

**WORKING DRAFT AMENITY ACCESS POLICY  
NOT APPROVED BY THE BOARD OF DIRECTORS**

DRAFT

**DRAFT AMENITY ACCESS POLICY (MEMBER BENEFITS RULE or MEMBER RIGHTS AND PRIVILEGES RULE):**

**A: DEFINITIONS**

1. **OWNER (OWNER OF RECORD):** Any person in which title to a residential parcel within the subdivision is vested at 15% or greater as shown by a recorded grant deed on file with the Office of the Nevada County Recorder, and the owner's family, making them eligible to obtain a member photo ID card.
2. **OWNER'S FAMILY:** Any individual who has a relationship to an owner that is one of the following: spouse/domestic partner, mother, father, mother's spouse/domestic partner, father's spouse/domestic partner, children, child's spouse/domestic partner, domestic partner's child, grandchildren, grandchild's spouse/domestic partner, sister, brother, sister's spouse/domestic partner, brother's spouse/domestic partner. This relationship **MUST** be validated by the presentation of official documentation.
3. **TENANT:** Any individual who occupies an owner's property in exchange for payment of rent, monetary or not.
  - a. **LONG-TERM TENANT:** A subcategory of the TENANT user category that includes any individual who occupies an owner's property in exchange for payment of rent, monetary or not, for a period of 9 months or longer. This relationship **MUST** be validated by presentation OFFICIAL DOCUMENTATION.
  - b. **SHORT-TERM TENANT:** A subcategory of the TENANT user category that includes anyone who occupies an owner's property in exchange for rent, monetary or not, for 30 days or less.
  - c. **SEASONAL TENANT:** A subcategory of the TENANT user category that includes anyone who occupies an owner's property in exchange for payment of rent, monetary or not, for 31 days to less than 9 months.
4. **PERSONAL GUEST:** Any individual who has a non-tenant relationship with an owner, seeking access to the amenities with an owner's permission.
  - a. **ACCOMPANIED PERSONAL GUEST:** A subcategory of the GUEST user category that includes any individual who has a non-tenant relationship with an owner, seeking access to the amenities with the owner.
  - b. **UNACCOMPANIED PERSONAL GUEST:** A subcategory of the GUEST user category that includes any individual visiting or using an OWNER's residential parcel, who has a non-tenant relationship with an owner, seeking access to the amenities without the owner.
5. **INVITEE:** Any individual who visits an Association amenity who does not qualify as either an owner, guest or tenant, and is a member of the general public.
6. **MEMBER:** Any owner or owner's family member as defined in this policy who has a valid member photo ID card.
7. **MEMBER PHOTO ID CARD:** Issued only to an owner and an owner's family as defined by this policy and allows access to private amenities and other member discounts and privileges.

8. **LONG-TERM TENANT ACCESS PHOTO ID CARD:** Individual photo ID card available through the owner relinquishment process that grants the holder access to the private amenities for a daily access fee or via an access pass product and member discounts and privileges, subject to long-term tenant restrictions.
9. **SHORT-TERM TENANT ACCESS ID CARD:** Transferable ID card owners can purchase annually to allow private amenity access to their short-term tenants for a daily access fee, subject to short-term tenant access restrictions.
10. **OFFICIAL DOCUMENTATION:**
  - a. Relative to validating familial relationships in this policy, official documentation includes but may not be limited to: birth certificate, marriage certificate, declaration of domestic partnership, state issued adoption record, (more?)
  - b. Relative to validating a long-term tenant relationship, official documentation includes a signed lease agreement AND a utility bill with the physical address and tenant name.
11. **PUBLIC AMENITIES:** Recreational amenities maintained and operated by the Tahoe Donner Association which allow for public access include the Downhill Ski Resort, Cross Country Ski Area, Snowplay, the Equestrian Center, Bikeworks, the Golf Course and Driving Range, Tahoe Donner Campground, the Recreation Hut and the summer trail system.
12. **PRIVATE AMENITIES:** Recreational amenities maintained and operated by the Tahoe Donner Association are not open to the public and are for the exclusive use of members, their personal guests and their tenants. The private amenities include the Beach Club Marina, Trout Creek Recreation Center, the Tennis Center and Northwoods Pool.

## **B: MEMBER PHOTO ID CARD**

### **1. GENERAL**

- a. Owners are responsible for furnishing the association Member Services Office with a recorded grant deed as proof of status as owner of the record. The association in its sole discretion shall determine a person's status as an owner or a member of an owner's family as defined in this policy. False or misleading information presented to obtain any member photo ID card will be grounds for disciplinary action against the owner.
- b. Each parcel shall be allotted up to ten (10) member photo ID cards available for qualified family members with appropriate documentation to validate familial status based on the definition of OWNER'S FAMILY in Section A. If an owner has fewer than ten (10) qualifying members, then only the number of cards for qualifying members will be issued; for example: if an owner only has 6 qualifying family members, only six (6) member photo ID cards will be issued.
- c. Member photo ID card assignments
  - i. Once assigned to an individual on a property, that photo ID card assignment is valid until such time:
    1. That the parcel is sold, or
    2. That the parcel is rented to a qualified long-term tenant pursuant to D.4 below, or
    3. That the owner chooses to reassign the member photo ID card to another eligible family member

- ii. Changes to the member photo ID card assignment(s) made from Jan 1 – Jan 31 are completed upon request by the owner and the presentation of appropriate documentation to validate familial status. These changes will be completed at no charge during this time frame.
- iii. Changes to photo ID card assignments can be made during the year outside of the Jan 1 – Jan 31 timeframe for a per card fee. Children of owners under the age of three (3) shall not be required to have a member photo ID card and shall have unrestricted right of entry to the private amenities provided the child is accompanied by an adult.
  - 1. Any individual over the age of three (3) must have a valid member photo ID card to receive member privileges.
- iv. In the event of a transfer of photo ID card assignment to another family member, any amenity entry pass product attached to that individual is NOT transferable or refundable.

## **2. MULTIPLE OWNERS OF A SINGLE PARCEL**

- a. As specified in Section B.1, only ten (10) member photo ID cards shall be issued with respect to any single residential parcel. When a residential parcel is owned by more than one person, the owners of record of the residential parcel must designate the recipients of the parcel's ten (10) member photo ID cards. Any additional owner(s) on that parcel and their family(ies) who do not have member photo ID cards can gain access to the private amenities as personal guests.

## **3. MULTI-PARCEL OWNER**

- a. A multi-parcel owner (owner of more than one residential parcel) is entitled to ten (10) member photo ID cards per parcel owned with the criteria of issuance being the same as set forth in Section B.1.

## **4. PARTNERSHIPS AND CORPORATIONS**

- a. A partnership or corporation that is the OWNER OF RECORD of a residential parcel may receive up to ten (10) member photo ID cards specific to each residential parcel owned. The owner entity must designate on corporate stationery, which of its officers, directors or partners will receive member photo ID cards
- b. If additional member photo ID cards are available, family members of the identified officers, directors or partners as specified in Section B.1 are eligible for member photo ID cards.

## **5. TRUSTS**

- a. When a trust is the owner of record of a residential parcel, the trustee(s) of that trust will be treated as the OWNER(S), and may receive up to ten (10) member photo ID cards. The trustee(s) may designate those cards subject to the same provisions as OWNERS defined section B.1
  - i. A trust document will be required for verification of the trustee(s).

## **6. FOREIGN EXCHANGE STUDENTS**

- a. Subject to all other provisions in this policy, a bona fide high school foreign exchange student, who is not contractually bound to provide any services to their host family, will

- be treated, for the purpose of obtaining a member photo ID card, as a dependent child of the owner's family while residing with them under the exchange program.
- b. Satisfactory documentation will be required to validate the foreign exchange student relationship.

## 7. EXCEPTION PROCESS

- a. Any request to obtain a member photo ID card(s) where the relationship cannot be validated via the requirements of this policy must be submitted in writing to the Member Services Office to initiate an exception process.
  - i. Only relationships where an owner is in a long-term, "family-type" relationship where official documentation is not available will an exemption to the policy requirements be considered.
  - ii. If such a relationship exists, the owner can schedule a meeting with the *Photo ID Card Committee* to have a decision rendered as to whether the relationship warrants consideration for an exemption to this policy and a member photo ID card is approved.

## 8. MEMBER PHOTO ID CARD HOLDER BENEFITS

- a. Access to the private amenities for members in good standing consistent with these parameters:
  - i. Starting January 1, 2025, private amenity access benefits shall be extended to at least two (2) member photo ID card holders per property (as designated by the owner of record) for no extra annual or daily fee. For all other member photo ID card holders, private amenity access benefits shall be provided according to the phased implementation plan described in Section F below.
  - ii. As soon as practically and reasonably possible, but no later than January 1, 2029, and following the phased implementation plan described in Section F below, private amenity access benefits shall be extended to all member photo ID card holders for no additional annual or daily fee.
- b. Discounts on most products and services
- c. Priority reservation windows for many high demand products and services
- d. NO ACCESS OR DISCOUNT SHALL BE GRANTED AT ANY ASSOCIATION AMENITY WITHOUT PRESENTATION OF A VALID MEMBER PHOTO ID CARD.

## C: PERSONAL GUESTS

### 1. ACCESS

- a. With Board approval, management may implement operating plans that include peak period pricing, access blackout dates, or another limitation mechanism for the personal guest user category or sub-category to prioritize member utilization of the private amenities.
- b. The latest operating plan will be available on the Tahoe Donner website.

### 2. ACCOMPANIED PERSONAL GUESTS

- a. ACCOMPANIED PERSONAL GUEST access can be granted upon arrival at a private amenity with a member with a valid member photo ID card who is at least 18 years old.
- b. Up to ten (10) accompanied personal guests per parcel, per day can gain access to the private amenities

- i. If a member requires more than ten (10) accompanied personal guests to access on one day, that owner must present that request to the manager of the private amenity operation at least seven (7) days in advance to obtain approval of said request.

### 3. UNACCOMPANIED PERSONAL GUESTS

- a. UNACCOMPANIED PERSONAL GUEST access can be granted upon the registration of the personal guest by the owner through the personal guest registration process. In order to register personal guests, owners will need to know the names and ages of each individual to whom they wish to grant access.
  - i. All personal guests ages 3 and older must be registered to access the private amenities.
- b. UNACCOMPANIED PERSONAL GUESTS who arrive at a private amenity that have not been registered in the guest registration system will not be granted access.

## D: TENANTS

### 1. ACCESS

- a. With Board approval, management may implement operating plans that include peak period pricing, access blackout dates, or another limitation mechanism for the tenant user category or sub-category to prioritize member utilization of the private amenities.

### 2. SHORT-TERM TENANTS

- a. Short-term tenants can access the private amenities through the short-term tenant ID card.
  - i. Each property shall be entitled to up to six (6) short-term tenant ID card(s) that must be provided by the owner to their tenants for access to the private amenities. One (1) short-term tenant ID card will allow the holder access to a private amenity for one (1) person for the corresponding per person daily access fee and subject to the operating plan as outlined in D.1.a
  - ii. Short-term tenant ID cards are available for purchase from the Member Services office for a per card annual fee determined by the fee schedule.

### 3. SEASONAL TENANTS

- a. Seasonal tenants can access the private amenities through the short-term tenant ID card, subject to the same conditions outlined in section D.2.

### 4. LONG-TERM TENANTS

- a. Long-term tenants can access the private amenities through the short-term tenant ID card outlined in section D.2.
- b. OR; **SINGLE FAMILY** long-term tenants can access the private amenities through the process of owner relinquishment of access rights
  - i. The ten (10) member photo ID cards available to an owner pursuant to Section B may be relinquished to a single-family renter of the owner's improved residential parcel upon written request of the owner and presentation to the association of a lease which has a term of not less than nine (9) consecutive months.
  - ii. All of the outstanding member photo ID cards and short-term tenant cards issued to the owner and the owner's family of the leased residential parcel must be returned to the Member Services Office before long-term tenant photo ID cards are issued for the parcel.

- iii. Upon the end of a lease term, photo ID cards issued to any long-term renter and their family must be returned to the Member Services office if the owner wishes to regain their member photo ID card privileges.
  - iv. In the event that a lease spans multiple calendar years;
    - 1. Single-family long-term tenant access to photo ID card holder privileges will be subject to the same requirements and consequences as an owner and an owner's family. The lease start and end dates do not affect this rule related dates and deadlines.
- c.** The right to assign photo ID card privileges to long-term tenants as described in D.4.b, shall be extended to partnership, corporation and trust owners of record as well.

## **E: GENERAL**

### **1. RESTRICTION ON TRANSFER**

- a. All Tahoe Donner ID cards remain the property of the association. Member photo ID cards are only assigned to the person to whom the ID is issued, subject to the provisions of this policy. Member photo ID cards may not be utilized by, or transferred to, any other person. Doing so will result in the confiscation of the photo ID card and disciplinary action against the photo ID card holder, including up to suspension of member privileges

### **2. ATTENDANTS OF DISABLED OWNERS**

- a. Subject to all other provisions of this policy, where an owner's reasonable use of an amenity is only possible with the assistance of an attendant, that attendant will be permitted access without charge to provide such assistance. The association may require satisfactory documentation regarding any claimed disability and the status of the attendant.

### **3. UNAUTHORIZED USE OF ID CARDS**

- a. Any use of MEMBER photo ID cards or tenant ID cards, that violate any provision of this policy, may result in revocation of the member photo ID or tenant ID card.

### **4. LOST OR STOLEN ID CARDS**

- a. Any lost or stolen member photo ID cards or tenant ID cards should be reported to the association's Member Services Office immediately.
- b. The association, at its discretion, shall be entitled to issue replacement member photo ID cards and tenant ID cards if the circumstances warrant such replacement and to charge a replacement fee per card.
- c. No temporary member photo ID cards or tenant ID cards will be issued.

### **5. AMENDMENTS TO THE AMENITY ACCESS POLICY (MEMBER BENEFITS RULE or MEMBER RIGHTS AND PRIVILEGES RULE)**

- a. The Board of Directors has the authority to amend, revise, or modify all or any portion of this policy. Any such amendment will be subject to the rule revision process and promptly communicated to the owners.

## **F: PHASED IMPLEMENTATION PLAN**

- 1. Through the annual budget process and other administrative means, staff and the board shall develop and adopt a phased implementation plan with the following objectives:

- a. Develop and implement a financial transition plan to smooth budgetary and assessment changes associated with this rule.
  - b. Develop and implement management processes and practices to ensure that the private amenities do not become overburdened by this rule.
2. To evaluate progress and to provide direction, the board shall review the phased implementation plan at least annually.
3. The board shall adopt the initial phased implementation plan concurrent with the adoption of this rule.

DRAFT

## DRAFT IMPLEMENTATION PLAN:

- Year 1 – 2025
  1. Included access for two (2) member photo ID cards per property
    - a. Additional private amenity access passes are available for purchase per member who is in possession of a member photo ID card
    - b. If no access pass is purchased for an individual member photo ID card holder, a daily access fee may apply to enter a private amenity
  2. Implement tenant access plan
    - a. Short-term tenant card development
      - i. Up to 6 cards available per property
        - Cards are transferable
        - Only one individual is granted access per card, per day
        - Charge an annual fee per card
          - Fee TBD
        - Card valid from 1/1/xx to 1/31/xx+1
        - Can be purchased at any time during the year, but expires on January 31, the following year
      - ii. Card subject to operating plan restrictions
    - b. Seasonal tenant access plan development
      - i. Use a short-term tenant ID card to access
    - c. Long-term tenant card development
      - i. Use a short-term tenant ID card to access (fee charged for each card)
      - ii. OR, for single-family, long-term tenants residing in an owner's home, owner relinquishment option
        - 9-month minimum lease
  3. Implement the personal guest registration process
    - a. Determine if Aspenware will work or if we need a different guest registration system
      - i. Aspenware limitations of the total number of people on one profile - 19
    - b. Payment methodology - options
      - i. Invoiced at the end of the month – folios (not there yet)
      - ii. Personal guest pays at the time of entry (relationship validated through registration process only)
      - iii. Prepaid access “debit” card with stored value the owner gives to their personal guests
      - iv. Both options are available for owners to select – pay at entry or prepaid stored value card
  4. Implement the operating plan to consider any restrictions to impose on any non-member user category
    - a. Fee plan and/or restriction structure
- Year 2 – 2026
  1. Analyze access data from year one (specifically the Beach Club and the Trout Creek Recreation Pool) to recommend/support -
    - a. A minimum of two (2) member photo ID cards that include access to the private amenities, or more if possible (target four (4) ID cards included)
    - b. Adjust the operating plan as necessary to protect member access

- Year 3 – 2027
  1. Analyze access data from year one and two to recommend/support -
    - a. A minimum of six (6) member photo ID cards that include access to the private amenities, or more if possible
    - b. Adjust the operating plan as necessary to protect member access
- Year 4 – 2028
  1. Analyze access data from year one and two to recommend/support -
    - a. A minimum of eight (8) member photo ID cards that include access to the private amenities, or more if possible
    - b. Adjust the operating plan as necessary to protect member access
- Year 5 – 2029
  1. A minimum of ten (10) member photo ID cards that include access to the private amenities
  2. Opportunity to extend the timeline to transition to all-inclusive if data or experience requires a longer transition

DRAFT