited if any the following occurs:**

2763.21 For inspection deposits:

2763.211 In the case of new homes, if residency in the home is established prior to a temporary or final occupancy permit is issued.

2763.212 In the case of all permits, if the final occupancy or is not received by LPA with sixty (60) days of project completion.

2763.22 For Completion Deposits:

2763.221 Failure to complete the exterior of a home in the 6 month time period.

2763.222 Failure to apply for extension for cause prior to end of 6 month period.

Extension will be granted for reasonable cause, including, but not exclusively, extreme or untimely weather, accident, LPA road embargo, or other reasonable cause.

**2770 Reports and Forms Required for LPA**

**2771 Plans & Final**

**2771.1 Inspector Engaged**

The Inspector must report to the LPA that inspection has been engaged for the property prior to a permit issuance.

**2771.2 Final Report**

A final report shall include copies of all inspection reports and certification that the construction has met the code requirements that includes the following items:

2771.21 Name of Inspector

2771.22 Date of Inspection

2771.23 Title of Inspection

2771.24 Name of Owner

2771.25 Name of Contractor

2771.26 Address of Residence

2771.27 Permit confirmation

2771.28 Estimated floor area, number of stories

2771.29 Type of Construction

2771.30 Special structural requirements, if any

2771.31 Persons present at time of inspection

2771.32 General Comments

2771.33 Inspection report

2771.331 Items pertaining to type of inspection

2771.332 Confirmation of Approval to Date or Rejection

2771.333 Sign off by Inspector:  
Signature and date completed.

### **2772.1 Reports required for Occupancy Permit**

2772.11 An occupancy permit shall not be issued until the required reports are filed with the LPA.

2772.12 The inspector may file a temporary or permanent occupancy permit and communicate that information to the LPA in lieu of the LPA issuing said permit.

## **2800 Permits and Requirements**

### **2801 Definitions**

2801.1 **New residence** is any home built on an empty lot or one built on a lot to replace an existing residence which may be moved or demolished.

2801.2 **Carport** shall be defined as a roofed shelter for vehicles that is not enclosed completely by walls and doors.

2802.3 **Pre-engineered metal buildings**—Prefabricated steel (or other metal) frame structures, engineered for rapid construction and structural efficiency.

### **2802 Construction Types Prohibited**

2802.1 Homes incorporating a metal transport frame as part of the floor system are not permitted.

2802.2 Carports are not permitted.

2802.3 Pre-engineered metal buildings are not permitted on any property designated for residential usage and will be considered non-typical construction and, if proposed for commercial and special use plats shall be subject to review and approval of the building codes committee prior to issuance of a permit.

### **2803 Demolition and Removal of Structures**

2803.1 Demolition permits shall be required for removal of any residence (home or condominium) or detached garage.

2803.11 Demolition permit fees shall be required for residence and detached garage demolition

2803.111 Demolition permit for a home shall be \$ 1,000 road fee.

2803.112 Demolition permit for a condominium shall be \$ 1,000 per residence unit.

2803.113 Demolition for a detached garage shall be \$ 250, but shall be waived if the

concrete slab and foundation footings (if existing) are left in place if appropriate to do so.

2803.2 All demolition must be completed in 60 days from permit issuance

2803.3 Burning as a means of demolition shall not be allowed for any structure.

## **2810 New Residence Permit and Architectural Requirements**

2810.0 Single family residences shall be stick built or modular in construction. (*log homes qualify*)

2810.1 **Rip rap** must be in place on waterfront lots prior to permit issuance for a new residence.

2810.2 **A lot survey**, by an Iowa licensed surveyor, signed by the license holder shall be provided for a new residence.

2810.21 The survey must be recent enough that lot pins can be identified and verified as matching the signed survey.

2810.3 **Site plan** must include driveway location with a culvert sized to handle the drainage at the particular location.

2810.31 **Culverts must be metal, 12 inches in diameter minimum and a minimum of 20 feet long.** Larger culverts may be required by Management due to location.

2810.32 The site plan should include how drainage will be handled from the home. A larger culvert may be required.

2810.4 Home shall have a **minimum of 1,200 square feet** of finished area on the main floor.

### **2810.5 Construction Drawings**

2810.51 **Complete set of drawings** to scale

2810.511 Exterior Elevations

2810.512 Foundation plans that include 42 inch deep frost footings.

2810.513 Prints may be submitted at a minimum scale of 1/8 inch per foot complete with dimensions and details OR may be submitted in an equivalent electronic/digital format acceptable to the LPA.

2810.514 Drawings must specify exterior type.

2810.52 **Building Cross Sections** showing room dimensions and heights

- 2810.521 **8-foot ceilings** (minimum) required
- 2810.53 Roof overhang dimensions
  - 2810.531 One **(1) foot minimum overhang** required
- 2810.54 Roof pitch and style
  - 2810.541 **Three (3) roof planes (minimum) required.**
  - 2810.542 **A 6/12 roof pitch (minimum)**
- 2810.55 **Mechanical and Electrical Detail required** sufficient for Inspector to determine Code compliance.
- 2810.56 All **dimensions** for rooms including window and door locations.
- 2810.57 **Septic system permit** must be received from the Guthrie County Sanitarian.
  - 2810.571 Lateral area must be fenced during construction.
- 2810.58 **County Building Permit** requirement acknowledgement must be received.
- 2810.59 **Structure staking must be inspected** prior to permit issuance for setback compliance.
- 2810.60 **Silt fence or SUDAS acceptable practices** must be in place on lakefront lots prior to permit issuance.
  
- 2810.61 The owner applying for a building permit for a new residence must **acknowledge that the LPA highly recommends soil testing prior to construction of new homes.**

## **2820 Additions Permits and Requirements**

**2820.1 Permits shall be required** for any addition that increases the footprint of the residence, or if viewed from above, would indicate the enclosure of the building to encompass more ground. The exception is a second floor added to a home, even if not increasing the home's footprint, requires a permit.

**2820.2 Decks, breezeways, enclosed porches, seasonal rooms, and attached garages** or similar additions shall require a permit.

## **2821 Permit requirements**

2821.1 A **lot survey** shall be required wherever lot setback compliance requirements cannot be adequately determined.

2821.11 Surveys shall not be required for additions under the following conditions:

2821.111 The proposed setbacks are clearly within

the same bounds as the original home construction and setbacks

2821.112 Lot pins can be found that match in relationship to adjacent lot pins and measurements from the plat maps.

2821.2 A **site plan** as defined that includes the measurements from the addition to the existing lot lines.

**2821.3 Construction Drawings**

2821.31 Addition plans shall include elevations, foundation plans, windows, doors and all measurements and dimensions of the addition.

2821.311 Roof pitch and overhang can match existing home.

2821.32 Mechanical and electrical detail if required by inspecting agency.

2821.33 Plans may be in sketched form, to scale, or in electronic/digital format acceptable to the LPA.

2821.34 Addition staking must be inspected prior to permit issuance to verify setback compliance.

2821.35 Silt fence or SUDAS approved practice shall be included in permit if determined by Management to be necessary.

2821.36 Deck plans shall show dimensions, and specify support and railing information.

2821.4 If the addition include rooms that could be classified as bedrooms, an approval from the Guthrie County Sanitarian is required prior to issuance of the permit.

**2830 Detached Garage Permit and Requirements**

2830.1 A **permit is required** for any garage separated from the residence.

2830.2 Only **one detached garage** is permitted on the property.

2830.21 Carports are not permitted.

2830.3 A **site plan** is required.

2830.4 **Standard frame** construction required.

2830.41 No pole construction is allowed.

2830.5 **Exterior colors** of the roof and walls **shall match** the dwelling on the property.

2830.6 **Adequate footings** with concrete floor required.

2830.7 **Roof pitch** shall be a minimum of 6/12 unless the dwelling has a roof of lesser pitch.

2830.8 **Sidewall height** shall be 8 foot minimum and 12 foot maximum.

2830.9 **Exterior to be complete within 6 months** of permit issuance.

2830.10 **No overnight or bathing facilities** shall be installed.

2830.11 **Nine Hundred Sixty** (960) square-foot maximum size at ground level.

2830.12 Any **detached garage with habitable space** on an upper level or ground level shall be required to have the habitable space and garage area be separated with materials meeting a one-hour fire resistance rating.

2830.13 All detached garages with habitable spaces shall have **means of egress and ingress** from the exterior that does not require going through the garage portion of the structure.

**2830.14 A detached garage must have a minimum of one 8 –foot by 7 foot overhead door** with a maximum of 12 foot door height.

2830.15 Construction Drawings

2830.151 An elevation sketch is required.

2830.152 Footings shall be specified.

2830.153 Doors and windows, including measurements, shall be shown.

2830.154 Habitable space must be shown with measurements and egress provided.

2830.155 Materials and colors shall be specified.

2830.16 **Construction staking** must be approved prior to permit issuance.

## **2840 Storage Building Permit and Requirements**

2840.1 **Storage building size limit**

2840.11 100 (one hundred)square feet on undeveloped lots.

2840.12 200 (two hundred) square feet on developed lots.  
(lot with dwelling) adopted 8/26/08

2840.2 **One storage building** is allowed per lot.

2840.3 **Glass limit** on Storage Buildings

2840.31 12 (twelve)square feet maximum glass allowed for doors and windows on 100 square foot buildings.

2840.32 24 (twenty-four) square feet of glass allowed on storage buildings over 100 square feet and up to 200 square feet.

2840.4 12-foot **maximum sidewall height.**

2840.5 **Site Plan** is required.

2840.6 **Plans** shall be presented prior to permit issuance.

2840.7 **Wood frame** construction required.

2840.8 Buildings should **match other buildings** in color and basic appearance.

2840.9 **No overnight occupancy.**

2840.10 Construction **staking must be approved** prior to permit issuance.

## **2850 Gazebo Building Permit and Requirements**

- 2850.1 Only **one gazebo** or similar structure per lot.
- 2850.2 16 (sixteen) foot maximum **diameter**.
- 2850.3 19 (nineteen) foot **maximum height**.
- 2850.4 42 (forty-two) inch **frost footings** required.
  - 2850.41 **Pier construction** allowed.
- 2850.5 **Site plan** must be provided.
- 2850.6 **Materials must be specified**.
- 2850.7 **No overnight occupancy** or bathing facilities.
- 2850.8 For the purposes of **definition**, any open-sided, permanent roofed structure (picnic shelter), shall be defined as a gazebo, and must meet the other requirements for a gazebo, excepting the need for frost footings.
- 2850.9 **Construction staking** must be approved prior to permit issuance.

## **2851 Shoreline Sun Shelter**

### **2851.1 Definition**

Shoreline sun shelters shall be defined as open-air, non-permanent roofed landscaping structures generally located within the 50-foot lake setback and designed only to provide light protection from the sun, not protection from wind or precipitation. The intent of the shelter is to simply provide shade protection near the shoreline and to do so without significant visual impact by excluding walls, vertical dividers, and other permanent visual obstructions from the shelter. Generally, shoreline sun shelters shall have permanent vertical (upright—not necessarily 90degrees) post supports, shall lack walls or other permanent vertical dividers, and will consist of one of two types of shade protection. Type A shall have seasonal, temporary soft covers that provide shade protection and type B shall use an open, horizontal wooden framed roof, often latticed, (or pergola-like) that may or may not be supplemented by temporary soft covers or by vining vegetation.

### **2851.2 Restrictions**

2851.21 Shoreline shelters may only be constructed on developed lots.

2851.22 No more than one shoreline shelter may be erected on a lot or a group of combined lots.

2851.23 Lots may have only 1 of the following: gazebo, picnic shelter, shoreline sun shelter.

2851.24 Shoreline sun shelter permits will not be approved for locations that substantially inhibit views of the lake from adjacent neighboring property.

### **2851.3 Permits & Requirements**

2851.31 A building permit is required for construction of a shoreline sun shelter.

2851.32 All building code restrictions shall be in force for



shoreline sun shelters excepting the lakefront setback of 50 feet.

2851.321 Drawing and design information showing measurements, materials, load bearing information for uprights, footing sizes and/or certifications and information specified by manufacturers in the case of prebuilt units or kits is required in order for a permit to be issued.

2851.322 **To-scale drawings or pictures shall be supplied in the permit application** showing elevation drawings of the proposed installation or pictures of the same model or style of kit or pre-fabricated model, including measurements.

2851.323 The permit application shall designate the qualified inspector that will be sending a required inspection report to the LPA.

2851.324 A **permit fee** shall be charged according to the latest fee schedule adopted by the Lake Panorama Association Board of Directors.

### 2851.33 **Specifications**

2851.331 Size limits as measured from the outermost upright support posts—A shoreline sun shelter shall not exceed 16 feet in length or width and the primary horizontal element of Type A or B shelters shall not exceed 12 feet in height.

2851.332 **Type A Covers.** The cover elements shall consist of “soft” materials such as shade cloth, sailcloth, canvas or an LPA approved equivalent, either solid or translucent in nature, designed for seasonal usage, in one or more pieces or colors, and supported by flexible cables.

2851.3321 Type A covers **shall not exhibit logos, advertising, or commercial images**, except for standard cover product manufacturer identification.

2851.3322 **Type A covers may extend beyond the outside perimeter of upright post supports to provide shade protection provided only ground support anchors are used (no additional upright support posts) and the cover does not function as a sidewall or vertical divider blocking vision through the shelter.**

2851.3323 Type A covers shall be removed seasonally for at least 90 days to improve cover life and encourage proper cover

maintenance for appearance enhancement.

2851.3324 The upright support posts and attachments of a Type A covered shelter shall be designed such that their appearance is suitable without the cover's presence.

2851.333 **Type B Covers.** The type B shelter shall have a permanent, open horizontal wooden framed, possibly latticed "roof," pergola-like in appearance

2851.3331 **Type B covers shall not block more than 20% of the light** through the cover openings perpendicularly.

2851.3332 **Type B covers shall not exceed 18 feet in length or width.**

2851.3333 **Type B cover material shall match the support post material** or be complimentary in color and/or texture/ornamentation.

2851.3334 Type B cover material shall be designed for outdoor usage and direct exposure to the elements.

2851.3335 **Type B cover may be supplemented by soft covers** as described in the definitions for type A . Neither cover shall be installed at a height greater than 12 feet, except for the small portions of the cover used to attach or connect to attachment devices.

2851.334 **Upright support posts** shall be sized and/or engineered for structural soundness in consideration of wind and snow loads.

2851.335 **Other Design criteria**

2851.3341 Sun **shelters may have protective railings, not exceeding 42 inches in height**, which may not visually block more than 50% of the opening between the ground and the top of the top rail and shall comply with International Residential Code safety standards for deck railings.

2851.3342 **No solid side walls or dividers are permitted, including lattice or side curtains.**

2851.3343 **Flags, streamers, or banners are limited to one per permanent upright support post and/ or four total.**

2851.3344 **No fold-up, roll-up or retractable sides or cover designs are permitted.**

2851.3345 **No permanent fixtures** relating to or similar to the following are allowed: bars, kitchen, storage, fireplace or other fixed functions.

2851.3346 **Sun shelters shall not extend beyond the waterline**, whether installed on the shore's ground surface or on a deck, dock, or other platform.

2851.3346 The treatment at ground level under the shelter may be grass, flagstone or brick pavers, concrete slab, wood decking, composite or sand or gravel. Elevation of the ground treatment shall not exceed 6 inches from grade.

#### 2851.34 Maintenance and Upkeep

2851.341 Shoreline shade shelters **shall be maintained in plumb and square condition** or in the case of angled supports, at the same orientation as the original design installation.

2851.342 Type A covers shall be **kept in a properly maintained condition** and shall not exhibit ragged, worn, or tattered appearance nor shall be kept in a faded or bleached out condition.

2851.343 Wood and metal or composite materials that make up the upright supports, safety railings, or cover framework, shall be kept in a repaired condition. Painted, pre-colored, or stained structural surfaces shall be maintained to reflect uniform color.

2851.344 Shoreline shade shelters built within the 20 foot lakeshore easement shall be subject to removal should the easement need to be exercised by the LPA and shall be done at cost to the owner.

**2851.345 Proper maintenance and upkeep for this type of structure is critical to being an asset to the membership.** Repeated failure (defined by at least three violations of routine maintenance by one owner (.341 to .343 of this section)) to properly maintain an installation shall result in an order for removal authorized by the Building Codes committee and approved by the LPA Board of Directors.

#### 2860 Boathouse Repair Permits and Requirements

2860.1 **No new boathouses may be constructed.** (adopted 8/21/97)

2860.2 Any construction on existing boathouses will be for the purpose of maintenance of the boathouse with no structural changes, including change of roofline, allowed.

2860.3 **Maintenance permit** is required.

2860.4 Any existing boathouses determined to be **structurally unsafe must be torn down.** (2860.2 and .3 adopted at 8/23/05 Board meeting and approved at 9/27/05 Board meeting)

**2870 Permanent Dock Construction Permit  
and all Dock Requirements**

*\*Construction permits are not to be confused with Iowa Department of Natural Resources dock permits which are required for identification and location of all docks at the lake.*

**2870.1 Definitions:**

2870.11 **Cantilever dock** is a structure projecting over the surface of the lake but having all of its support on the shore. No part of the dock or dock structure is in the water.

2870.12 **Permanent, pier or pilings dock** extends over the water surface but is supported by piers or pilings driven into the lake bottom.

2870.13 **Sectional Dock** is normally constructed of pre-built sections supported on removable posts, floating sections, or docks that roll into and out of the water on wheels.

2870.131 No building permit is required for sectional docks.

2870.132 Setback for sectional docks is 5 feet by Iowa law.

2870.2 Any permanent dock, whether cantilever or piling supported, must have a **permit** for construction.

2870.3 **Setbacks** from side lot lines (and the line projected into the water) shall be 10 feet for permanent docks and shall be shown on the site plan.

2870.4 All docks shall be constructed to maintain a permanent height of at least **six (6) inches above the permanent water level** shoreline at elevation 1045.50 above mean sea level. (msl)

2870.5 All docks shall be **maintained in a level**, safe and stable condition.

2870.6 Property owner, by obtaining a permit for a permanent dock and/or placing a dock and lift(s) on Lake Panorama, recognizes and agrees the **dock and lift(s) placed in a permanent easement** area reserved to the LPA, and that if the dock and lift(s) must be changed or removed to allow LPA access for purposes of dredging or shoreline maintenance, the owner will bear the cost of doing so. LPA agrees to provide written notice to property owners in the affected area of upcoming dredging work or shoreline maintenance to be performed by LPA, or their agents, no later than 30 days prior to LPA beginning such work (unless circumstances limit the ability to provide less notice). Property owners are required to remove their dock and lift(s) prior to the start date given by LPA in the written notice for such upcoming work. In the event a property owner fails to remove their dock and lift(s) on or before the start date of such proposed work period provided in the notice, then such property owner shall have assumed any and all liability for damage that may occur to their dock and lift(s) resulting from

LPA's dredging work or shoreline maintenance. In no event shall LPA be liable for any damage resulting from such property owner's failure to remove their dock and lift(s). Additionally, property owners shall not be compensated for any loss of use of their dock and lift(s) during such work periods. LPA reserves the right, in its sole discretion, to remove any dock and lift(s) that are obstructing work to be performed in the easement area. LPA may assess the property owner any cost incurred in removing the dock and lift(s).

2870.7 **No dock** (including boatlifts associated with the dock) shall extend more than half way across a cove or waterway.

2870.8 All permanent docks **shall not project beyond 30 feet** from the established shoreline at lake elevation of 1045.5 msl.

2870.9 **No dock shall restrict access** to another members dock.

2870.10 **All docks shall extend no further than necessary** into the lake for adequate boat access.

2870.11 In narrow coves, **docks shall be place parallel** to the shore where possible.

2870.12 Docks and Boatlifts **shall not have steel, wood or other permanent constructed covers.**

2870.13 Construction **staking must be approved** prior to permit issuance.

2870.14 **Swim platforms** and other similar floating devices may not be placed beyond the end of a member's dock without an exemption permit issued by one of the following: the LPA Water Safety Committee, the Chief of Security, or LPA Administration.

2870.141 An **exemption permit may be issued** by the LPA for locating a swim platform or other floating device placement if, and only if, the owner can demonstrate significant improvement in user safety without impinging upon or impairing the width of the lake or cove channel available for boating, without causing boat safety issues by forcing change in boat traffic patterns.

2870.142 Swim platforms or other floating devices shall be registered with the Iowa DNR as part of a **Class III dock** registration and shall be marked as noted in Iowa regulations, and shall be plainly identified with ownership information.

## **2880 Swimming Pool Permit and Requirements**

2880.1 **A building permit** is required to install any swimming pool.

### **2880.2 Definitions**

2880.21 The term swimming pool is hereby defined as an outdoor structure designed as a receptacle for water, or an artificial pool of water having a depth at any point of more than two (2) feet, intended for the immersion or partial immersion of human beings, and including all appurtenant

equipment or structures, with **water level not extending higher than the adjacent grade.**

2880.22 Swimming pools of a smaller size, temporary or seasonal of not more than 12 inches deep or greater than 64 square feet, shall be deemed to be “wading pools” and are not subject to regulation.

2880.23 “Private Pools” are defined as those restricted to occupants of the principle users of the property and guests for whom no admission or membership fees are charged. Only private pools are permitted in residential districts.

2880.24 For purposes of definition, pumps, filters, and pool water disinfection equipment installation are considered a part of the structure of the pool and subject to the uniform setback regulations.

### 2880.3 **Permit Requirements**

2880.31 All drawings and plans for construction, installation, enlargement or alteration of any swimming pool or appurtenances shall first be presented to the LPA Management for examination as to proper location and construction.

2880.32 All such drawings and plans shall accurately portray the relevant lot lines, setback distances and include information as to the pool, walk, and fence construction, water supply system, drainage, and water disposal systems, and all appurtenances pertaining to the pool.

2880.33 Detailed plans and vertical elevations shall also be provided in accordance with applicable codes.

2880.34 Construction shall be according to the plans submitted unless changes are authorized by LPA Management.

2880.35 Construction staking must be approved prior to permit issuance.

### 2880.4 **Other Requirements**

2880.41 Chlorinated water may not be directly discharged into the lake.

2880.42 Hot tubs are exempted from Sections 2880.1 and 2880.3.

2880.421 Hot tubs must meet setback regulations.

2880.422 Hot tubs must be secured by a cover equipped with a locking device and kept covered and locked when not in use.

#### 2880.43 Pool Fences

2880.431 All outdoor swimming pools shall be completely enclosed by a fence.

2880.432 A minimum height of 6 feet is required.

2880.433 All fence openings shall be equipped with gates and fence and gates shall be 6 foot above grade level.

2880.434 Gates shall be equipped with self-closing and self-latching devices placed at the top of the gate.

2880.435 Fence posts shall be decay or corrosion resistant and shall be set on concrete bases or by manufacturer's specifications

## **2890 Fence Permits**

2890.1 **Fences that meet the guidelines that follow will be issued a permit.** A variance can be requested through review of the Building Committee.

2890.2 Fences erected in violation of regulations or violating the terms of an issued permit will be removed on order of LPA management.

2890.3 Fence permit lasts 60 days.

2890.4 Fence Requirements

2890.41 **No fence may exceed 48 inches** in height except

2890.411 A **dog kennel of 72 square feet** or less may have a height of up to 72 inches.

2890.421 Outdoor Pools are required to have fences meeting the State of Iowa Codes.

2890.42 **Fence styles permitted**

2890.421 For the purposes of decoration, landscaping enhancement or the definition of a property line, styles are limited to:

1. Split Rail
2. Post and Horizontal board or rail
3. Ornamental Iron or other metal
4. Decorative vinyl

2890.422 **Fences for the purpose of safety or containment** may use black or dark green vinyl clad chain link. Fences for this purpose may not enclose an area greater than 10% of the total square footage of the owner's lot. (percentage changed 11/2010)

2890.423 Fences or walls that are **more than 50% solid or view blocking are prohibited** regardless of material used.

2890.424 Animal or small child enclosures can use fences of approved materials and styles backed with woven wire for control purposes. The wire will be placed on the inside of the fence so it is less visible from the street.

2890.425 Temporary fences, snow fences, and other temporary fences are allowed where required by Iowa or County law or LPA regulations.

2890.426 Snow fencing is only allowed from November 1 to April 1 and does not require a permit for installation during that time period.

2890.5 Restrictions on Location of Fences



2890.51 **No fence may be built within 50 feet** of the defined shoreline.

2890.52 **No fence running approximately parallel** to the shoreline may be built between the home and the lake even if the fence would be further than 50 feet from the lake.

2890.6 Owners must recognize that a fence placed within the sidelot easement (within 10 feet of the side lot line) is subject to temporary removal if the LPA must exercise its easement or if the fence interferes with required maintenance of septic systems.

2890.7 **Fences must be maintained** to insure a pleasant outward appearance.

2890.8 Site plan is required in permit application

2890.9 A signed agreement by adjacent property owners stating that they have seen the proposed plans and have no objections. Neighbor agreement is required on any building plans which could restrict line of sight or restrict access to an easement area.

## **2900 Other Regulations Pertaining to Lot usage**

### **2901 Lighting Regulations** (adopted 10/28/08)

2901.1 Purpose: **To eliminate excessive lighting** and the glare of exterior lighting (streetlight type lights, mercury, halogen and any other bright lights) on other LPA member's property, which will increase the nighttime enjoyment of the lake and the LPA experience. The LPA encourages lighting for safety, security and outdoor enhancements, but wants to ensure it does not violate other LPA member's serenity or property.

2901.2 All light and glare on property must be controlled by the member to shine only on their own property.

2901.3 Any light leaving one's property must measure less than 3 foot-candles at the property line. Complaints about excessive lighting will be measured by a light meter.

2901.4 Any current lighting exceeding this light measure will be brought into compliance within one year of the adoption of this ordinance.

2901.5 Fines for violations will be according to the established LPA fine schedule.

### **2902 Water Service**

#### **2902.1 Providing Service**

LPA will absorb the cost of laying the first 100' of water main and the property owner paying the remaining cost to LPA's specification in situations where no service is present.

#### **2902.2 Member Responsibility**

From curb stop to the structure will be installed by member or member contractor.

### 2902.3 Installation Specifications

2902.31 Copper or schedule 40 plastic should be ¾" pipe a minimum of 5 foot deep with tracer wire.

2902.32 A ¾" ball valve must be installed inside in a horizontal position to enable meter placement.

2902.33 A pressure regulator is strongly recommended.

2902.34 Copper pipe or PEX tubing is required throughout the interior.

2902.35 Yard hydrants must be connected to the house meter.

### 2902.4 Curb Stop Maintenance (section added 1/27/09)

2902.41 Member owners shall be required to keep curb stop (shut off valve access) **risers visible and accessible and at least 6 inches high.** (height added 4/23/15)

2902.42 **Water department will make valve boxes available** for areas where paving must be applied over the curb stop.

2902.43 Paving or **landscaping that obscures a curb stop**/shutoff is the responsibility of the property owner and if access must be found, repairs and any damage to landscaping and/or paving will be the responsibility of the property owner.

2902.44 Property owners whose curb stops/shutoffs are inaccessible may be liable for service interruptions to other owners affected by main shutoffs required for repairs.

## 2903 Commercial Properties

### 2903.1 Regulations Pertaining to Commercial Property

2903.11 All commercial buildings are subject to the **State Urban Designs and Standards** for commercial building rules.

2903.12 The most recently adopted **International Code Council** regulations shall be in force for all commercial buildings.

2903.2 **Commercial Inspections:** All required commercial construction inspections will be at the expense of the builder.

## 2904 Fuel Storage Tanks

Every tank for the storage of heating fuel or propane that is installed outside shall be buried below the surface of the ground or screened by fencing or shrubbery. No fuel storage tank larger than twenty gallons shall be installed, above or below ground, other than for the storage of heating fuel or propane.

## 2950 Variances

### 2950.1 Variance Procedure

2950.11 Any **non-conforming or unusual designs** or requests for variances will be submitted to the Building Committee for review. 2950.12 Members or their representatives will provide the committee with construction documents or designs, site plan, accurate measurements and other material pertaining to the request.

2950.13 The Building Committee will approve, deny, or offer suggestions for changes that could lead to approval.

2950.14 The Building Committee's **decision will be sent to the Board for final approval** or denial.

2950.15 **The Board of Appeals for variance requests** for the member shall be the Board, which will provide reasonable interpretation of all LPA rules.

2950.2 **Variance Fee** shall be charged for the application for a variance according to the fee structure most recently adopted by the LPA Board. (a \$35 fee was set in place in June, 2010)

#### **2960 Coordination with Other Governmental Authorities**

**2961** Building permits are also required to be obtained for homes, detached garages and additions through Guthrie County at the Assessor's Office.

**2962** Permits for septic systems must be obtained from Guthrie County through the Guthrie County Sanitarian.

## Article 3 Conservation and Land Use Regulations

### 3000 Purpose

The purpose of these regulations is to protect the members of the Association by providing guides for land manipulation and development that conserve and protect the soil, vegetation, water, and existing and future opportunities for building, landscaping, access, and other member privileges. This will be done by the establishment of requirements for the control of erosion and sediment movement and other practices and the establishment of procedures to administer and enforce those requirements.

### 3001 Scope

3001.1 These regulations pertain to the development and usage of all residential and commercially classified lots within the development.

3001.2 The following activities are regulated: land disturbance, shoreline development and management, right-of-way development and water movement and quality.

### 3002 Definitions

3002.1 **Land Disturbing** shall mean any activity on the land that results in a change of the topography, existing soil cover (both vegetative and non-vegetative) or the existing soil topography that may result in stormwater runoff that can lead to soil erosion and movement of sediment into the lake waters, drainage system or off of the property. Examples of such activities are clearing, grading, filling, excavating, rip rap work, driveway installation, terracing, and etc.

3002.2 **Clearing** means any activity that removes vegetative ground cover that could cause erosion, including live trees.

3002.3 **Excavating** means any digging, scooping, or other methods of removing earth materials.

3002.4 **Grading** means any excavating or filling of earth materials or combination thereof, including the land in its excavated or filled condition.

3002.5 **R riprapping** means the placement of boulders or stone upon the shoreline of the Lake in a manner meant to protect the shoreline from erosion from wave action or overtopping by water runoff from land.

3002.6 **Right-of-way** is the land area owned by the Association and dedicated to the location of the streets and drainage ditches along them and consists of the property in front of the front lot lines of residential and commercial lots.

3002.7 **Drainage-ways** are any natural or graded paths where water runoff naturally travels.

3002.8 **Administrator** is the General Manager of the Lake Panorama Association as designated by the Board of Directors or his/her duly authorized agent.

3002.9 **Person** means any individual, partnership, LLC (limited liability corporation), corporation, or the legal representative for the entity.

3002. 10 **Erosion Control Plan** is the plan for the erosion control practices needed to keep sediment on the property where land disturbing practices are taking place.

### **3100 Land Disturbing Permits**

3100.1 **No person shall disturb the ground cover** of more than 1,000 square feet of property or disturb the ground cover of any area within 100 feet of the lake, or install a driveway, or fill or disturb roadside ditches, or do any project of similar size that drains directly on to other private or community property without previously obtaining a land disturbing permit.

3100.11 Utility and sanitary installations/ and or repair and servicing are exempted from having a land disturbing permit, but must employ adequate erosion control practices to prevent sediment movement offsite.

3100.2 **A person must apply for and receive a land disturbing permit** prior to conducting actions that disturb the qualifying property. If a project not requiring a permit becomes larger due to unforeseen circumstances to a point that qualifies for a permit, persons should immediately contact the Administrator to apply.

3100.21 land disturbing permit is not required if a building permit is issued that includes an erosion control plan.

#### **3100.22 Failure to obtain a Land Disturbing Permit Penalties**

3100.221 Failure to obtain land disturbing permit prior to performing work may be assessed a fine of \$500.

3100.222 Additional fines of up to \$2,000 based upon violations of the factors as described in 2101.11 (1) (a.) 1-2

3100.223 Construction, grading, shoreline or other land disturbing activities begun prior to obtaining a land disturbing permit may be given a cease and desist order from the LPA or its authorized legal representative. Violations of such a “stop work” order will be \$500 per day for land disturbing work begun without permit approval. LPA shall be entitled to reimbursement from the owner of the property for reasonable attorney’s fees and costs incurred by LPA to enforce such an action.

3100.3 **A permit application shall include** the owner name, address, lot number, and include a site plan that shows the nature and extent of the land disturbing activity and an erosion/ sediment control plan showing the nature and quantity of erosion control practices needed to keep all sediment on the property. The permit will designate erosion control practices that must be installed prior to land disturbing activities if it is deemed a requirement by the Administrator.

#### **3100.4 Legal Responsibility**

All legal responsibility for the implementation and maintenance of the plan for land disturbing activities remains with the property owner.

3100.41 Neither the Administrator of the LPA nor the LPA assumes any liability by approving the permit allowing the land disturbing activity and the Administrator and the Association shall be indemnified and held harmless from any and all liabilities which may arise in any matter whatsoever because of the land disturbing activity of the property owner.

### 3100.5 Compliance

The LPA Administrator shall periodically inspect the land disturbing activity to ensure the compliance with the approved plan, and to determine that the measures required in the plan are effective in controlling erosion.

3100.51 The right of entry to conduct such inspection shall be expressly reserved in the permit.

3100.52 If the Administrator determines that the permit holder has failed to comply with the plan, he/she may immediately serve upon the permit holder, a Notice to Comply.

3100.521 Such notice shall set forth specifically the measures needed to comply and shall specify the time such measures shall be completed.

3100.53 If the permit holder fails to comply within the time specified, he/she may be subject to revocation of his/her permit; furthermore, he/she shall be deemed to be in violation of this regulation and shall be subject to the penalties provided by this regulation.

## 3200 Specific Regulations & Practices

Land Disturbing Permits are required for all of the following:

### 3201 Shoreline and Beach Management

3201.1 **Owners must maintain lakeshore** property by maintaining adequate rip rap for protection from wave and ice caused erosion3201.11 Riprap should be annually maintained to be relatively free of weeds and vegetation, and to replace or rearrange stone that has slipped or shifted.

3201.2 **No modification that alters the existing shoreline** dimension or shape shall be allowed without the specific approval of the Lake Panorama Association.

### 3201.3 Beach development and specifications

3201.31 **Any beach** to be constructed or developed shall first submit plans to the LPA Office for prior approval.

3201.311 During construction, a **silt fence** shall be installed to prevent any possible erosion run off.

3201.32 **A maximum of 300 square feet** of beach is allowed directly above the opening into the water.

3201.33 **A Minimum of one row of riprap** should be placed between the sand and the lake (1ft. wide and 1ft. high).

3201.331 **An opening of 12 feet is allowable** without rip rap.

3201.332 **Riprap should be placed around sand** on all sides, other than opening to the water.

3201.34 **Drain tile** shall only emit drainage to the lake through the riprap shoreline with appropriate screened rodent protection.

3201.341 **Metal outlets** are recommended.

3201.4 **Rip Rap Specifications**

3201.41 All lots, immediately adjacent to the Lake, shall have proper rip rapping, to maintain the present shoreline and to prevent siltation into the Lake.

3201.42 Silt fences or other approved practices are required following completion and shall be installed as per LPA specifications and shall remain in place until vegetation is established to eliminate any possible erosion runoff.

3201.43 **SUBGRADE PREPARATION:**

3201.431 Grade surface smooth, firm and uniform.

3201.432 Excavate bench or plateau no lower than 1049 elevation as desired to facilitate construction, if practical.

3201.433 Do not permit loose excavated material to fall into Lake below the 1045 elevation.

3201.434 Remove and dispose of all dead and/or fallen trees and stumps from graded areas, including those within 15 feet of the shoreline.

3201.44 **FILTER FABRIC:**

3201.441 Use 100% polyester continuous spun needle punched engineering fabric, type 1120 or 1127 by Trevira or Equal.

3201.442 Place fabric on prepared sub grade in accordance with manufacturer recommendations.

3201.443 Exercise care in placing riprap material to avoid displacing or tearing filter fabric.

3201.444 Stapling or staking of fabric is recommended

3201.45 **MATERIALS:**

3201.451 Provide sound material not subject to disintegrate under action of air or water.

3201.452 Use broken limestone, blasted rock, fieldstone, weathered fractured rock, boulders, gabion stone, or any material of equal quality.

3201.453 No concrete above elevation 1045 msl. Concrete must be free of reinforcing rod and wire mesh.

3201.454 Hand place smaller rocks to fill voids.

3201.46 **FINISH GRADING:**

3201.461 Regrade and shape slope uniformly, from top of bank to the top of the riprap at a grade of 2 ¼ to 1 or flatter.

3201.462 Arrange grading and shaping to provide at least 6" of topsoil on exposed areas suitable for seeding or sodding.

3201.463 Seed or sod and install silt fence or other approved practice.

3201.47 **MAINTENANCE:**

3201.471 Proper maintenance should be conducted annually to

avoid siltation, by replacing rocks which have shifted.

## **3202 Right of Way Regulations and Specifications**

### **3202.1 Driveways**

3202.11 Driveways can be installed after obtaining a land disturbing permit.

3202.12 Driveways cross LPA right of way and are subject to the following requirements:

3202.121 **Driveways shall have drainage culverts** unless specific permission is given from the Administrator.

3202.122 Minimum culvert size is 12 inches in diameter and 20 feet long.

1. A larger size may be required due to area drainage and property location.

3202.123 **Metal culverts** are required but may be substituted if metal ends are applied to plastic double wall culverts.

3202.124 **Culverts shall be covered** by a minimum of 6 inches of soil/ and or rock.

### **3202.125 Driveway paving**

1. Does not require a Land Disturbing permit unless it is a new driveway.

2. An apron at least 18 inches is recommended between driveway paving and the street surfacing except where the street is asphalt.

### **3202.2 Drainage Tile**

3202.21 Drain tile emptying into the ditch right of way shall be installed or retroactively have installed erosion control measures for the water flow.

3202.22 Roadway tile outlets shall be marked with a permanent stake or marker.

### **3202.3 Development within the right of way**

3202.31 **Roadside ditches shall not be obstructed** or filled except by permission from LPA management.

3202.311 **Permission will be issued** for practices that insure roadside drainage and include, but not limited to, buried tile with inlets, appropriate grade or other drainage mitigation.

3202.312 **A record of such permission** shall be kept in the owner's lot file in the LPA Offices.

3202.32 It shall be the **responsibility of the property owner to repair** or replace any owner installed landscaping, irrigation equipment, markers, or other owner-installed features that are located in the area between the owner's front lot pins and the street, that are damaged during the routine exercise of maintenance activities such as drainage work, street shoulder maintenance or snow removal.

3202.321 **Mailboxes are exempted if** installed according to



United States Postal Service regulations.

3202.33 **Visibility** Required

3202.331 No plantings or trees shall be placed in a way that obstructs visibility of the roadway system.

3202.34 **Geothermal wells and piping are prohibited** in the Lake Panorama road right of way area. (added 1/27/09)

**3203 Tree Coverage Removal Regulations (July 24, 2007)**

3203.1 **Purpose:** The Lake Panorama Association desires to provide the membership with a policy to promote:

1. A beautiful, healthy, balanced, and diverse ecological environment.
2. An abundant wildlife habitat.
3. Less sedimentation/ runoff into the lake and a more stable soil environment.
4. An increased awareness and enthusiasm for our surroundings by encouraging education and implementing innovative design standards.

3203.2 **Definitions**

3203.21 **Clear Cutting** shall be defined as the removal of 50% or more of all the trees or canopy cover on a property.

3203.22 **Canopy Cover** is the area of ground covered by a tree or trees and is equivalent to all the area shaded by a tree if the sun would be directly overhead.

3203.23 **Construction zone** shall be considered to be the area within the footprint of the structure and within thirty (30) feet of the outside footprint of the structure.

3203.24 **Infrastructure zones** shall be those areas that include septic fields and tanks, water wells, and geothermal applications.

3203.3 **No clear cutting** will be allowed except in the following circumstances:

3203.31 **For ingress/ egress of property** including driveways, pathways, and walkways.

3203.32 **Construction Zones** needed for all approved structures and improvements.

3203.33 **Infrastructure zones**, as recommended by manufacturers or County regulations.

3203.34 **Dead, diseased or stressed trees** and nuisance or invasive species or recommended removals for disease sanitation.

3203.35 **Enhanced vistas or views** subject to the Association's clear cut policy (removal of more than 50%).

3203.36 **Requests for an exception** beyond those listed must come to the Building Codes Committee for review before a variance can be granted.

3203.4 **Violations and Penalties** of the Clear Cutting Regulations

3203.41 Violations of the clear cutting regulations shall result in:

3203.411 **A vegetation re-establishment plan** to restore tree cover to the 50% guideline must be carried out within one year

of the violation.

3203.412 If the re-establishment plan is not completed by the deadline, **a fine of one thousand dollars (\$1,000)** shall be assessed and an additional fine of \$100 per week shall be assessed until the re-establishment plan is completed.

3203.413 Unpaid penalties shall be attached to the property as a lien until paid.

### **3300 Erosion Control Plan & Accepted Practices**

#### **3301 Erosion/ Sedimentation Control Plan Required**

3201.1 An Erosion/ Sedimentation Control Plan is required for any project meeting the definition requiring a land disturbing permit (including most building permits.)

3201.2 The plan must include the planned erosion control activities to be installed before work begins, and additional practices that may be required as construction and grading permit.

#### **3302 Erosion/ Sedimentation Plan Contents**

The plan shall include:

3302.1 Approved practices to protect the perimeter of the site installed to prevent offsite movement of sediment including:

3302.11 Type and amount of practice (length or square footage of practices).

3302.2 Approved practices to protect and / or divert storm-water from moving onto the site from other locations where necessary.

3302.3 Approved practices to slow and divert existing drainage within the site (length or square footage).

3302.4 Approved practices to stabilize fill material, protect cut areas, and prevent erosion on disturbed areas.

3302.5 Approved means of preventing tracking and erosion from driveways during the construction process (rocking drive, diversion, or other means).

3302.6 The plan shall include means to prevent erosion created by the concentration of storm-water flow from building roofs, driveways or other construction.

### **3400 Specific Regulations & Clarifications**

#### **3401 Definitions**

**3401.1 SUDAS** standards are from the Iowa Statewide Urban Design and Specifications Manual as most recently adopted, from Division 9—Site-work and Landscaping.

**3402 Storm-water control practices shall be installed** and maintained according to SUDAS specifications and according to the erosion/sedimentation control plan as approved. The plan may be revised, if necessary, but requires approval before installation.

**3403 Adjoining property**, including public utilities, sanitary and storm

drainage, and other facilities shall be protected from debris from the project site.

3403.1 **All damage, including debris, shall be repaired** at the contractors expense.

3403.2 **Driveways** shall be rocked prior to construction to a depth of 6 inches and a minimum of thirty (30) feet from the road edge and a minimum of 15 feet wide or more if tracking persists. This may be waived by the Administrator.

3403.3 **The contractor shall remove soil** and material tracked or deposited on the street daily.

3403.4 **Perimeter protection shall be required** on all portions of the lot(s) perimeter that appear to provide drainage off the lot.

3403.41 Perimeter installations shall be kept in place at all times.

3403.5 **Other erosion/ sediment control measures** such as dust control shall be provided for when requested by the authorizing agent for the LPA.

3403.6 **Silt control practices will remain in place** until vegetation is established to eliminate any possibility of erosion. (To be determined by the General Manager or designee.)

### **3500 Required Specifications for Erosion Control Practices**

**3501 All practices** shall be subject to the approved SUDAS (3401.1) practices (3503) and guidelines. The plan and site have to be approved by the authorizing personnel before a permit is issued.

**3502 Approved practices** shall consist of the following specifications for material and installation as adopted from SUDAS (3401.1).

3502.1 **Technical specifications** for materials used can be found in Section 9 Site work and Landscaping: Section 9040— Erosion and Sediment Control as most recently revised. Practices shall meet material and installation specifications as described in SUDAS.

### **3503 Accepted Materials and Methods**

3503.1 Filter berm and filter sock SUDAS 9040.2

3503.2 Rolled Erosion Control Product SUDAS 9040.3

3503.3 Rolled Erosion Control Product (channel) SUDAS 9040.4

3502.4 Wattle SUDAS 9040.5

3503.5 Check dam SUDAS 9040.6 (rock check and silt fence check dams)

3503.6 Silt Fence SUDAS 9040.19 sheets 1 & 2

3503.7 Stabilized construction entrance SUDAS 9040.2

3503.8 Compost blanket SUDAS 9040.1

3503.9 Hydro-seeding (where approved for final stabilization).

**3504 LPA specific regulations that supercede SUDAS.**

3504.1 At least one properly installed silt fence shall be placed on all waterfront lots unless there is no land disturbing activity within 100' of the lake.

3504.2 In lieu of silt fence, temporary rolled erosion control may be used if the products are installed properly and are rated for the slopes involved.

3504.3 Multiple practices will be required on all disturbed areas exceeding 10% in slope and 50 feet in length.

3504.4 All natural ravines or graded drainages shall be protected by an approved practice for such conditions.

**3600 Maintenance of Erosion Control Practices**

**3601 Inspection and Maintenance**

3601.1 Contractors or owner **members should inspect the practices** (1/1//08) regularly, particularly after heavy rain events.

3601.2 The LPA inspector will be inspecting the fences or other practices for problems. Proper installation will help to avoid failures.

3601.3 **Proper maintenance** shall consist of monitoring the practices and fixing any break-thru, undermining, or overtopping immediately; maintaining tension; repairing and replacing broken support ties or posts; maintenance of silt fence at vertical or tipped (maximum 20%) toward slope; removal of silt more than half-way up the installed fence or barrier or silt causing bulging in the fence; or re-installation if directed by the Administrator.

3601.4 **Silt fences will remain in place** until vegetation is established to eliminate any possibility of erosion. (To be determined by LPA inspector.)

**Article 4 Violations and Enforcement Policies**

**4000 Violations and Enforcement**

**4100 Building Codes under sections 1 & 2 & 3 (non-erosion control practices)**

**4100.1 Procedures**

4100.11 General Manager/Staff is made aware of a violation/potential violation either by complaint or routine inspection.

4100.12 If by complaint the General Manager/Staff will go to the property to determine if a violation has occurred.

4100.13 If the General Manager/Staff determines that a LPA rule or regulation has been violated then General Manager/Staff will send a certified letter to the property owner that mandates the problem be remedied within a certain time period (usually 2-15 business days) during which time the property owner may appeal to the General

Manager and/or Board of Directors.

4100.14 If the General Manager/Staff determines that immediate action is needed to preserve member's health, safety or overall aesthetics of the LPA; LPA staff may abate the violation, or cause it to be abated, and the property owner will be charged the expense.

4100.15 If the violation is not taken care of in the allotted time then the property owner may be fined \$100 per day.

4100.16 If the property owner knowingly violates it again then a \$1,000 fine may be applied plus \$100 per day until the violation is abated.

4100.17 A 10% penalty will be assessed every 30 days after notification of fine which will be compounded monthly. LPA reserves the right to place a lien on property or use an outside collection agency to collect outstanding fines.

4100.18 Any non-payment of fines may jeopardize a member's status of an "Active Member".

4100.19 If the General Manager/Staff determines no rules have been violated a letter will be sent to the complaining party or a phone call made to explain why a violation has not occurred if requested by the complaining party.

#### **4200 Land Disturbing Enforcement & Fines regarding Erosion Control Practices**

##### **4200.1 Procedures and Fines**

4200.11 Any erosion control practice (1/1/08) that is missing, damaged or destroyed will be photographed and sent a \$50 fine via Certified Mail. A copy of the photograph will be sent with the fine.

4200.12 After receipt of the Certified Mail, the property owner will be fined \$50 per day until the practice is properly installed as per LPA Rules and Regulations and SUDAS specifications.(1/1/08)

4200.13 If the same property owner has another violation then the fine will be \$100 plus \$100 per day after receipt of the Certified Letter.

4200.14 If the property owner is a habitual offender then the LPA may fine the property owner up to \$1000 for the violation plus a per day charge to be determined by the General Manager.

4200.15 There will not be any time line extension granted to the property owner. 4/25/06

**NOTE: Fines for not having a permit for building and Land disturbing activities are outlined in sections 2101.112 and 3100.22**

#### **4300 Board of Appeals**

4300.1 The Board of Appeals for violations and penalties concerning the Building Codes shall be the Appeals Committee.

4300.2 The Appeals committee shall be the final authority regarding violations or penalty.

4300.3. The Appeals committee may uphold, modify, or remove the penalty according to LPA governing documents and facts as presented to the Appeals Committee.

**4310 Appeals Procedure**

4310.1 The member may appeal any fine or penalty for building code violations by requesting, in writing, a hearing with the appeals committee.

4310.11 The appeal must be initiated within ten (10) working days of notification of the penalty.

4310.2 A hearing will be scheduled at the first available opportunity for the Appeals committee to meet with the member requesting the appeal.

4310.21 The member may represent him/her self or appoint an agent to give testimony, provide factual information, or show cause for the appeal.

4310.22 The appeals committee will notify the member in writing of the committee's decision including the reasoning for the decision.

(reference 4300.3)

This version of the Building Codes was revised at the May 22, 2016, meeting of the LPA Board of Directors.43