

**RULES AND REGULATIONS - SECTION 11
TELLICO HARBOR IN-GROUND SWIMMING POOL
INSTALLATION GUIDELINES**

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Pursuant to the Declaration of Covenants, Conditions, and Restrictions ("DCC&Rs") of Tellico Harbor Property Owners' Association (the "Association"), the following written rules and regulations are adopted. These rules are to provide guidelines for lot owners who apply for approval to install IN-GROUND swimming pools and for the Architectural Control Committee (ACC) in performing its duties. These rules are intended to provide consistency of application and additional clarification of the requirements and provisions of the governing documents. In the event of an inconsistency or conflict between these Rules and the governing documents of the Association, the governing documents provisions will supersede and apply.

1. Only in-ground pools are permitted in Tellico Harbor. Above ground and semi-inground pools are not permitted.
2. The ACC must approve design and location of all IN-GROUND swimming pools prior to commencement of installation. Use the "Application For Building Permit" found on the neighborhood web site, tellicoharbor.org or other form as is available. Submit the application to the ACC, 2000 Cherokee Dr, Maryville, TN 37801
3. Factors considered by the ACC for approval of permit applications for installation of in-ground pools include but are not limited to the pool size, location, shape, material, and style (e.g. concrete/Gunite, fiberglass, liner, etc.). Also considered will be the preparation, excavation and drainage impact on neighbors.
4. The pool must be constructed in harmony with the home relative to external design, materials and color. Size, materials and color must be specified on the application and samples are to be provided to the ACC.
5. Pool installation contractors must be qualified and licensed to install pools. A copy of contractor's license and certifications must be included in the application submission.
6. Pool installations must comply with all Local, State and Federal regulations regarding in ground pools. (Home owners contemplating installing a in-ground pool should familiarize themselves with pool regulations mentioned at website <https://legalbeagle.com/6754262-tennessee-laws-private-swimming-pools.html> and https://www.tn.gov/content/dam/tn/health/documents/housing_ref_manual_2012.pdf.)
7. Application for pool permit must include a site plan- a plat drawing drawn by a professional licensed surveying company showing the pool's planned location, distance to house, lot lines and setbacks. This site survey is required to confirm that the planned location will meet the guidelines. The application will not be approved and will be returned to the lot owner by the ACC if a site plan survey is not included.

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8. After installation is complete, an as-built survey must be conducted to confirm location, distances, etc. A copy of the as-built survey must be provided to the ACC within 10 days of receipt.
9. All Pools must be enclosed by a safety barrier/fence that is at least 48 inches above the ground. The maximum vertical clearance between the fence and ground must not exceed two (2) inches and the fence must not have any footholds or handholds that would enable a child to climb over the fence. All openings in the fence should be small enough so that a 4 inch diameter sphere cannot pass through.
10. All swimming pool barriers/fences must have an access gate that is at least 48 inches tall and opens outwards from the pool. The pool gate must be self-closing and have a self-latching device at least 54 inches above the ground. The gate shall not have openings larger than 1/2 inch within 18 inches of the latch release mechanism. If double gates are installed, one side of the double gate must be secured in place: the adjacent gate shall be secured with a self-latching device.
11. If the home serves as one side of the barrier, door alarms must be installed on all doors leading to the pool area. All doors that allow access to a swimming pool must be equipped with an audible alarm which sounds when the door and/or screen are opened. All doors leading to the pool area must have self-closing and self-latching devices or locks beyond the reach of children to prevent them from opening the door and gaining access to the pool.
12. There must be a “clear zone” no less than 36 inches around the exterior of the fence and around any permanent structures or equipment such as pumps, filters and heaters that can be used to climb over the fence. The fence or barrier must not be climbable. The fence cannot be any closer than 20 inches to the pool’s edge.
13. All swimming pools must be equipped with a pool alarm. The alarm must be attached to the pool and be able to detect if an object or person heavier than 15 pounds enters the water. The alarm sound must be at least 50 decibels so that it can be heard from inside the home.
14. The pool must be located in the rear yard and be directly behind the house with no extension of the pool or the barrier/fence extending into the side yard. It must be a minimum of ten feet from the house. The uncovered pool and/or pool deck may extend into the rear setback.
15. All excess soil/dirt that is excavated during construction must be removed prior to construction completion.
16. Application must include a project time line and anticipated completion date not to exceed 6 weeks for the project. If the project completion exceeds 6 weeks, the ACC must be notified and approve.

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17. Access and egress for pool construction must not encroach on neighbor's property. If any portion of a neighboring property is required for egress or access, written permission must be granted by owner of the neighboring property prior to construction commencement. A copy of the written permission must be included in the application submission.
18. Applicant must notify the ACC when work is complete so a final inspection can be performed.
19. Pools must be maintained to sustain sanitary conditions at all times.
20. Pool parties can be quite noisy. Pool owner is responsible for assuring a reasonable level of noise emissions originating from the pool area is not exceeded.
21. A copy of the Certificate of Occupancy (CO) issued for the pool by the TRDA must be delivered to the ACC within 10 days after receipt.
22. Once the application has been approved by the ACC, it must also be submitted to TRDA for approval.

DATED AND ENACTED

Don Sloan (President)

Richard Snyder (Vice-President)

Brenda Fernholz (Treasurer)

Ron Tiller (Director at Large)

Jo Ervin (Secretary)