

NUISANCE AND SAFETY RULES; IMPROVED QUALITY OF LIFE FOR ALL MEMBERS

A. The Problems and Process

My first involvement in efforts to maintain our quality of life and safety was on the task force formed to address increases in nuisance and other inappropriate activity significantly interfering with member enjoyment of our homes. I was asked to chair the task force, which began a process involving months of member input, meetings and in-depth exchanges of ideas among the members with very differing views and experiences.

I truly believe that the ultimate result significantly improved quality of life and safety for all our members. Because it was an inclusive process, including several months of Board hearings after the months of task force work, it enabled input and consideration of all differing viewpoints and perspectives.

The Short-Term Rental and Amenity Task Force was established by the Board in September 2017 in response to significant increases in member complaints about nuisance and safety activity, and the lack of effective enforcement. Despite its name, the first tasks in its charter were not directed at short-term rentals, but at analyzing the most wide-spread problems being experienced regardless of source, and determining whether the behavior was governed by existing rules or whether new or clarified rules were needed to address the issues. The task force also addressed the need for enforcement proceedings that were prompt and efficient, and could allow resolution in real time.

B. The Results: Improved Quality of Life for All Members

The most serious problems identified included both nuisance activity and activity that threatened the safety of members. These include:

1. Excessive noise, and especially late night "party houses"
2. Parking issues, including (a) parking in easements or driveways of neighbors, thus preventing them access to their homes or preventing snow removal service, and (b) large numbers of cars parked in the street, impeding snow removal, or parked on dirt creating fire hazards, and/or unsightly conditions;
3. Homeowners renting their homes for commercial weddings, with amplified speeches and music, excessive deliveries, large numbers of cars blocking streets and noise that prevented neighboring homeowners from peacefully spending time on their decks on summer weekends;
4. Dangerous fire behavior, including cigarette butts thrown off decks or into dry brush, and improper disposal or failure to extinguish barbecues and fire pits; and in one instance, a homeowner reported a visitor shooting a gun off the deck into the woods behind the house;
5. Illegal camping on Tahoe Donner lots or streets, or in greenbelts

6. Trash left out to attract bears, or deposited in neighbors' bins (who were then unable to use their own trash bins, and were sometimes charged for excess trash fees)
7. Visitor cars not equipped for winter driving, causing danger or blocking snowplow access for streets and driveways
8. Outside lights left on 24/7 creating light pollution and prohibited spotlights shining into neighbors' homes and bedrooms

The Task Force compiled a list of existing rules already governing or prohibiting this activity, and recommended clarifications or additions where needed. After extensive hearings and changes, the Board adopted amendments to the Private Property Rules to better conditions for *all* members. These included specificity about noise and light rules, making them clearer and more objective, rules to address party houses and a prohibition on commercial weddings.

As recommended and adopted, these rules apply to *all* Tahoe Donner homeowners.

The Task Force also determined that some of the problems arose simply because the rules were not known to everyone or readily found. The existing and new/clarified rules addressing the problem activity were thus summarized by staff in a list readily available for *all* members.

Members were also concerned that the Association lacked any effective means to enforce the noxious activity rules promptly or when they occurred. Most neighbors with complaints concerning violations expressed concern about the prolonged amount of time it previously took enforcement staff to have violations investigated, addressed and resolved by offending property owner, and for this reason often did not file a complaint at all.. They simply want problems resolved promptly and not reoccur.

Accordingly, even before the new rules were finalized, Tahoe Donner initiated new complaint procedures including expanded office hours during the evenings and weekends, and established a hotline and email that members could call to place complaints. Under the new procedures, office staff calls the owner when a complaint is made, and attempt to resolve the issue in real time.

These enforcement procedures applies to *all* members and complaints, regardless of whether the issue arises from a short-term renter, visitor, family member or owner.

References:

Summary of rules from website (also found in most Tahoe Donner websites);

<https://www.tahoedonner.com/members/homeowner-guidelines/covenants/>

Board Resolution amending the Private Property Rules, summarizing the process and authority:

<https://cdn1.tahoedonner.com/wp-content/uploads/2018/09/11192311/2018-3-Approving-New-and-Amended-Private-Property-Rules-Resolution-signed.pdf>