



DECISION PAPER

Issue:

As required by the Covenants and Restrictions, changes to Covenants Fine Schedule must go out for 45-day member notification prior to board consideration and approval.

Background:

Pursuant to Tahoe Donner Covenants and Restrictions Article XIII Section 6(b) Schedule of Fines, modifications to the Covenants Fine Schedule must go out for 45-day member notification prior to board of director consideration and approval.

At the November 8, 2018, Covenants Committee meeting the committee reviewed the Covenants Fine Schedule. The committee has not made any changes to the fine schedule in more than eight years. The committee discussed the fine schedule and discussed if higher fines would be more effective for deterring violations and gaining compliance.

The committee agreed to propose the following changes to the Covenants Fine Schedule for the board of directors to consider approving for a 45-day member notification prior to board consideration and approval:

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

Options:

Option 1: Make no adjustments to existing Covenants Fine Schedule for 2019.

Option 2: Consider approving for 45-day member notification for changes to the Covenants Fine Schedule for 2019 as presented below.





Private Property Rules Fine Schedule

	Current Fine Schedule	Proposed Fine Schedule	Comments
1 st Violation	\$200	\$400	Change
2 nd Violation	\$400	\$800	Change
3 rd Violation	\$800	\$1,600	Change
2 nd Garbage Spill Violation	\$400	\$800	Change
Tree and/or Vegetation Removal Violation	\$100-\$5,000 per tree involved plus replacement	\$200 - \$5,000	Change (increase of \$100)
Noxious Activity Violation	\$200	Up to \$1,000	Change
Business Activities Violation	\$200	Up to \$2,000	Change
Fire Safety Violation	\$1,000 - \$5,000	\$1,000 - \$5,000	No Change

General Common Area and Amenity Rules Fine Schedule

	Current Fine Schedule	Proposed Fine Schedule	Comments
Camping on Common Areas	\$100	\$200	Change
Off-Road Vehicles	\$150	\$300	Change
After Hours Use	\$100	\$200	Change
After Hours Parking	\$50	\$100	Change
Hunting and Trapping	\$150	\$300	Change
Animal Control	\$100	\$200	Change
Equestrian Use	\$100	\$200	Change
Smoking	\$50	\$100	Change
Tree and/or Vegetation Removal Violation	\$100-\$5,000 per tree involved plus replacement	\$200 - \$5,000	Change (increase of \$100)
Fire Safety Violation	\$1,000 - \$5,000	\$1,000 - \$5,000	No Change

Option 3: Consider approving for 45-day member notification for changes to the Covenants Fine Schedule for 2019 with modifications.





Recommendations:

The Covenants Committee is requesting the Board of Directors consider approving for 45-day member notification Option 2.

1. Private Property Rules

	Current Fine Schedule	Proposed Fine Schedule	Comments
1 st Violation	\$200	\$400	Change
2 nd Violation	\$400	\$800	Change
3 rd Violation	\$800	\$1,600	Change
2 nd Garbage Spill Violation	\$400	\$800	Change
Tree and/or Vegetation Removal Violation	\$100-\$5,000 per tree involved plus replacement	\$200 - \$5,000	Change (increase of \$100)
Noxious Activity Violation	\$200	Up to \$1,000	Change
Business Activities Violation	\$200	Up to \$2,000	Change
Fire Safety Violation	\$1,000 - \$5,000	\$1,000 - \$5,000	No Change

2. General Common Area and Amenity Rules

	Current Fine Schedule	Proposed Fine Schedule	Comments
Camping on Common Areas	\$100	\$200	Change
Off-Road Vehicles	\$150	\$300	Change
After Hours Use	\$100	\$200	Change
After Hours Parking	\$50	\$100	Change
Hunting and Trapping	\$150	\$300	Change
Animal Control	\$100	\$200	Change
Equestrian Use	\$100	\$200	Change
Smoking	\$50	\$100	Change
Tree and/or Vegetation Removal Violation	\$100-\$5,000 per tree involved plus replacement	\$200 - \$5,000	Change (increase of \$100)
Fire Safety Violation	\$1,000 - \$5,000	\$1,000 - \$5,000	No Change





If approved for member notification, the Proposed Fine Schedule changes will go out to the 45-day member notification in the January Tahoe Donner News followed with the Board of Directors member comments consideration at the January 26, 2019 meeting, and discussion and consideration for action at the February 23, 2019 Board of Directors meeting.

Prepared By: Covenants Committee and Annie Rosenfeld, Director of Risk Management and Real Property

General Manager Approval to put on Agenda: _____ Date: _____

