

Proposition 64: “The Adult Use of Marijuana Act”

BOARD OF DIRECTORS MEETING NOVEMBER 12, 2016



Tahoe Donner Common Area and Facilities

Tahoe Donner is a Drug Free Workplace.

Smoking prohibition for all Tahoe Donner Common Area and Facilities. This includes e-cigarettes, and vapor pens.

Enforcement:

- Signage at every facility, parking lot, and maps to designate Tahoe Donner as No Smoking and Private Property.
- Procedures for:
 - Begins with request to stop activity (cultivation, distribution, sale, and/or use) on Tahoe Donner property by staff.
 - If individual persists, staff reminds them they are on Tahoe Donner property and as such are subject to the rules and private property status.
 - If activity persists, Tahoe Donner staff can and may call the police to enforce trespass Penal Code as well as violation under Proposition 64 for cultivation, distribution, sale, and/or use on Tahoe Donner owned property.



Private Properties

Federal, State, and local government laws, regulations, ordinances

- Town of Truckee: to engage in community-wide discussion on non-medicinal cultivation, distribution, sale, and use starting January 2017.

Covenants and Restrictions, and Rules provided for minimum standards and behavior expectations of property owners.

Applicable to the discussion:

- Covenants and Restrictions
- Architectural Standards Rules
- Covenants Rules



Noxious Activity/Smell Complaint

“Prohibition of Noxious Activities. No illegal, noxious or offensive activities shall be carried out or conducted upon any Lot or Common Area no shall anything be done within the Properties which is or could become an unreasonable annoyance or nuisance to neighboring property Owners. Without limiting the foregoing, no Owner shall permit noise, including, but not limited to barking dogs.....to emanate from an Owner’s Lot or from activities within the Common Area, which would unreasonably disturb any other Owner’s or tenant’s enjoyment of his or her Lot or the Common Area.” (C&RS Article VIII, Section 1,c):

Noxious smells can be subjective, and the own-ness any complaint is on the complainant is to provide evidence.



Business Activities Complaint

Tahoe Donner governing documents provide restrictions on business activities as follows:

- “No business or commercial activities of any kind shall be conducted in any Residence, Condominium or outbuilding or any other portion of any residential or multiple family residential lot if those activities involve any of the following (C&RS Article VIII, Section 1,f):
 - Exterior advertising
 - Increased traffic or parking
 - More than an insignificant number of deliveries of goods or other commercial materials
 - Visible storage of goods or other commercial materials
 - Excessive noise



Grow Complaint

Gardens and Nurseries

- There is no prohibition against gardens or nurseries so long as any structure relating complies with other existing rules and regulations.
- Greenhouses and any other exterior modification or lot improvement must be approved by the Architectural Standards Committee.

No more than 6 living plants may be within a private residence indoor/outdoor under Proposition 64. Plants grown outdoor must be locked and not “visible by normal unaided vision from a public place.”



Complaint Procedures

Complaints are processed through written procedures as defined under the Architectural Standards and Covenants Rules respectively.

[Architectural Standards Rules and Procedures for Land Use](#)

[Covenants Rules](#)

