

City of Ridgeside

Proposed Ordinance 2008-01
July 15, 2008

WHEREAS, it is declared public policy of this municipality to achieve, maintain and protect human health and safety, foster the comfort of its residents, to declare prevent and remove nuisances.

Now, therefore, be it ordained by the Board of Commissioners of the City of Ridgeside established the following:

Standards and Restrictive Covenants for Property Owners

Introduction

These standards and restrictive covenants are intended for the common benefit and edification of all residents and property owners within the City of Ridgeside (City) and for the protection and enhancement of their properties. No standard or restriction is intended to be onerous or deleterious to any resident or group of residents.

Each standard is based on a foundation of liberty, integrity and fairness, and they are to be implemented in the spirit of community and mutual respect.

These standards and covenants are supplemental and subordinate to the Ridgeside Zoning Ordinance. In the case of a conflict, the Ridgeside Zoning Ordinance shall prevail.

Questions about the application and effect of these standards should be directed to the Commissioners of the City of Ridgeside or its appointed representatives serving as the Standards Committee.

Approval Process

The first step of the approval process is for all Plans to be submitted to the Standards Committee for review. The Standards Committee will then recommend approval or disapproval of a Plan. If disapproved, the reasons for disapproval of the plan must be given. The Ridgeside Standards Committee will submit their recommendation to the City Commission for final approval or disapproval of all Land Use (see #1 below) Plans.

Compliance

Property owners taking action without obtaining prior approvals as expressed herein shall be required to return the property to its prior condition at their own expense. Notification of violations will be made by certified letter to the owner. In addition, fines may be assessed not less than \$25 per day nor more than \$100 per day for delay in compliance or efforts to make substantive progress towards compliance 10 days after notice has been given. Material differences in the finished product which do not conform to the Standards or the approved plan will disqualify approval.

Finally, if resolution through court action is required, and the City prevails, the property owner will be responsible for all court costs and attorneys' fees as well as any other fees incurred by the City to achieve compliance.

Effective Date

These standards and restrictive covenants were adopted by the City on _____, 2008, which is the effective date of all standards and restrictive covenants contained herein.

Action by any property owner occurring prior to the effective date, resulting in an existing building, wall, fence or other Structure, that is in violation of these standards and covenants shall be considered exempt from enforcement of the standards and covenants. In the event any building, wall, fence or other Structure that is in violation of these standards is dismantled, torn down or substantially destroyed by storms, fire or other accidental causes, it shall be redesigned or rebuilt to conform and comply with standards and restrictive covenants in effect at that time.

Standards & Restrictive Covenants

1. **Land Use:** All lots and property within the City shall be single-family dwellings, with one building per lot. Lots cannot be divided, nor homes converted to multiple family dwellings. No commercial enterprise that involves manufacturing, exterior signs, regular parking of non-resident vehicles, persistent traffic of customers, or transit or storage of major/heavy equipment is permitted.

No additional Structures will be permitted. Any existing Structure if damaged or destroyed must be approved prior to being rebuilt. If approved, it must be built with new materials consistent and complementary to the Residence. These approved Structures must be behind the Residence and not readily visible from the street or the park.

No Structures are to be built in the front of any Residence. Fences (other than chain-link fences), patios and landscaping features such as walls and water features may be considered behind Residences or in areas not readily visible from the street. Chain-link fences are discouraged and may be considered for use only if they are not visible from the

street or park.

Any new Residence constructed in the City must be a minimum of 2500 sq. feet in size, and a minimum cost of construction of \$120 per square foot as measured in 2008 dollars. This amount will be adjusted annually at the discretion of the City Commission. New construction must progress in a timely manner with the construction period not exceeding one year from ground breaking to completion.

There shall be no Residence built that is not in keeping with the style (design, shape, material or color) of the community. No Residence should be more than two stories in height, excluding an attic and/or basement. Any non-neutral exterior color other than neutral colors, such as white, beige or gray, or a variance of more than two shades from an existing color must be approved.

No mobile homes, motor homes, trailers, recreational vehicles, campers or tents may be used as a Residence, or stored temporary or otherwise.

2. **Maintenance:** All property owners and/or residents are responsible to maintain their property in well kept condition and appearance. Residences should be painted and visible damage repaired in a reasonable period of time. Lawns should be mowed, bushes trimmed, leaves raked and debris cleared to maintain a neat and attractive condition.

Property owners are responsible for keeping sidewalks passable and clear of low-hanging tree limbs and overgrown shrubs. Property owners are also responsible for trimming trees and shrubs that may obscure the vision of motorists or pedestrians at corners and intersections in the community.

While appropriate care and trimming of trees, including removal of dead limbs, is encouraged, no living tree greater than 20 inches in diameter should be removed without written approval of the City. An exception to this is an emergency, where there is an immediate threat to the public or a Residence. Residents are encouraged to replace a tree that has been destroyed and removed whenever possible.

Trash receptacles should be stored behind the Residence or in a location not visible from the street.

Lawn and garden tools and equipment should be stored in a garage or in a location not visible from the street.

Property owners and/or residents are responsible for maintaining septic tanks and sewer lines in proper working order.

3. **Other Equipment:** All boats, trailers, motorcycles, trailers and other equipment should be stored in a location not readily visible from the street or the park. Antennas

and satellite dishes of any size should not be readily visible from the street or park.

4. **Signs:** With the exception of official signs posted by the City, no permanent signs are permitted. Signs of a temporary nature, such as a For Sale sign, are permitted as long as they do not exceed 5 square feet in size and are removed in a timely manner when no longer needed.

In no event shall a For Rent sign be posted in the City.

5. **Parking:** Except for special conditions where driveways are under repair, no resident vehicle should be left parked on the street for longer than 2 hours. Therefore, there should be no overnight parking on City streets. Any vehicles that are clearly commercial vehicles should be kept in a garage or parked in a location not readily visible from the street.

6. **Animals:** No animals shall be raised, bred or kept within the City except for household pets, which may be kept provided they do not create a nuisance, such as menacing behavior or annoying barking.

7. **Nuisances:** No noxious or offensive activity shall be carried on any property, nor anything that affects the quiet enjoyment of others in the City. There shall be no unreasonable exterior noises, no dumping of trash or debris, no storage of building materials, junk, vehicles or equipment. Building and landscaping projects should be completed in a timely fashion.

8. **Rental Property:** Any resident who occupies property in the City as a renter or leaseholder is required to abide by the same standards and restrictive covenants as a property owner. The owners of any rental property in the City have full responsibility to uphold these standards and restrictive covenants and are obligated to inform renters and leaseholders of their responsibilities to the City and to neighbors.

9. **Enforcement:** The City Commission shall be responsible for enforcement of these standards.

DEFINITIONS

Plan :

The design and or specifications of any addition or change to the exterior of a property. Plans should be detailed and include drawings or pictures, estimated cost of Materials, and Labor, as well as relevant dates (milestone completion dates). A separate copy of a complete Plan will be supplied to the Standards Committee for approval at the cost of the property owner.

Residence :

A home or dwelling where people live.

Structure :

A storage building, garage, driveway, arbor, deck, wall, fence, patio, swimming pool, pond, waterfall, or other features or items shall be considered a Structure. A Structure requires digging, constructing or changing the appearance above and/or below the ground. A Structure could also be an addition to,(adjacent or attached) a building or Residence on property located in the City of Ridgeside. A Structure has a permanent nature and is likely to last more than a year. Exceptions to this definition are sprinkler systems and landscaping.