



Construction Regulations

DC Ranch – Silverleaf

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Construction Regulations

The following Construction Regulations were adopted by the DC Ranch Covenant Commission on January 20, 2011 to ensure orderly construction of improvements within all of DC Ranch - Silverleaf. These regulations shall be enforced during the construction period of all improvements and apply to all new home construction, remodel work or any other construction and supersede any other guidelines that were in force prior to their adoption.

Governmental Regulations

These Construction Guidelines do not alter or obviate any laws, ordinances, requirements or processes of the City of Scottsdale or any other governmental agency having jurisdiction over construction activities. Accordingly, performance of inspections, issuance of correspondence, including a Certificate of Covenant Compliance or Certificate of Final Construction Approval by The Covenant Commission, does not imply or warrant compliance with legal requirements of any governmental agency. In like manner, no approvals of any governmental agency in any way alter or supersede the requirements set forth in these Construction Guidelines.

Inspections

In the instances where the procedures of the Covenant Commission provide for the inspection of work in progress or improvement, such inspections are being provided as a benefit to Owners in assessing conformance of work and improvements to these Construction Guidelines and governance requirements at DC Ranch and as an aid to the applicable DC Ranch governance entities in enforcing and administering such requirements. Such inspections are not meant to be exhaustive, and approval of work in progress or improvements does not obviate any procedural requirements or approvals of the Covenant Commission, the Community Council or Ranch Association, as otherwise may be required. The inspections do not obviate the authority of the Covenant Commission, Community Council or Ranch Association to require rebuilding, repair or replacement of any improvements or landscaping for which inspections were earlier approved. In addition, inspections by the Covenant Commission, Community Council and Ranch Association in accordance with their policies and procedures do not certify or approve that such work or improvements comply with any governmental laws, regulations or ordinances.

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Construction Area Plan

Each Owner shall submit for approval by the Covenant Commission a comprehensive Construction Area Plan (the Construction Area Plan) prior to the commencement of any construction activity. The Construction Area Plan shall clearly indicate the context of the construction site, limits of the construction site, the size and location of the material storage areas, limits of grading and excavation, access areas, drive areas, parking, sanitary facilities and locations, dumpster locations, haul routes and utility trenching locations, and shall address the methods of traffic control, barricading, fencing, or roping, natural open space areas or other site and/or landscape feature to be preserved, dust control, equipment storage and screening.

Preconstruction Conference

Prior to commencement of construction for each individual lot, subdivision, or phase of a subdivision, each Owner, together with its contractor and subcontractors, as applicable, shall meet with the Covenant Commission or its designated representative to review general procedures and requirements, the Construction Area Plan, access to the construction site, security and the general coordination of construction activities. Each Owner shall submit a designated person to serve as the point of contact for the Owner in connection with construction activities. The designated contact may be changed by written notice of such change to the Covenant Commission.

Fencing Requirements

All new custom homes are required to be properly fenced as described below. This measure will contain construction debris and limit disturbance to NOS (Natural Open Space). Fencing must be installed prior to the salvage or grubbing stages of construction unless otherwise approved by the Covenant Commission.

- All approved Building Envelopes must be fenced with an eight (8) foot cyclone fence, clad with eighty (80) percent shade cloth. The fence is not to exceed the limits of the Building Envelope as described on the approved NOS form, if applicable.
- All improvements must occur within the fenced area.
- Construction fencing should be maintained in a straight and orderly condition throughout the construction period. Attention should be given to the layout and geometry of the gate so all construction access can be facilitated.
- All driveways, dumpsters, salvaged plants and portable toilets must be housed within the fenced perimeter.
- Rope off property along the street to prevent damage to the landscape on the street shoulder.

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Construction Signage

All construction signage shall be prohibited except the standard lot signage approved by the Covenant Commission.

Any signage or notices required by statute, ordinance, or safety regulations shall be confined to the posting location of the building permit, except as may otherwise be required by law. All signage must be posted in a neat and orderly manner.

Daily Operation

Construction activity at DC Ranch shall be allowed only during the hours of 5:30 a.m. to 6:00 p.m., Monday through Friday, unless more restrictive hours are required by the City of Scottsdale. Construction activity which does not generate excessive noise may also occur on Saturdays between 8:00 a.m. and 6:00 p.m. Excessive noise can be defined as activities such as operation of heavy equipment, hammering, power sawing, concrete delivery, etc. Hours set forth herein shall be subject to change by notice of the Covenant Commission. Other than quiet construction activities referenced in this Section, no construction work will be allowed on DC Ranch on Sundays or legal holidays. In the event an Owner needs to perform work on a Sunday or legal holiday other than as set forth in this Section, the Owner must request and receive express written approval from the Covenant Commission at least two (2) days prior to undertaking the work. The Covenant Commission may grant or withhold such approval at its discretion.

Quiet outdoor construction activities and quiet indoor construction activities within an enclosed dwelling (with roof, siding, windows, and doors installed) are permitted at all times. Within the context of this Section, quiet outdoor or indoor construction activities shall be defined as construction activities which, in the opinion of the Covenant Commission, are not audible from the adjacent street or neighboring property.

All construction activities at DC Ranch shall be subject to security and access limitations at DC Ranch as may be established by the DC Ranch Association.

Construction Trailers

Prior to location of any construction trailer or field office, each Owner or Builder shall submit for Covenant Commission approval a site plan indicating the proposed location of all such facilities, together with related parking and storage areas. The type, size, exterior appearance, and location of the construction trailer or field office must be approved by the Covenant Commission. The

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construction trailer or field office shall not have any form of signage unless pre-approved by the Covenant Commission and shall be Dunn Edwards DC Ranch wall color (LRV = 18). The Covenant Commission, or its designated representative, will work closely with each Owner to determine the best location for these structures to minimize impact on common areas surrounding developed and natural areas within the site. The trailer or field office may not be placed on the construction site earlier than four (4) weeks prior to the actual onset of continuous construction activity. Without written approval of the Covenant Commission, the construction trailer may not remain on the construction site for a period of time exceeding the earlier of (1) nine (9) months or (b) two (2) weeks following completion of construction on such construction site.

Parking

Construction crews shall only park on, or otherwise use, portions of the Lots to which they are contracted to perform services. During busy construction periods involving multiple trades such that all construction vehicles cannot be confined to the construction envelope of the lot on which construction is proceeding, the overflow vehicles may be temporarily parked on the pavement along one side of the roadway during times and in locations as approved by the Covenant Commission. If allowed, such on-street parking shall be located to allow unconstrained access by normal traffic and emergency vehicles, including fire trucks. Vehicles may not be parked in cul de sacs, on neighboring lots, in nearby driveways or on open space areas.

Job Site Storage

Contractor's materials, tools, and equipment may be stored on the site at locations subject to the approval of the Construction Area Plan. Any damage or losses resulting from storage of materials, tools, and equipment shall be remedied at the cost of the contractor. Contractors are required to keep these areas clean on a daily basis.

Sanitary Facilities

Each Owner shall be responsible for providing adequate sanitary facilities for construction workers. Temporary toilets must be provided in accordance with OSHA requirements. The facilities must be placed within the lot and located behind the construction fence as approved in the Construction Area Plan. Temporary toilet facilities are not allowed within twenty (20) feet of the street.

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Trash Receptacles And Debris Removal

Each Owner shall be responsible for removal of all trash and debris from their respective construction site. All light trash and debris shall be disposed of at the end of each construction day in an appropriate trash receptacle, which must be located on the construction site at all times for this purpose. The contents of the on-site receptacle shall be removed from each construction site as needed to a legal dumping site located outside DC Ranch. All lightweight construction materials shall be covered or securely weighted down to prevent winds from blowing such materials around the site, in the Common Areas, or onto adjacent lots.

Heavy debris, such as broken stone, wood scrap or the like must be removed from the site and be disposed of at least weekly, or upon completion of the work of each trade that has generated the debris, whichever is earlier.

Owners are strictly prohibited from dumping, burying or burning trash anywhere on the Owner's parcel or within DC Ranch.

Each Owner shall, within 24 hours, unless otherwise approved, promptly remove dirt and mud, silt or other debris from streets, paths, driveways, open spaces or other portions of DC Ranch that are affected by such owner's construction activity. Notwithstanding the time periods for removal of trash and debris set forth above, the Covenant Commission reserves the right at any time by notice to an Owner to require removal of trash and debris from such Owner's construction site within DC Ranch, which, in the judgment of the Covenant Commission, is causing an unsightly condition, and further reserves the right to require an Owner to remove dirt, mud, silt or other debris associated with the construction site activity from streets, paths, driveways, open spaces or other portions of DC Ranch affected by such Owner's construction activity, whether placed by such Owner or transported by wind or drainage or other cause. Within a twenty-four (24) hour period following receipt of notice from the Covenant Commission requiring removal of trash, debris, dirt, mud, silt, etc., an Owner shall cause such removal; provided, however, that the Covenant Commission further reserves the right in an emergency situation to cause immediate removal by an Owner of trash and debris or dirt, mud or silt related to such Owner's construction activity as may, in the judgment of the Covenant Commission, create or contribute to an emergency or hazardous condition. Any Owner receiving an emergency notice as herein provided shall comply with the actions required by such notice as rapidly as possible.

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All concrete washout, from both trucks and mixers, must comply with all governmental regulations. Washout on public or private streets or on adjacent properties is strictly prohibited.

The Covenant Commission reserves the right to require an Owner to complete sweeping as needed. Dust control and dust removal along haul routes utilized by such Owner shall be monitored by the Owner and performed as needed.

During the construction period, each construction site shall be kept in a neat and orderly fashion and shall be properly policed by the Owner to prevent it from becoming unsightly or creating any detriment to other Lots or open space areas.

Protection Of Subdivision Improvements

The use of or transit over the Natural Area or setbacks outside the building envelope of any lot is prohibited. Construction personnel shall refrain from parking, eating, depositing of rubbish or scrap material (including concrete washout) on any neighboring Lot, tract or right-of-way.

No Owner shall cause damage to either Natural Areas to be preserved or to existing or partially constructed subdivision improvements either within the construction site or on adjacent properties, including without limitation, curbs, gutters, paving, paths, sidewalks, water, sewer or utilities lines or improvements, drainage structures or improvements, street lights, signage, landscape improvements irrigation lines and facilities. In the event damage to existing subdivision improvements is caused by the agent, representative, builder, contractor or subcontractor of an Owner, that Owner shall be financially responsible for the prompt repair and restoration of all such damaged areas to at least equivalent condition as existed prior to the event of such damage in accordance with improvement plans approved by the Covenant Commission; provided however, that the Covenant Commission may, in its discretion, directly cause the damage to be repaired at the Owner's expense or in the alternative, require such repair of damaged areas to be effected by the responsible Owner.

Prior to the commencement of construction, the Owner may arrange a walk-through with a representative of the Covenant Commission to assess the conditions of existing subdivision improvements and Natural Areas adjacent to the prospective construction site and shall prepare a photographic record of any damaged conditions.

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Preservation Of Property

The character of the land and vegetation on the site is extremely valuable to the project. The Owner must recognize and protect the value of land and vegetation adjoining the Owner's work area. The Owner shall not clear any vegetation from the site or disturb any land other than that shown on the plans. All white-tagged vegetation will be protected.

DC Ranch will identify the work area and designated access route(s). The Owner shall accept this existing condition and request in writing to DC Ranch additional clearing deemed necessary to complete contractor's work. Cost for repair and replacement of vegetation due to the Builder's negligence shall be charged to the Builder, at the actual cost (including administration costs) or at a minimum cost of \$10.00 per square foot, whichever is greater.

Conservation Of Natural Landscape

Trees or plants that are to be preserved must be marked and protected by flagging and fencing or other protective barriers as approved in connection with the Construction Area Plan. All fencing shall be reviewed and repaired by the Owner at least weekly. The Covenant Commission shall have the right to require that additional major terrain features or plants to be preserved are fenced for protection. Any trees or branches shall only be removed as necessary to facilitate construction activities, and such trees or branches removed during construction must be promptly cleaned up and removed from the construction site. All plant trimming or removal of trees and bushes shall be accomplished professionally and maintained in a manner to preserve the natural appearance of remaining vegetation.

No Contractor or Owner shall place any fill materials, lawn clippings, oil, chemicals, or trash of any kind within the open space areas; nor shall any grading, vegetation removal, or alteration be permitted in these areas, including domestic landscaping and fencing, other than as set forth on Improvement plans approved by the Covenant Commission.

Excavation Materials And Blasting

If any blasting is to occur, the Covenant Commission must be notified two (2) weeks in advance. Blasting may only be performed by appropriately licensed personnel, after all required permits have been obtained, together with the completion of required public notices and the obtaining by the Owner of all requisite insurance coverage as mandated by the City of Scottsdale and state statutes specific to blasting activity at DC Ranch. The Covenant Commission shall have the

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authority to require public notices in addition to those required by law, and to require written documentation of anticipated seismic effects, with confirmation that such effects will not be injurious to other persons or properties, public or private, and that all appropriate protection measures have been utilized. All blasting materials shall be stored and secured properly.

All excess materials resulting from blasting, as well as all other excess excavation materials, must be removed and disposed of in a legal manner outside DC Ranch.

Hazardous Materials

Each builder and its subcontractors and suppliers, and their respective agents, employees, invitees and licensees, shall fully comply with all Federal, State and local laws relating to their activities at DC Ranch, including without limitation all such laws concerning hazardous substances and other similarly regulated materials (Hazardous Substance). Each such person shall not release, or otherwise discharge or dispose of, any Hazardous Substance in, on or under any portion of DC Ranch, and shall not use, generate, produce, treat, recycle, or store in, on or under, or transport to or from, any portion of DC Ranch any Hazardous Substance except in strict compliance with all applicable laws and regulations. Fuel storage will not be permitted on site, and fueling on site shall be limited to fueling of large equipment (i.e., equipment that cannot be driven on public streets) using appropriate fuel tanker trucks that are based off site.

Dust Control

Each Owner shall be responsible for controlling dust from such Owner's construction site and activities. The Covenant Commission reserves the right to require each Owner to remove dirt and mud from finished roadways resulting from such Owner's construction activities and to require such Owner to fully control unfinished roads and work areas within the construction site at any time deemed reasonably necessary by the Covenant Commission to reduce or eliminate fugitive construction dust. In addition to the foregoing, each Owner shall be responsible for complying with all applicable governmental requirements relating to dust control.

Noise Control

No radio or other audio equipment shall be audible beyond the perimeter of a particular construction site within DC Ranch, and the Covenant Commission reserves the right to prohibit any on-site use of radios or other audio equipment during construction within any construction site where violations of this provision have occurred.

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Material Deliveries

All building materials, equipment and machinery required to construct a residence on any lot in DC Ranch must be delivered to and remain within the building envelope of such lot and outside natural areas to be preserved. This includes all building materials, earth moving equipment, trailers, generators, mixers, cranes, and any other equipment or machinery. Material delivery vehicles may not drive across adjacent lots or common areas to access a construction site.

Firearms

The possession or discharge of any type of firearm by construction personnel on any construction site, parcel, common area or right-of-way within DC Ranch is prohibited.

Alcohol And Controlled Substances

The consumption of alcohol or use of any controlled substance by any construction personnel on any construction site, parcel, common area, or right-of-way within DC Ranch is prohibited.

Fires And Flammable Materials

- No on-site fires are allowed.
- Owners shall pre-wet adjacent desert areas to a distance of at least thirty (30) feet prior to any welding, grinding, or construction work or activities having any likelihood of generating a spark or flame.
- Smoking outside of vehicles is strictly prohibited.
- The on-site supervisor for the Owner, as well as for each subcontractor, shall carry one fully operable 10-pound minimum ABC-rated Dry Chemical Fire Extinguisher in their vehicle. In addition, each lot which is under construction shall have at least one fully operable 20-pound minimum ABC-rated Dry Chemical Fire Extinguisher available in a conspicuous location at all times. These requirements are in addition to full compliance with all Scottsdale Fire Department and City of Scottsdale requirements.

Pets

No pets may be brought into DC Ranch by a member of any construction crew.

Site Visitations

Due to the inherent danger associated with an active construction site, visitors to any site shall be limited to those persons with official business relating to the construction activity, such as

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construction workers and tradesmen, building officials, security staff, design review observers, sales personnel, and the Owner. Construction personnel should not invite or bring family members or friends, especially children, to the job site.

Construction Access

Access to all areas of DC Ranch is managed by the DC Ranch Association. Builders should obtain and comply with the current Access Policy from the Ranch Association. Gate passes must be obtained for any and all vendors and contractors that will be in the community.

Construction-related traffic will be limited to:

- Vehicles of owners, managers, superintendents, supervisors and employees of contractors and subcontractors properly registered with the Ranch Association.
- Vehicles pre-authorized by a contractor or subcontractor and registered with the Ranch Association, such as vehicles used by inspectors, delivery companies, equipment servicing companies, utilities, and others.

All builders must provide cell phone numbers for site superintendents at each lot. Each builder is to provide a list of subcontractors working on each lot. The list must be updated and sent to the appropriate gatehouse by the last day of each month. Builders are responsible for informing the gate, in writing, of any terminated employees or contractors.

Any individuals or companies failing to comply with the direction and policies of the Ranch Association and their security operations may be prevented from access the property.

Emergency Response

In the event of an emergency, Builders should notify Emergency Response by calling 911 and then should also notify the Ranch Association security operations. The responsibility of security operations is to facilitate access for emergency response and to take away anything that might impede that process.

Any criminal activity at a jobsite should be reported to the police department and security operations.