

## Construction Guidelines



In the event of the sale or transfer of property, owners are responsible for informing the Secretary of the Association Board and for providing the contact information for the new owners to ensure that internal records are updated. The guidelines and bylaws /CC&Rs will transfer with ownership and should be made available to the new owner prior to sale.

### **CONTACT INFORMATION:**

Association members shall register a current email address and phone number with the Secretary of the Board / Association to receive notifications from the Association. This is the only email address that will be used to send community information. Association members will be responsible for keeping such data updated.

**ASOCIACIÓN PRO MEJORAS REGIÓN DE BARÚ CASCADA AZUL**  
**CONSTRUCTION GUIDELINES**  
**Adopted by the Association on 11th February 2023**

It is the owner's responsibility to communicate the following information to their contractor(s) and ensure that they comply. Owners are responsible for the repair and payment of any damage caused by their contractors to any of the common areas.

- Heavy Construction / major building should only begin in the dry season (mid December) to avoid damage to the roads due to heavy equipment. If this is not possible, then loads of materials and equipment/machinery should be a maximum weight of 4,000 kg. This is imperative to maintain the condition of the roads and not cause extraordinary damage.
- The Owner and their builder should be sensitive to any road damage caused by their builder that impacts other owners (or their renters). If the builder damages the road (even if the intent is to repair the road when construction is complete) any damage that exists should not impact other owners or their renter's ability to safely use the road. Immediate and perhaps regular repairs may be necessary and expected to ensure safe access and drivability by the owners/renters.
- A non-refundable road use fee of \$1,000 USD for large personal construction projects, reviewed and approved annually by the Community, will be assessed at the initiation of the project. This fee will cover not only damage to the road, but will also be held for any drainage issues, emergency repairs, water flow issues, etc. caused by the construction.
- In consideration of the community's desire for privacy and peaceful living, properties are to be developed for residential use only. No Commercial Building (such as restaurants, multiple rental units, etc.) will be allowed. (Exempted from this are single family homes that are rented out by an owner and properties that are already developed as of the approval date of this document.)

- A plan and implementation for proper drainage, a controlled water runoff system and a wastewater treatment system which meets the requirements established by the Costa Rican Código de Instalaciones MUST be followed. For example, water runoff should be diverted into an appropriate drainage system to ensure there is no land or road erosion. Owners should contact the Chair of the Water Committee before the use of any large amount of water. i.e. filling swimming pools.
- Owners will be responsible for paying for the repair of any damage caused to community or municipal property as a result of poor drainage / water runoff from their property.
- Building heights should not impede or materially change the neighbor's view.
- Lighting systems should not exceed the maximum height of the construction. Each external light source should be indirect, properly covered, and suitable for outdoor conditions. The exterior lighting should be positioned in such a way that it illuminates downwards or is covered from the view of neighboring properties. Flashing or neon lights that are visible outside property limits should not be used.
- Temporary living quarters for the construction crew, temporary building equipment enclosures, etc., should be placed in an area that is out of public view and out of the view of neighboring properties and should be removed on completion of the work.
- Access to the community will be provided to the construction crew Foreman during the construction period in line with the general community and security guidelines. Owners will be required to provide the individual's name, contact information, and period access is required to the Chair of the Security Committee. If necessary, an extension can be provided, or the period ended early.
- Noise associated with construction shall be restricted to between 7:00 am and 3:00 pm, Monday through Saturday. Noise from any construction carried out outside of these hours must be kept to a minimum.
- There will be no major construction and/or construction noise on Sundays.

- Construction noise is to be expected during the day/building hours. However, owners will advise construction crews choosing to stay on the build site during the construction project to be respectful and keep noise to a minimum between 9:00 p.m. and 7:00 a.m. (construction start time) the following day. i.e. no yelling, loud music, etc.
- Construction crews choosing to stay on the build site during the construction project will be advised by the owner to respect the privacy of the community and not enter other properties without the consent of the individual owner.
- Construction materials are not to be placed on roads, neighboring properties, or any other areas outside the lot where construction is taking place. The materials should be secured in such a way that they resist movement by water and/or wind.
- All construction debris shall be hauled away at the expense of the owner/builder. Disposal or burning of toxic trash or construction debris (such as styrofoam, chemicals, plastic, etc.) in the community is strictly prohibited.
- Arrangements with any utility provider, and any corresponding fees, are the owner's responsibility (e.g. ICE, Internet, trash pickup). Contact information for Fiber Optic and trash pickup will be provided on request.
- The Board reserves the right, after investigation and discussion with the owner, to levy a fee (over and above the standard road use fee) for repair costs associated with (but not limited to) any extraordinary damage to the roads, electrical, fiber optic or water systems caused during construction by activities of the owner or their contractors. If preferred, the owner has the right to personally repair the extraordinary damage in a timely manner.
- All construction must conform to Costa Rican building regulations, construction codes and zoning bylaws. NOTE: The Costa Rican Construction Law (and its regulations) requires that both the official construction plans as well as the construction permit be available on the construction site.

#### **ARTICLE 10. Documentation on the site**

For control purposes by the competent authorities, A complete set of plans must remain on the job site, official and in good condition, where the approval of the reviewing institutions is recorded, with the municipal construction permit and the documentary requirements that are indicated in the Regulation for the Process of Revision of Construction Plans, Executive Decree No 36550-MP-MIVAH-S-MEIC and its amendments or the regulations that replace it.

In a visible place, the original of the construction permit must be placed, showing the number of the municipal permit, as well as the control formula for inspection visits provided by the municipality. Likewise, the CFIA Work Log must be available on site, in its physical version; or exist in its digital version, when the CFIA has implemented the digital logbook project. The foregoing is mandatory for all responsible professionals.

(As amended in Scope No. 145 to La Gaceta No. 148 of August 16, 2018)

#### **ADOPTION OF GUIDELINES**

This is to certify that the above guidelines were adopted by the ASOCIACIÓN PRO MEJORAS REGIÓN DE BARÚ CASCADA AZUL at the Annual General Meeting held on the 11th day of February, 2023.