

# 45 DAY NOTICE: COVENANTS FINE SCHEDULE CHANGES

Changes to the Covenants Fine Schedule will be considered for action by the Tahoe Donner Board of Directors. The board is expected to take action to adopt the proposed fee schedule changes, as they are presented here or with some modification, at its February 2019 meeting, currently scheduled for Saturday, February 23, 2019. The board welcomes any input you may wish to offer regarding this process.

The purpose of the proposed changes to the Covenants Fine Schedule is to improve the deterrence of violations through higher fine amounts, and gain compliance for properties in violation.

The effect of the proposed changes to the fine schedule is to:

- Increase to the Private Property Fine Schedule for 1st, 2nd and 3rd violations
- Separate and increase the Noxious Activity fine by creating a minimum-to-maximum range for the first offense
- Separate and increase the Business Activities fine and create a minimum-to-maximum range for the first offense
- Increase to the Tree and/or Vegetation Removal minimum fine value
- Increase to the General Common Area and Amenity Rule fines
- Increase to the Vegetation Removal minimum fine value
- No change to the Fire Safety violation range

The proposed changes to the Covenants Fine Schedule are as follows:

PRIVATE PROPERTY RULES FINES			
	Current Fines	Proposed Fines	Comments
<b>1st Violation</b>	\$200	\$400	Increase of \$200
<b>2nd Violation</b>	\$400	\$800	Increase of \$400
<b>3rd Violation</b>	\$800	\$1,600	Increase of \$800
<b>2nd Garbage Spill Violation</b>	\$400	\$800	Increase of \$400
<b>Tree and/or Vegetation Removal Violation*</b>	\$100-\$5,000 per tree involved plus replacement	\$200-\$5,000	Increase of \$100 for minimum fine
<b>Noxious Activity Violation*</b>	\$200	\$400-\$1,000	Increase of \$200 for minimum fine and set for range with maximum
<b>Business Activities Violation*</b>	\$200	\$400-\$2,000	Increase of \$200 for minimum fine and set for range with maximum
<b>Fire Safety Violation</b>	\$1,000-\$5,000	\$1,000-\$5,000	No change

GENERAL COMMON AREA AND AMENITY RULES FINES*			
	Current Fine Schedule	Proposed Fine Schedule	Comments
<b>Camping on Common Areas</b>	\$100	\$200	Increase of \$100
<b>Off-Road Vehicles</b>	\$150	\$300	Increase of \$150
<b>After Hours Use</b>	\$100	\$200	Increase of \$100
<b>After Hours Parking</b>	\$50	\$100	Increase of \$50
<b>Hunting + Trapping</b>	\$150	\$300	Increase of \$150
<b>Animal Control</b>	\$100	\$200	Increase of \$100
<b>Equestrian Use</b>	\$100	\$200	Increase of \$100
<b>Smoking</b>	\$50	\$100	Increase of \$50
<b>Tree and/or Vegetation Removal Violation*</b>	\$100-\$5,000 per tree involved plus replacement	\$200-\$5,000	Increase of \$100 for minimum fine
<b>Fire Safety Violation</b>	\$1,000-\$5,000	\$1,000-\$5,000	No change

\*Fines double per subsequent violation all occurring within a one-year period from the first hearing.

## KEY DATES:

### January 1, 2019:

45-Day Member Notification and Comment Period begins

### January 26, 2019:

Tahoe Donner Board of Directors meeting; hear additional member comment, discussion item only

### February 23, 2019:

Board will consider taking action on proposed changes to the Covenants Fine Schedule with or without some modifications

## BACKGROUND

The Covenants Committee has reviewed the Covenants Fine Schedule these last several months as a result of comments by members, committee members and board of directors regarding the need to look at the efficacy of fine values levied on properties found to be in violation of a Covenants Rule. The committee has not made any changes to increase the fine schedule in more than eight years.

The committee discussed and decided that proposing increases to the fine schedule would be more effective for:

- Deterring violations by having more meaningful fine amounts; and
- Gaining compliance for properties in violation, especially when the property becomes a repeat violation.

The committee reviewed their proposed changes and increases to the Covenants Fine Schedule with the board of directors at the December 15, 2018 board meeting and requested the proposed changes and increases to go out for 45-day member notification and comment period, which the board approved.

Your comments are welcome via email: [arosenfeld@tahoedonner.com](mailto:arosenfeld@tahoedonner.com)  
telephone: (530) 582-9630  
US Mail: Tahoe Donner Association  
11509 Northwoods Blvd., Truckee, CA 96161

## HOW TO MAKE A COVENANTS COMPLAINT

- 1 Call (530) 414-8166 (8AM-5PM and 8-11PM daily)
- 2 Email [compliance@tahoedonner.com](mailto:compliance@tahoedonner.com)
- 3 Submit at [onestop.tahoedonner.com](http://onestop.tahoedonner.com)

## WHAT INFORMATION TO PROVIDE

When making a complaint, be prepared to provide:

- Your name, address and email
- Address of property being complained about
- Nature of complaint with times occurring
- Evidence: photos, video, etc.
- How this behavior is affecting you
- What actions have been taken (e.g., called police)

## WHAT HAPPENS NEXT

Tahoe Donner staff will make every effort to contact the owner of the property being complained about, share details about the complaint and request voluntary compliance. Staff will:

- Call the primary phone number on file and speak to the owner or leave a message
- If no answer, call additional phone numbers on file to speak with or leave message for owner or designated contact
- Email the owner via any email on file
- Send follow-up email to the complainant confirming attempts to contact owner

## COMMON TAHOE DONNER RULES VIOLATIONS



**NOISE** that is "an unreasonable annoyance or nuisance to neighbor(s)" is prohibited after 10PM.



**OUTDOOR LIGHTS OUT** after 10PM to enjoy the mountain stars and minimize light pollution.



**FIREWORKS AND FIREARMS** of any kind are prohibited.



**TRASH** must be locked up in your bear-proof container, never your neighbors' container or dumped anywhere in Tahoe Donner.



**PARKING VEHICLES** off-pavement, on other person's property/driveway or on access easements is prohibited.

Note: Town of Truckee winter parking ordinance prohibits overnight parking on streets Nov. 1 to April 30.

This is an abbreviated list of the Covenant Rules. For full list visit [tahoedonner.com/covenants](http://tahoedonner.com/covenants)



January 17, 2019  
5:00 p.m.

MEMBER COMMENTS:  
PROPOSED CHANGES TO COVENANTS FINE SCHEDULE  
January 1 thru 17, 2019

*Below are comments sent in for the 45-day member notification and comment period for the proposed changes to the Covenants Fine Schedule. Comments were received January 1 thru 17, 2019. A total of 1 comment was received.*

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I read with great interest the proposed changes to the Covenants Fine Schedule. I fully support the proposed changes as, unfortunately, an increasing proportion of society today thinks that rules do not apply to them. So, perhaps raising the fines will encourage people to reconsider the potential cost of ignoring the rules. I do, however, have two concerns. First, a fine schedule is largely worthless if the organization - Tahoe Donner - does not have the courage, and does not commit the resources, to enforce the rules. In that regard, I find Tahoe Donner generally lacking. It is hard NOT to notice the contractor using a house as shop, office and worker dormitory directly across the street from TD's Maintenance Facility. Semi-tractor trailers deliver material there, trash trailers, scaffolding, ladders and other construction equipment are frequently present in front of the house, and the front driveway is occasionally used to fabricate and assemble things. How is it that TD remains totally oblivious to this commercial activity that is clearly obvious to the casual passerby? Drive all of Northwoods Blvd, and you will find other contractors storing business related items in clear view from the road. One contractor has had a large red JobBox stored in front of his garage for months. And, the issue of TD's willingness to enforce rules is not limited to contractors. The frequent parking violations and other behavior related to the two lodging establishments on upper Skislope come to mind. So, if the Board is going to consider changing the fine schedule, then they first should discuss how, and the extent to which, they intend rules to be enforced.

The second issue is what seems to be a relatively new, but increasingly common issue - people leaving dog poop bags laying along the roads and trails in our community. While I understand that there may be jurisdictional issues with regard to roads (Town vs Association property), this problem is not limited to TD. Nevertheless, it is a problem that detracts from our community, and quite frankly, is disgusting. I encourage the Board to establish a fine of at least \$500 for leaving a dog poop bag lying anywhere on TD or Association member property, and work with the Town to establish a similar fine for doing so on public roads and Town property. By doing so, the Board will enable enforcement anywhere within TD.

Thank you for the opportunity to comment on the proposed changes, and for listening.

