



## DECISION PAPER Temporary Emergency Fire Ban Rule

Date: 08/06/18

### Issue:

Extreme wildfire danger conditions continue in the region with a real concern expressed by members regarding warming fires' potential to cause a wildfire in these conditions.

### Background:

Members-at-large and management have voiced their concern about the extreme wildfire danger conditions we are experiencing relative to homeowner warming fires' and association owned warming fire pits, including the Campground, potential to cause a wildfire during these conditions. Many are recommending a temporary ban on warming fires, at a minimum as a wildfire prevention measure.

The Covenants Committee has not had the opportunity to meet to discuss this topic, but many members support the general initiative of a temporary ban of wood burning warming fires.

Under the powers and authority of the Association provided under the Covenants and Restrictions,  
Article II, Section 3

(a)...The Association and its Board of Directors shall have the power to do any and all lawful things which may be authorized, required or permitted to be done under and by virtue of the Governing Documents, and to do and perform any and all acts which may be necessary or proper for, or incidental to, the exercise of any of the express powers of the Association for the peace, health, comfort, safety or general welfare of the Owners. The specific powers of the Association and the limitations thereon shall be as set forth in Article IX of the Bylaws.

Article III, Section 7

(b) Adoption and Amendment of Rules. Association Rules may be adopted or amended from time to time by majority vote of the Board in accordance with this subparagraph (b). Except in the case of: (i) rules or regulations adopted to respond to an emergency which threatens the health or safety of the residents or immediate damage to or destruction of any Common Area...





The Covenants Fire Safety Rule states,

...No campfires, bonfires, or fireworks of any kind are allowed on private lots, common areas, or other association-owned properties at any time. Commercially manufactured gas and charcoal barbeques, smokers, and commercially manufactured fire burning devices, such as outdoor fireplaces and chimineas, equipped with screening and/or spark arrestors, with a maximum screen opening of 1/8th inch, to prevent the escape of sparks and coals, and operated in compliance with the Town of Truckee and the Truckee Fire District's safety and building codes, and according to the manufacturers instructions, on private property lots only, will be allowed...

**Recommendations:**

Acting under the authority provided in the Covenants and Restrictions to enact emergency rules for the safety and health of the members management requests the Board of Directors consider approving a temporary ban of all outdoor wood fires (regardless of whether it's in a commercially manufactured fire burning device). The committee is requesting the ban language be applicable to all TDA properties and amenities, including the campground.

Violation of the burn ban is enforceable under the current fine schedule (Fire safety rule violations start at \$1,000 and go up to \$5,000 per incident).

Prepared By: Annie Rosenfeld

General Manager Approval to put on Agenda: \_\_\_\_\_ Date: \_\_\_\_\_

