



June 13, 2019
12:00 p.m.

MEMBER COMMENTS:
PROPOSED NEW COVENANTS RULE- SEASONAL FIRE BAN
April 1 thru June 13, 2019

Below are comments sent in for the 45-day member notification and comment period for the proposed new Covenants Seasonal Fire Ban rule. Comments were received April 1 thru June 13, 2019. A total of 16 comments were received during this period.

Please give me one example of a charcoal BBQ in a private home causing a wildfire. Fires are started by lightning, arson, campfires in the wild and PG&E lines. Not by Tahoe Donner homeowners trying to enjoy their property by having a charcoal BBQ. Please do not take away my enjoyment of my property without data to support this draconian rule.

I agree in fire safety and in general am supportive of the seasonal outdoor wood burning ban. Weber charcoal grilles could be perceived as dangerous if they tipped over. However, the language includes "smokers" and here I am not supportive.

Most smokers are heavy and would be difficult to tip over. Many are pellet smokers that use electricity and can be turned off and on. I believe Ace Hardware sells a Traeger brand. I see no reason to ban the use of an electric smoker that burns wood pellets. They are not a fire hazard.

The health aspect if this ordinance I think should be rescinded. Fires in campgrounds are more dangerous and cause considerable smoke, yet those are approved. Smokers are used to cook food, meat, fish, etc., and should be exempted. If they are going to be banned then all wood fires, including "fires in campgrounds" should be banned as well.

I hope that is stricken and if so I would support the remainder of the covenants rule. Thank you.

I am contacting you as a formal response to the 45 Day Notice posted in the Tahoe Donner News. Please forward this to the board if appropriate. I have been a home owner in TD since 1992. We live there full time in the summer months, end of May thru end of October. Back yard grilling has been one of my favorite activities. I use charcoal in a Weber





kettle. I understand the the abundance of caution we take in protecting our homes from a wild fire. I do not feel the use of a commercially produced charcoal grill adds to danger of a wild fire. If anything, use and/or abuse of propane tanks is just as great a danger in starting a fire as a charcoal grill.

I contacted the Truckee Fire District, and was told that the the ban as described in the TD News may change from year to year. Last year, it was only Tahoe Donner that banned charcoal grills. The Truckee Fire District had no such prohibitions. I would like our new rules to reflect that we will comply with the Fire Districts rules, with appropriate fines as noted so long as we do not unilaterally add our own bans like we did last year. Simply stating that we will comply with the ordinance without specifying wood and charcoal gives Tahoe Donner the flexibility and simplicity of not needing to change our rules every time the ordinance changes, or instituting a ban that is contrary to the CC&Rs as they are currently written.

Tahoe Donner being a second home, prohibits me from getting information about ordinance changes. I am confident that there are many other "charcoal grillers" who would have voiced opposition to this change had they known such an ordinance was being proposed.

Thank you for your consideration.

I am offering comments to the 45 Day Notice on the proposed Seasonal Outdoor Woodburning Fire Ban.

While I understand the concern about fire danger, I feel the proposed ban goes too far. Restricting warming and charcoal fires during fire season can be pretty much the entire summer season. This restricts homeowners' ability to fully enjoy the outdoors on their property.

I have both charcoal and warming fires in the summer. Both activities take place either on cement or decomposed granite/ rock surfaces and follow current guidelines for screening. My fires are safer than those in the campground. I have not heard of instances of charcoal fires causing wildland fires.

I think this is an overreaction to the devastating Paradise and other fires in California that are caused by many factors. Is TD planning to underground the electrical system, a significant potential source of spark? If you drove through the town of Paradise, you'd understand why it was so devastating... too many young trees spaced too close together





with little defensible space. Tahoe Donner has an extensive forestry program to provide defensible space throughout the community. The risk is not as great as most foothill and mountain towns that have no real defensible space programs.

I agree that restricting any type of fire during red flag warnings is a good idea. But I think the proposed restriction goes too far.

Thank you.

We read the information in the latest Tahoe Donner News and need clarification. Does Tahoe Donner HOA plan to ban woodburning (charcoal grills, smokers, and other woody material burning devices) EVERY season regardless of what the Truckee Fire Protection District decides? Or does Tahoe Donner plan to follow the Truckee Fire Protection District's determinations when it comes to when not to burn any woody material? The article was not very clear on this point.

Our position is that we completely support Truckee Fire Protection District Ordinance. All homeowners should comply with the ban during the periods designated by the Truckee Fire Protection District. It only makes sense to have one set of rules to follow.

We would like the board to consider the following:

- 1) How will the homeowners know when the Truckee Fire Protection District issue a ban? Is every homeowner on NIXLE? Should the board require the homeowners to be on NIXLE? We personally have found this to be a very helpful method of mass communication. Given where we live, it is critical that every homeowner gets town-wide notification.
- 2) Without notifying and educating all homeowners to be on NIXLE, how can the fine be levied?
- 3) Will Tahoe Donner decide to extend the ban even if the Truckee Fire Protection District lifts the ban? It seemed like this happened last year.

Tahoe Donner Association does not need to duplicate the Truckee Fire Protection District. These are just additional punitive fines for the benefit of the Association. Will any changes to ordinance 03-2019 in the future be enacted by the Association or will Tahoe Donner have separate as well as duplicate fire rules. Will the Association begin to track the Police logs to place additional fines for other civil infractions?

I am in support of the new Seasonal Outdoor Wood burning Fire Ban.





I'd like to recommend that the fires are banned at the camp ground too during peak season as camp fires have caused numerous big fires in Yosemite Valley and the big fire near Colfax just last year. So wood burning NO fires should be allowed in our campgrounds either. Please pass along my concerns about this to the appropriate people who make the final rules.

You were listed as a point of contact to make comments too in the newsletter.

Thank you for your time,

We wanted to register a comment during the notification and comments period. Although we completely understand the need for fire safety, banning enclosed charcoal barbecues seems excessive. We have a Kamado style cooker, where the fire box is at the bottom of the ceramic cooker. The chimney of this cooker is covered, making it infeasible for sparks or embers to escape. The most common use case for these types of cookers is smoking meats at 225F-250F, and there is no open flame. Similarly wood smokers with enclosed fire boxes do not pose a fire risk as long as they are operated properly. We do not think these types of outdoor cookers pose a fire risk.

Banning open fires such as fire pits, even with spark catchers, and barbecues that have exposed fire boxes make sense during extreme fire danger. But banning barbecues and smokers with covered fire boxes seems excessive and paternalistic. On the other hand smoking and cooking outside is a cherished staple of summer living in Tahoe Donner, and I would hate to have to buy an inferior gas barbecue just to be able to cook outside during the summer.

Thank You,

First of all, thank you for your service to the community.

My family lives part-time at 14719 Slalom, and wanted to provide our feedback on the proposed woodburning ban. We feel the current proposal is too heavy handed. While we should definitely prevent wood burning during periods where the local forestry service classify the fire danger as High or Extremely high, it feels too strong to implement a complete ban on all devices for an entire season. Our example is we have an outdoor oven that was built to require 1/5 the wood as normal wood-burning ovens, and is built with a spark arrestor on the chimney so no ashes escape. We don't feel this should be great the same as an open wood fire.

We hope the Board considers revising the proposal so it's not so extreme.





Hope I'm not too late in sending in my concerns about the fire rules to be adopted this year. I think even considering fire rules is a step in the right direction. However I am concerned about the campground fireplaces. I'm not sure why it would be excepted to have fire going in the campground. That has been where many fires have started because campers who don't live in the area who don't have a connection to the area or a home in the area are not perhaps quite as careful as those who do live here. They have nothing to lose. Question? What is the difference from campfire fires to homeowners having a campfire in their yard. A bit unfair either way. a campfire is a campfire and a fire is a fire. it seems strange to allow one and not the other. I'm all for canceling all campfires and charcoal use after the snow has been melted.

If you really weigh the situation in the severity of fires, upsetting a few campers and losing their business is a small thing compared to losing homes animals and people. Lives are seriously altered and ruined because of fires. I believe Tahoe Donner should have the consideration for people who live here and take all precautions. And for those who visit here they come secondary and should understand what A fire not completely put out or a a fire left unattended or sparks that fly from a breezy day will do. People who live here should not have to live in fear because we are so concerned about what the public or visitors would think.

As climate change takes place that also means change in the way we think and do business around here especially when it comes to fires. A new attitude and new way of doing things to help this situation needs to be in order. Tahoe Donner has taken a few steps. let's take those steps farther so that there is extra precaution in these months were severe fire has raged through Forest land.

With the saying that's out there, it's not if it's going to happen but when it's going to happen, let's make sure that we push off that when and do everything we can to stop it. That would include no campfires or charcoal use at all and Strongly Enforcing the rules for all of us to be safe in our homes.

I am only one voice but the opinion of many who live here and not just rent their homes out.

Please pass this along.

i understand my _____ have already chimed in on the camp fire issue - "it's OK for visitor campers to have a camp fire but not OK for property owners to have a home camp fires."





It seems to me that the regulation should NOT be permit camp fires under any circumstances at any time for anybody whatsoever.

Who do you think has unequivocally no conferred interest in the property and environs? Quite obviously – visitors! We see this unmistakably with rental properties and the renters complete contempt for Association rules. We see this indifference for rules at the HOA poolside in summer, in the exercise facilities during the holiday seasons, and on the TD ski-slopes in winter.

A resolution to allow those who have no bestowed or no vested interest in the property, and nothing whatsoever to lose in the event of a forest fire would be complete folly; a complete disregard of common sense. Similarly, the rule should apply unequivocally to owners, renters, campers and visitors.

Any decision by the Board or Tahoe Donner Association et al., to allow, sanction, permit or otherwise condone camp fires, bonfires or any other outdoor fire, including those supposedly controlled “Houdyschell” fires, would likely be considered to be neglectful, careless, and slipshod management by and of the Association, and would likely result in legal action as P.G & E is experiencing as a result of the Northern California 2018 devastating fires.

As the owner of a Traeger electric wood pellet barbecue, I was troubled to read about your proposal for a new covenant rule and associated fines related to seasonal outdoor wood burning fire bans. As I understand it, the proposal is meant to provide the Board of Directors with "the ability to act on a violation of the Truckee Fire Protection District Nevada County Ordinance 03-2019."

As a long-time resident of Tahoe Donner, I am acutely aware and appreciative of all efforts to minimize the risk of fire in our beautiful community. And I support the TFPD ban being invoked and enforced when warranted by periods of extreme fire danger.

However, Ordinance 03-2019, when invoked, only bans "Open Burning, Camp Fires, Bonfires, Portable Outdoor Fireplaces, Charcoal Barbeques, Ceremonial Fires, and Recreational Fires." You have added "smokers and other woody material burning devices." Thus, it would appear that your intent is to go beyond your stated goal of enforcing Ordinance 03-2019 and to also ban devices like my Traeger electric wood pellet barbecue.





In my opinion, the Truckee Fire Protection District is the authority on these matters. If they felt electric wood pellet barbecues/smokers were a threat, they would have included them in their carefully-worded list of banned devices.

Lacking substantive evidence that would warrant your expansion of TFPD's list of banned devices, I respectfully request that you modify the wording of the new covenant to comport with Ordinance 03-2019 and, failing that, I expressly reserve all rights and remedies available to me.

I will unfortunately be away when this issue is discussed; however, I would appreciate your consideration of not requiring a total ban of all Charcoal BBQ's.

I would concur that the use of an unstable three leg kettle BBQ's with shallow ash pan receptacles would be inappropriate....however; for the past 10 years I have used a "Webber Performance Deluxe Grill" on my deck without the trace of any ash or fire residue escape.

This unit has a bucket that captures all ash droppings and is not exposed to the elements. It is, while portable, stands on 2 wheels and 2 legs that are impervious to tipping.

The fact that I was unable to BBQ on my deck last year was more than disappointing as that **is a** great part of summer entertaining family and friends.

I do not want to purchase a bottled gas BBQ as I don't have space to store both and I consider bottled gas is more hazardous than briquets.

I sincerely request you not allow a total ban of all charcoal

BBQ's Thank you for your consideration.





Please relay to the BOD that as a concerned owner I do not object to banning open fires during high danger periods but I take objection to the fines as they are currently proposed.

The party who actually started the fire should be responsible for the violation and fine whether it's the property owner, an owner's guest or a renter provided they were all properly notified of a fire ban.

Levying a fine on a property owner when a paying or non paying guest has an open fire despite being informed of a ban would be akin to the US Government fining itself if a guest at a national park or other US forest area set a fire in a restricted area or during a ban. In short, the party directly responsible for the infraction should be accountable for any fine or damage resulting from the infraction.

Will Tahoe Donner pay a fine or be responsible for damage or a crime that is committed by any person on TD property or is the expectation that the offender will be held responsible?

I respectfully submit the following comments regarding the Agenda item dealing with **Fire Safety** for the upcoming Board Meeting on Saturday, 4/27/2019:

- I very much concur that fire safety is of paramount importance at Tahoe Donner.
- To this extent, I agree with the measures taken by the Town of Truckee in this regard.
- I further agree that all owners of TD homes and their guests should be made aware of this danger and of the measures imposed by the Town of Truckee. I propose that this awareness campaign should include that a special note, prepared by the TDA office, **must be posted in a prominent place in each TD home.**
- To the extent that the **Town of Truckee permits charcoal fires in an enclosed BBQ container designed for this purpose, such as a Weber, placed on the paved driveway of a private property, such permission should also be applicable to TD homes.**
- I also agree that non-compliance with this rule itself shall carry a significant fine, whereby it seems appropriate to me to consider the fine schedule of the Town of Truckee as applicable and appropriate. **An amount of \$5000 is unreasonable and excessive.**
- The fine should be charged to and **payable by the offending party** (with the same reasoning by which moving traffic violations are charged to the offender and not the vehicle owner).

I am a full time Tahoe Donner resident. I know you are in the process of establishing the rules for burning in 2019. Looking back to last year, I know there was no charcoal barbecuing, no open fires in pits, etc. and I think no Tiki Torches (but I am not sure about that). I think propane fueled gas barbecues were OK (moot point for me as I do not have one of those). My question is will Wood Pellet driven smokers/barbecues (like Traeger) be





allowed? Of course with those there is no open flame as the pellets are heated up by use of an electrical system. There is smoke coming from the smoke stack. As far as I know there is no chance of embers emanating from the barbecue itself. I am thinking about buying one but before I do wanted to make sure if they were going to be OK in TD per the 2019 no-burn rules.

Thanks for your attention in this matter.

