



**TAHOE DONNER ASSOCIATION
BOARD OF DIRECTORS
2025-20 ADMINISTRATIVE RESOLUTION**

EMERGENCY ADOPTION OF UPDATED FINES SCHEDULE

WHEREAS, the Board of Directors (the “Board”) of Tahoe Donner Association (the “Association”) is empowered to govern the affairs of the Association, including the enforcement of the governing documents and the health, safety, and welfare of its members and residents¹;

WHEREAS, the Board is empowered to adopt Association Rules concerning, but not limited to: the Common Area, Common Facilities, Other Association Real Property, enforcement of the governing documents, member discipline, monetary penalties, and any other subject or matter within the jurisdiction of the governing documents²;

WHEREAS, pursuant to Civil Code §4360(d), the Board is empowered to adopt rules on an emergency basis (i.e., foregoing to standard adoption timeline and process otherwise required by Civil Code §4360(a)), “if the board determines that an immediate rule change is necessary to address an imminent threat to public health or safety or imminent risk of substantial economic loss to the association³;

WHEREAS, an emergency situation exists due to the enactment of Assembly Bill 130 (“AB 130”), amending sections of the Civil Code⁴. Such changes became effective on July 1, 2025 immediately following its adoption. Without prompt Board action, as herein contemplated, the statutory changes imposed by AB 130 will significantly impair the Association’s ability to enforce the governing documents specifically concerning matters involving adverse health or safety impacts to the Association’s Common Areas or another member’s separate interest;

WHEREAS, these emergency circumstances could not have been reasonably foreseen, and require immediate attention and action by the Board, making it impracticable to provide the notice that is otherwise required for fine schedule changes;

WHEREAS, on July 25, 2025 the Board adopted Administrative Resolution 2025-16, Emergency Adoption of Updated Fines Schedule. Administrative Resolution 2025-16 expires on November 25, 2025 before a permanent updated fine schedule could be established.

WHEREAS, the Board determines that a continued and updated emergency fine schedule change is required, both to ensure the health, safety, and welfare of the Association and its members, and to comply with those sections of the Civil Code amended by AB 130;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Tahoe Donner Association does hereby find that the following types of conduct involving violations of the

¹ Restated Bylaws of Tahoe Donner Association, Article IX.

² First Restated Declaration of Covenants and Restrictions of Tahoe Donner Association, Article III, Section 7.

³ Davis-Stirling Common Interest Development Act, Chapter 3, Article 5, Sections 4360.

⁴ California Civil Code §§5580 and 5588.

Association's governing documents adversely affect the health, safety, and welfare of the Association's Common Areas and/or a member's separate interest:

- Due to the Association's presence in a designated extreme fire zone, and in line with the Truckee Fire Department's Ordinance 04-2019, violations involving increased fire risk, including but not limited to fireworks, smoking on Association owned property, seasonal fire ban violations, and other fire safety violations, are deemed by the Board to involve adverse impacts to the Association's Common Area and/or a member's separate interest.
- Violations involving increased risk for harm to persons, property, and the environment, including but not limited to hunting and trapping, camping, firearm use, animal control, off-road vehicle use, equestrian use, unauthorized grading and construction, and garbage spills are deemed by the Board to involve adverse impacts to the Association's Common Area and/or a member's separate interest.
- Noxious activities and conduct violations that unreasonably impair and/or pose an immediate, direct, and substantial threat to a person are deemed by the Board to involve adverse impacts to the Association's Common Area, a member's separate interest, and also the health, safety, and welfare of the Association and its members.

BE IT FURTHER RESOLVED, that the Board of Directors of Tahoe Donner Association does hereby adopt the updated fines schedule as identified in Attachment A.

BE IT FURTHER RESOLVED, that this emergency fine schedule shall take effect on November 25, 2025 upon notice to the membership, and shall remain in effect for a period not exceeding 120 days;

BE IT FURTHER RESOLVED, the Board will provide general notice of the fine schedule changes as provided for by the Association Governing Documents and state regulations.

BE IT FURTHER RESOLVED, the Board retains the authority to modify or end this emergency fines schedule based on circumstances and governing documents.

BE IT FURTHER RESOLVED, that the Board of Directors of the Tahoe Donner Association holds that certain violations of the governing documents are inherently incurable after the conduct has occurred. This may be due to their nature as non-continuous actions or because they involve conditions that cannot be remedied through affirmative action. For these types of violations, simply ensuring that a one-time violation does not happen again will not be considered an adequate remedy, given the grave consequences and the seriousness of the conduct occurring at all.

BE IT FURTHER RESOLVED, that the Board of Directors of the Tahoe Donner Association defines a new violation to include the continued presence of conduct alleged to violate the Association's governing documents that has not been cured by the start of each new day or week, or month, as selected by the Board and specified in the Association's hearing notice to the Owner.



ADOPTED AND DATED: November 21, 2025, by the Board of Directors of Tahoe Donner Association

Benjamin Levine, President and Director

Don Koenes, Treasurer and Director

Denise Gauny, Vice President and Director

Jay Wertheim, Vice Treasurer and Director

Courtney Murrell, Secretary and Director

CERTIFICATE OF SECRETARY

I certify that I am the duly qualified and acting secretary of the Tahoe Donner Association, a California Nonprofit Mutual Benefit corporation. The foregoing is a true and correct copy of the Resolution duly adopted by the Board of Directors at a duly noticed Board meeting held on November 21, 2025, and entered in the minutes of such meeting. The Resolution as of this date has not been modified or appealed and is, as of now, in full force and effect.

DATED: _____

Courtney Murrell, Secretary

ATTACHMENT A
FINE SCHEDULES

COMMUNITY STANDARDS

ARCHITECTURAL STANDARDS VIOLATION/FINE SCHEDULE



UNAUTHORIZED EARTHWORK AND SITE ALTERATION:

1) Grading or grubbing of lot/or trenching without a permit	
a) With Town permit, without ASC permit	\$100.00
b) Without Town or ASC permit	\$750.00-\$2,000.00
2) Unauthorized removal of snow with heavy equipment	\$100.00

CONSTRUCTION VIOLATIONS:

1) Initiating new construction without ASC approval	
a) With Town permit, without ASC permit	\$100.00
b) Without Town or ASC permit	\$100.00-\$2,000.00
2) Failure to display permit on site	\$100.00
3) Failure to clean up construction debris – per occurrence	\$100.00
4) Failure to obtain extension prior to expiration of permit	\$100.00
5) Failure to complete project within allotted time frame	\$100.00
6) Failure to restore lot after invalidation of plans	\$100.00
7) Failure to complete after installation of foundation	\$100.00

DEVIATIONS FROM APPROVED PLANS

1) Plan deviations without prior approval	\$100.00
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MISCELLANEOUS ITEMS

1) Exterior alteration to existing structures without approval	\$100.00
2) Exterior lighting violations	\$100.00
3) Violation of sign rules	\$100.00
4) Installation of satellite dish, larger than 39", without prior approval	\$100.00
5) Installation of fencing without prior approval	\$100.00
6) Installation of exterior antenna without prior approval	\$100.00
7) Failure to correct exterior maintenance non-compliance	
a) Non-garbage enclosure violations	\$100.00
b) For garbage enclosure violations	\$100.00-\$1,500.00

Each day a violation remains uncured (or every day the property owner is not in compliance with our rules/C&Rs) constitutes a separate violation subject to a distinct fine. The fine policy and schedule of fines may be amended and modified from time to time by the ASC after proper notification and Board approval.

COMMUNITY STANDARDS

COVENANTS VIOLATION/FINE SCHEDULE



GENERAL COMMON AREA AND AMENITY RULES:

1) Camping on Common Areas	\$100.00
2) Off-Road Vehicles on Common Areas	\$300.00
3) Vegetation Removal in Common Areas	\$100.00
4) After Hours Use of Common Areas	\$100.00
5) After Hours Parking in Common Areas	\$100.00
6) Fireworks, Firearms and Fire Safety Rule Violations in Common Areas	\$1,000.00-\$5,000.00
7) Hunting and Trapping in Common Areas	\$300.00
8) Animal Control Violations in Common Areas	\$200.00
9) Equestrian Use in Common Areas	\$200.00
10) Smoking in Common Areas	\$100.00

AMENITY USAGE AND CONDUCT RULES:

1) Amenity Usage and Conduct Rule Violations *	\$100.00 (except in the case of activity which poses an adverse health/safety impact)
2) Amenity Access Rule Violations *	\$100.00

PRIVATE PROPERTY RULES:

1) Private Property Rule Violations	\$100.00
2) Garbage spill on Private Property	\$100.00-\$1,500.00
3) Tree and/or Vegetation Removal on Private Property	\$100.00
4) Noxious Activities Violation on Private Property	\$100.00-\$1,000.00
5) Business Activities Violation on Private Property	\$100.00
6) Fire Safety Rule Violation on Private Property	\$1,000.00-\$5,000.00
7) Seasonal Fire Ban Rule Violation	Up to \$5,000.00
8) Short-term rental rule violation	\$100
9) Correction of Any Private Property Violation by the Association	Restitution to Association

Each day a violation remains uncured (or every day the property owner is not in compliance with our rules/C&Rs) may constitute a separate violation subject to a distinct fine. The fine policy and schedule of fines may be amended and modified from time to time by the Covenants Committee after proper notification and board approval.

*Violations may result in suspension of amenity access.