



Decision Paper
Proposed New and Amendments to the Covenants Rules: Private Property Fire Safety and Forest Health

March 14, 2019

Issue:

There is an identified need to propose new and amended Covenants Private Property Fire Safety and Forest Health related rules to provide further clarity to minimum standards.

Organization of Fire Safety and Forest Health related rules are also needing restructuring under new headings for better document organization and administration.

A 45-day member notification of the Board of Directors' consideration for action on rules is required under C&R Article III, Section 7.

Background:

The Covenants Committee and Forestry department completed a programmatic review of the Homeowner Property Owner Defensible Space Program including the procedures, rules for minimum standards and communications provided to accomplish the mission of maintaining a healthy forest and reducing the fire hazard to the community.

In this review three areas of the Covenants Rules were recommended for changes to create further clarity to the member for minimum standards of fire safe conditions. These recommendations for new and amended rules provide synergy between the inspection outcomes and the minimum standard rules relating to which a member must maintain their lot or improved lot.

Additionally, through the last eleven years of the defensible space program, the Forestry department has witnessed items which are either eyesores to the natural environment including blue tarps and/or inappropriate tree removal leaving tall stumps which pose an invasive species threat as well as eventual rotting and combustible unit. As such staff and the committee is recommending amendments in the private property fire safety rules section of the Covenants Rules to regulate the color of tarps used on the lot and maximum stump height allowed.

Management is also recommending a restructuring of the section to create Fire Safety and Forest Health headings with new and amended rules placed under the headings. Part of this restructuring is breaking apart long paragraphs and separating into subheading





sections, and laying out all Covenants Rules numerically under each section. This will improve the organization of the Covenants Rule document and administrative function and efficiency.

In accordance with TDA Covenants and Restrictions Article III, Section 7,

- (a) The Board may, from time to time and subject to the provisions of this Declaration, propose, enact and amend rules and regulations of general application to the Owners of Separate Interests within the Properties (“Association Rules”).
- (b) “Association Rules may be adopted or amended from time to time by the Board...no Association Rule shall be adopted until the proposed rule or amendment thereof has been published to the Members at least 45 days prior to the date when the Board is scheduled to act of the proposal. “

The proposed new and amendments to the Covenants Private Property Fire Safety and Forest Health rules are included with this decision paper in the draft 45-Day Notice. We will work with the marketing team to clearly differentiate via color scheme and blocking, deletions, added text and moving of exiting rule language.

Options:

1. Do not approve going out to 45-day member notification.
2. Approve going out to 45-day member notification for the consideration of adopting new and amended Covenants Private Property Fire Safety and Forest Health rules.
3. Approve going out to 45-day member notification with modifications for the consideration of adopting new and amended Covenants Private Property Fire Safety and Forest Health rules.

Recommendations:

The Covenants Committee and management requests the Board of Directors consider approving Option 2: Approve going out to 45-day member notification for the consideration of adopting new and amended Covenants Private Property Fire Safety and Forest Health rules.

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| Prepared By: <u>Bill Houdyschell</u> |
| Reviewed By: <u>Annie Rosenfeld and Covenants Committee</u> |
| General Manager Approval to put on Agenda: _____ Date: _____ |

