# Copper Cove at Lake Tulloch Owners Association 

TO: Members of the Association
FROM: Board of Directors
RE: $\quad$ Notice of Proposed Rules-Election Rules
DATE: March 6, 2020

The purpose of this written notice is to inform you that the Board of Directors is considering the adoption of election rules. This notice is being given to all members in accordance with Civil Code Section 4340 et seq.

1. Text of the Proposed Rule: A copy of the proposed Election Rules is attached. The current rules can be found under the Documents section of the Association's web site coppercove.org or by request at the Black Creek Office.
2. Purpose and Effect of the Proposed Rule Change: The purpose of the proposed Election Rules is for the Association to comply with Senate Bill 323 and Civil Code Section 5100 et seq., which requires associations to affirmatively adopt election rules complying with new laws effective January 1, 2020. The effects of the proposed Election Rules include: (a) a new system for appointing inspectors of election, (b) new mandatory and permissive candidacy requirements and (c) new rules concerning members' rights to vote.
3. Notice of Meeting of the Board of Directors to Consider Adoption of the Proposed Rule Change: The Board of Directors will hold a meeting to consider the adoption of the proposed Election Rules as indicated below. The Board of Directors intends to make its decision at this meeting following consideration of any member comments.

Date: April 16, 2020
Time: 6:00 PM
Place: Black Creek Hall 920 Black Creek Dr in Copperopolis, CA

## Election Rules

Copper Cove at Lake Tulloch Owners Association
If this document contains any
restriction based on race, color, religion, sex,
gender, gender identity, gender expression,
sexual orientation, familial status, marital
status, disability, veteran or military status,
genetic information, national origin, source of
income as defined in subdivision (p) of
Section 12955, or ancestry, that restriction
violates state and federal fair housing laws
and is void, and may be removed pursuant to
Section 12956.2 of the Government Code.
Lawful restrictions under state and federal
law on the age of occupants in senior housing
or housing for older persons shall not be
construed as restrictions based on familial
status.

# Table of Contents <br> то <br> Election Rules <br> Copper Cove at Lake Tulloch Owners Association 

Page Number
ARTICLE 1 INSPECTOR OF ELECTIONS ..... 1
1.1 Appointment and Term. ..... 1
1.2 Qualifications ..... 1
1.3 Powers ..... 1
1.4 Duties ..... 2
ARTICLE 2 DIRECTOR QUALIFICATIONS ..... 2
2.1 Candidate Qualifications ..... 2
ARTICLE 3 NOMINATION PROCEDURES ..... 3
3.1 Self-Nomination ..... 3
3.2 Candidate Not Qualified to Serve ..... 4
3.3 Holding Office ..... 4
3.4 Notice and Procedure for Nominations ..... 4
ARTICLE 4 MEDIA ACCESS ..... 4
4.1 Equal Access ..... 4
4.2 Publication by Association ..... 4
ARTICLE 5 COMMON AREA MEETING SPACE ..... 4
5.1 Terms of Use ..... 4
5.2 Election Forum ..... 4
5.3 Candidate Responsibility for Use of Common Area ..... 4
ARTICLE 6 ASSOCIATION FUNDS ..... 4
6.1 Funds Used to Conduct Election ..... 4
6.2 Funds Not Used to Campaign ..... 5
ARTICLE 7 VOTING QUALIFICATIONS ..... 5
7.1 One Vote Per Residence. ..... 5
7.2 Joint Ownership. ..... 5
7.3 Cumulative Voting ..... 5
ARTICLE 8 METHODS OF VOTING; PROXIES ..... 5
8.1 Proxies ..... 5
ARTICLE 9 VOTING PERIOD ..... 5
9.1 Beginning of Voting Period ..... 5
9.2 Extend Voting Period. ..... 5
9.3 Director Election at Least Once Every Four Years ..... 5
ARTICLE 10 SECRET BALLOT AND VOTING PROCEDURE ..... 5
10.1 Access to a Ballot ..... 5
10.2 Notices Prior to Holding an Election .....  6
10.3 Secret Ballots. ..... 6
10.4 Vote Tabulation. ..... 7
ARTICLE 11 VOTING RESULTS, STORAGE, AND RETENTION ..... 7
11.1 Election Results. ..... 7
11.2 Custody, Storage, and Retention of Secret Ballots from Elections ..... 7

## Copper Cove at Lake Tulloch Owners Association Election Rules

The Board of Directors adopted these rules in accordance with Civil Code Section 4340 et seq. Notwithstanding any other law or provision of the Association's governing documents, these rules shall apply to all matters set forth in Civil Code Sections 5100-5125 as they may be amended from time to time. Unless context indicates otherwise, capitalized terms used herein shall have the same meaning as in the governing documents. These Election Rules ("Rules") shall not be amended less than ninety (90) days prior to an election. The term "Residence" refers to the separate interest owned by a member(s).

## ARTICLE 1 INSPECTOR OF ELECTIONS

1.1 Appointment and Term.
1.1.1 Appointment. The Board of Directors (the "Board") shall appoint one (1) or three (3) persons to serve as the Inspector of Elections (the "Inspector"), who shall serve at the discretion of the Board, and who shall have such powers and duties as the Board determines, subject to provisions in these Rules.
1.1.2 Term. The Inspector shall serve in their capacity until they resign, are discharged by the Board, or until they submit their completed written report to the Board as required by Section 1.4.2.9 of these Rules.
1.2 Qualifications. The Inspector shall be an independent third-party who is not any of the following:
1.2.1 Currently a Director on or a candidate for the Board;
1.2.2 Related to a Director on or to a candidate for the Board; and
1.2.3 A person, business entity, or subdivision of a business entity that is currently employed or under contract with the Association for any compensable services other than serving as Inspector. This provision cannot be waived under Civil Code Section 5110(b).
1.3 Powers.
1.3.1 The Inspector shall preside over member elections or votes on any of the matters set forth in Civil Code Section 5100, which provides that elections regarding assessments legally requiring a vote, election and removal of directors, amendments to governing documents, or the grant of exclusive use of common area pursuant to Civil Code Section 4600 shall be held by secret ballot in accordance with the procedures set forth herein.
1.3.2 If authorized by the Board, the Inspector may meet and discuss election issues with the Association's legal counsel or amongst themselves if there are three (3) Inspectors.
1.3.3 If there are three (3) Inspectors, the decision or act of two (2) or more of the Inspectors shall be effective in all respects as the decision or act of the Inspector.
1.3.4 The Inspector may appoint and oversee additional persons to count and tabulate votes as the Inspector deems appropriate.
1.4 Duties.
1.4.1 The Inspector shall perform their duties impartially, in good faith, to the best of their ability, and as expeditiously as is practical, and in a manner that protects the interest of all Members of the Association.
1.4.2 The Inspector shall do the following:
1.4.2.1 Determine the number of memberships entitled to vote and the voting power of each;

### 1.4.2.2 Receive ballots;

1.4.2.3 Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;

### 1.4.2.4 Count and tabulate all votes;

1.4.2.5 Determine when polls close, consistent with the governing documents;
1.4.2.6 Determine the results of the election;
1.4.2.7 Perform any acts as may be proper to conduct the election with fairness to all Members in accordance with this Section and all applicable rules of the Association regarding the conduct of the election that are not in conflict with this Section; and
1.4.2.8 Prepare a written report of the activities undertaken in any election.
1.4.3 The management company may assist the Inspector in performing all duties of the Inspector listed above in Section 1.4.2, except the physical counting and tabulation of votes and determining the results of the election. The Inspector retains the obligation to perform all responsibilities in Section 1.4.2.
1.4.4 It is the intent of the Association that if a member of the Association serves as a volunteer Inspector, such volunteer shall be considered a volunteer committee member or a volunteer officer of the Association for purposes of directors and officers insurance and rights of indemnity arising out of the Inspector's conduct in their role as Inspector under Civil Code Section 5800.

## ARTICLE 2 DIRECTOR QUALIFICATIONS

2.1 Candidate Qualifications. All candidates for election to the Board shall meet the following qualifications for Directors.
2.1.1 Members. A candidate shall be a Member of the Association at the time of nomination. If title is held by a legal entity that is not a natural person, the governing authority of that legal entity shall have the power to appoint a natural person in writing to be a Member for purposes of this subsection. The Association shall bear no liability for the veracity of such appointment.
2.1.2 Current in Assessments. Only Members who are current in the payment of regular or special assessments shall be eligible to be elected to and serve on the Board. This provision applies throughout every Director's term of office.
2.1.2.1 The Association may not disqualify a candidate for nonpayment of fines, fines renamed as assessments, collection charges, late charges, or costs levied by a third party.
2.1.2.2 The Association may also not disqualify a candidate for failure to be current in payment of regular and special assessments if either of the following is true:
2.1.2.2.1 The candidate has paid the regular or special assessment under protest pursuant to Civil Code Section 5658.
2.1.2.2.2 The candidate has entered into a payment plan pursuant to Civil Code Section 5665.
2.1.3 One Owner per Residence. Only one (1) Owner of a particular Residence ("Residence") shall serve on the Board at any time.
2.1.4 Prevention of Fidelity Bond Coverage. A Member shall neither be qualified as a candidate nor continue to serve as a Director if that candidate or Director has a past criminal conviction which would prevent the Association from purchasing fidelity bond coverage as required by Civil Code Section 5806 or would terminate the Association's existing fidelity bond coverage.
2.1.5 Engaging in Internal Dispute Resolution. The Association shall not disqualify a Member from nomination who is delinquent in payment of their regular or special assessments if the Member has neither requested nor been asked and provided the opportunity to engage in internal dispute resolution with the Association. This provision shall not apply, however, if the Association has previously offered the Member the opportunity to engage in the Association's internal dispute resolution process regarding the delinquency.

## ARTICLE 3 NOMINATION PROCEDURES

3.1 Self-Nomination. Members may self-nominate as candidates for election to the Board by giving written notice of such nomination to the Association, or its designated agent, on or before a date determined by the Board, which shall be no less than thirty (30) days after nominations are being accepted. The Board may, but is not obligated to, appoint a nominating committee.
3.2 Candidate Not Qualified to Serve. If a candidate is not qualified to hold an elected position, their name shall not appear on the secret ballot and they will not be permitted to serve if elected.
3.3 Holding Office. Each Director, unless removed by a vote of the Members, shall hold office until the expiration of the term for which they have been elected or appointed and until their successor has been properly elected and qualified.
3.4 Notice and Procedure for Nominations. The Association shall provide general notice of the procedure and deadline for submitting a nomination at least thirty (30) days before any deadline for submitting a nomination. Individual notice shall be delivered pursuant to Civil Code Section 4040 if requested by a Member.

## ARTICLE 4 MEDIA ACCESS

4.1 Equal Access. If the Association provides media access during a campaign, equal access shall be provided to all candidates and Members advocating a point of view for purposes that are reasonably related to the election.
4.2 Publication by Association. If any publicity is provided by the Association, the Association will not censor, edit, or redact the communication but shall include a statement specifying that the message is that of the Member's and the Association is not responsible for its content. The Association shall publish the following statement:
"The views expressed are those of its author and do not reflect the views of the Association, its directors, managers, employees, or agents. The author is solely responsible for its content. The Association is required by law to publish the communication as written regardless of the content."

## ARTICLE 5 COMMON AREA MEETING SPACE

5.1 Terms of Use. Common area meeting space, if any exists, shall be provided at no cost to all candidates and Members advocating a point of view for purposes reasonably related to the election or vote, subject to Association regulations and rules assuring orderly and fair use of such meeting space.
5.2 Election Forum. The Board may schedule a community election forum prior to an election of the Board or a vote subject to these Rules whereby candidates and Members advocating a point of view which is the subject matter of the pending election or vote may attend and speak to Members choosing to attend. A community election forum shall be conducted in accordance with the governing documents and any rules adopted by the Board.
5.3 Candidate Responsibility for Use of Common Area. Any Member desiring to use common area meeting space, if any, for such a purpose shall be responsible for leaving the premises in the condition it was found.

## ARTICLE 6 ASSOCIATION FUNDS

6.1 Funds Used to Conduct Election. Association funds shall be used for conducting an election.
6.2 Funds Not Used to Campaign. Association funds shall not be used for purposes of campaigning in an election in violation of Civil Code Section 5135.

## ARTICLE 7 VOTING QUALIFICATIONS

7.1 One Vote Per Residence. Members shall be entitled to one (1) vote for each Residence they own. Votes may be cast by a person who provides documentation showing they hold general power of attorney for a Member. The Association shall bear no liability for the veracity of the general power of attorney provided.
7.2 Joint Ownership. In the event more than one (1) person owns a given Residence, the vote for such Residence shall be exercised as the Owners among themselves shall determine, but in no event shall more than one (1) vote be cast with respect to any Residence. If the joint Owners of a Residence are unable to agree among themselves as to how their vote is to be cast, such vote shall be cast in accordance with the decision of a majority of such Owners. If there is no such majority, the vote for the Residence shall not be cast either in favor of or opposed to the issue or issues which are the subject of the vote, but the membership shall be counted for purposes of determining whether the quorum requirements applicable to the vote or meeting have been met. If any Owner casts a vote representing a certain Residence and no written objection thereto is received by the Secretary prior to the close of voting, it will be conclusively presumed for all purposes that such Owner was acting with the authority and consent of the other Owners of that Residence.
7.3 Cumulative Voting. Cumulative Voting is not permitted.

## ARTICLE 8 METHODS OF VOTING; PROXIES

8.1 Proxies. Proxies are not permitted.

## ARTICLE 9 VOTING PERIOD

9.1 Beginning of Voting Period. The voting period shall begin and close on the dates established by the Board or the Inspector. The close of the election shall be not less than thirty (30) days from the date the ballots are distributed to the members.
9.2 Extend Voting Period. Subject to Section 10.4.4 below, the Board or the Inspector shall have the discretion to extend the voting period if sufficient secret ballots have not been received.
9.3 Director Election at Least Once Every Four Years. The Association shall hold an election for a seat on the Board using the procedures in these Rules at the expiration of each Director's term of office and at least once every four (4) years.

## ARTICLE 10 SECRET BALLOT AND VOTING PROCEDURE

### 10.1 Access to a Ballot.

10.1.1 The Association shall not deny a ballot to a Member for any reason other than not being a Member at the time when ballots are distributed.
10.1.2 The Association shall not deny a ballot to a person with general power of attorney for a Member.
10.1.3 The ballot of a person with general power of attorney for a Member shall be counted if returned in a timely manner.
10.2 Notices Prior to Holding an Election. In addition to other notice deadlines contained in these Rules, the Association shall provide general notice of all of the following at least thirty (30) days before ballots are distributed:
10.2.1 The date and time by which, and the physical address where, ballots are to be returned by mail or handed to the Inspector.
10.2.2 The date, time, and location of the meeting at which ballots will be counted.
10.2.3 The list of all candidate names that will appear on the ballot.
10.2.4 Individual notice of the above paragraphs shall be delivered pursuant to Civil Code Section 4040 if notice is requested by a Member.
10.3 Secret Ballots. Voting on the matters addressed in Civil Code Sections 5100-5115 shall be determined by using a double envelope system to ensure the anonymity of the Member casting their vote.
10.3.1 At least thirty (30) days before an election, the Inspector of Election shall deliver, or cause to be delivered, to each Member both of the following documents:
10.3.1.1 The secret ballot or ballots and two (2) pre-addressed envelopes, a smaller (inner) envelope and a larger (outer) envelope, along with instructions on how to return the secret ballot;
10.3.1.2 A copy of these Rules. Delivery of these Rules may be accomplished by either of the following methods:
10.3.1.2.1 Posting these Rules to an internet website and including the corresponding internet website address on the ballot together with the phrase, in at least twelve (12)-point font: "The rules governing this election may be found here:"
10.3.1.2.2 Individual delivery.
10.3.2 A voter may not be identified on the secret ballot by name, address, or the Residence that entitles the Member to vote on the secret ballot.
10.3.3 The secret ballot itself is not to be signed by the Member voting but is to be inserted into the smaller (inner) envelope that is sealed by the Member. This envelope is inserted into the larger (outer) envelope that is sealed by the Member.
10.3.4 The larger (outer) envelope is addressed to the Inspector. In the upper left-hand corner of the larger (outer) envelope, the voter prints and signs their name, address, and Residence that entitles them to vote.
10.3.5 The secret ballot may be mailed or hand delivered to a location specified by the Inspector. The Member may request a receipt for delivery.
10.3.6 Once a secret ballot is cast it cannot be revoked or changed. A secret ballot is "cast" when the Inspector receives it.
10.3.7 In an election to approve an amendment of the governing documents, the text of the proposed amendment shall be delivered to the Members with the ballot.

### 10.4 Vote Tabulation.

10.4.1 The secret ballots shall not be opened or otherwise reviewed prior to the time and place at which the ballots are counted and tabulated. In no event, shall any secret ballots be opened if insufficient secret ballots were returned to meet the quorum requirement.
10.4.2 The envelopes shall be opened and the secret ballots shall be counted and tabulated at either a properly noticed Board meeting or a Member meeting. Any candidate or other Member of the Association may witness the counting and tabulation of the secret ballots.
10.4.3 Only the Inspector, or persons designated by the Inspector, shall open the envelopes and count and tabulate the secret ballots.
10.4.4 If the Inspector determines that the Members returned an insufficient number of secret ballots to meet quorum or otherwise, the Board or the Inspector may extend the voting period.

## ARTICLE 11 VOTING RESULTS, STORAGE, AND RETENTION

11.1 Election Results.
11.1.1 The Inspector shall promptly report the results of the election to the Board who shall record the results of the election in the minutes of the next Board meeting and shall be available for review by the Members of the Association.
11.1.2 Within fifteen (15) days of the election, the Board shall publicize the results of the election in a communication directed to the Members.
11.2 Custody, Storage, and Retention of Secret Ballots from Elections.
11.2.1 Custody.
11.2.1.1 The sealed ballots; signed voter envelopes; voter list of names, parcel numbers, and voters to whom ballots were sent and the candidate registration list shall, at all times, be in the custody of the Inspector or at a location designated by the Inspector until after the tabulation of the vote; and then for one (1) year, at
which time custody shall be transferred to the Association. One (1) year after the Member vote concluded, the Association must retain, as Association records, these documents for the remainder of the current fiscal year in which it receives the documents from the Inspector and for the following two (2) fiscal years.
11.2.1.2 In the event of a recount or other challenge to the election process, the Inspector shall, upon written request, make the secret ballots available for inspection and review by Members or their authorized representatives, if the request is timely. Any recount shall be conducted in a manner that preserves the confidentiality of the vote.
11.2.1.3 Signed voter envelopes may be inspected but shall not be copied by any Member inspecting Association records.

### 11.2.2 Storage and Retention.

11.2.2.1 Materials that shall be retained as election materials include:

### 11.2.2.1.1 Candidate Registration List.

11.2.2.1.2 Voter List. This list shall include the name, voting power, and either the physical address of the voter's separate interest, the parcel number, or both. The mailing address for the ballot shall be listed on the voter list if it differs from the physical address of the voter's separate interest or if only the parcel number is used.
11.2.2.2 Inspection of Lists. The Association shall permit Members to verify the accuracy of their individual information on both lists at least thirty (30) days before the ballots are distributed. The Association or Member shall report any errors or omissions to either list to the Inspector, who shall make the corrections within two (2) business days.

## Certificate of Adoption

I hereby certify that I am the Secretary of the Association and that the foregoing Election Rules are a true copy of the Election Rules approved by the Board at its meeting held on $\qquad$ , 2020, at which a quorum of the Directors was present. I further certify that the foregoing Election Rules are in full force and effect; that the same have not been rescinded, nor has it been amended or modified.

Dated: $\qquad$ , 2020

By:
$\square$

To: Members of the Association
From: Board of Directors
Re: Notice of Proposed Rules - Rules and Violation Policy
Date: March 6, 2020

The purpose of this written notice is to inform you that the Board of Directors is considering the adoption of a new fine policy. This notice is being given to all members in accordance with Civil Code Section 4340.

1. Text of the Proposed Rule: A copy of the proposed Rules and Violation Policy is attached. The current rules and fine schedule can be found under the Documents section of the Association's website coppercove.org or by request at the Black Creek Office.
2. Purpose and Effect of the Proposed Rule Change: The purpose of the proposed Rules and Violation Policy is to create a new fine schedule for specific rules regarding facility use and property maintenance.
The current fine schedule is:

- First Violation \$100
- Second Violation $\$ 200$
- Third Violation $\$ 300$

The vagueness of this policy does not explain what constitutes secondary or tertiary violations and if relatable to the first violation which leaves it open to interpretation. The proposed policy explains it much clearer. The specificness of fines for different violations are based on the lack of response from members that the association has seen while trying to enforce the rules. For example, a property owner is given notice that they are not adhering to Section 1 Use Covenants of the Declaration. They receive notice of the violation and if not corrected a $\$ 100$ fine is imposed. If they do not comply, what constitutes the second or third violation? Legal opinion is that it is the same violation and a fine has already been imposed. This means the property will always be in violation but there is no recourse once the initial fine is paid. Higher costs or daily fines help prevent this. These rules do not give the association the authority to enter a property to enforce the rule, but it does hold a member responsible until corrected at no expense to the rest of the membership. The proposed policy also includes a reference chart for members to identify if a rule is enforceable by the association and if not, there is an explanation of which County or State Department should be contacted. This is because the office receives several complaints every week regarding issues that are better handled by county or state-run departments.
3. Notice of Meeting of the Board of Directors to Consider Adoption of the Proposed Rule/Fine Policy Change: The Board of Directors will hold a meeting to consider the adoption of the proposed Rules and Violation Policy as indicated below. The Board of Directors intends to make its decision at this meeting following consideration of any member comments.

Date: April 16, 2020
Time: 6:00 PM
Place: Black Creek Hall
920 Black Creek Dr in Copperopolis, CA

## VIOLATIONS OF RULE AND REGULATIONS FINE ASSESSMENT POLICY

The Board of Directors (Board) is allowed to establish a Rules and Regulation Policy for the benefit of all members in order to protect their safety and ensure the sustainability of our community. The Board has the responsibility to establish, publish and enforce rules. When appropriate, enforcement of this Policy will be in accordance with the Davis-Stirling Act, County Codes, and/or Copper Cove Association Governing Documents.

A member's complaint shall be submitted in writing to the Board, Manager or designated agent and will remain anonymous. After a violation of the rules and regulations is documented by the designated agent a member will be issued a courtesy violation notification letter with proof of delivery, i.e. return receipt requested. Except when member has opted in for electronic notification. (County Code 4040 (a)(2))

If a member fails to take action after receipt of the courtesy violation notification letter within thirty (30) days, the Association Manager will issue a second violation notification letter with proof of delivery, i.e. return receipt requested. Except when member has opted in for electronic notification. The second violation notification letter will state the date and time of the next Board of Director's Executive meeting where the member will have an opportunity to appear in response to the violation of this Policy. Violations of this Policy may be against a Member, a Member's guests and/or a renter(s) of a member's property.

All communications will be sent to the Member's recorded mailing address or email address on file with the Association.

The decision of the Board of Directors is final, subject to Davis-Stirling Act, County Codes, and/or Copper Cove Association Governing Documents.

## RULES AND REGULATIONS

Except in extenuating circumstances, fines noted reflect the first incident(s) fine that will be applied to a Member's account. Any continuing violations will be fined in direct multiples of the first incident. (for example: CODE AN 1, the first violation, $\$ 50$, second violation, $\$ 100$, third violation, $\$ 200$ and so on.) Any further fines will be applied at the maximum amount. The amount in parentheses denotes the high end of a range that will be applied by the Board of Directors for a violation or continuing violations. Any violation not specified in this Policy may be assessed fines by this schedule.

## COPPER COVE ASSOCIATION

| Violation Number | $\begin{gathered} \text { (if } \\ \text { Notes } \\ \text { applicable) } \end{gathered}$ | Violation Description | FineIncrementsMin / Max |  |
| :---: | :---: | :---: | :---: | :---: |
| Annoyance or Nuisance (AN) |  |  |  |  |
| AN 1 | 1 | Excessive noise/time restriction 10:00 PM to 7:00 AM (Common Areas Only) | \$50 | \$250 |
| AN 2 | 2 | Barking dog restriction | n/a |  |
| AN 3 | 2 | Unleashed/loose dogs on Association property | \$50 | \$250 |
| AN 4 | 1 | Disorderly conduct, and/or aggravated nuisance on Association property | \$50 | \$250 |
| AN 5 | 3 | Verbal or physical abuse of Association staff and/or agents | \$100 | \$750 |
| Architectural Control Committee (ACC) (Formerly known as ACB) |  |  |  |  |
| ACC 1 | 9 | Unapproved/Unauthorized structure | \$50 per day |  |
| ACC 2 | 9 | Unapproved/Unauthorized improvement | \$50 per day |  |
| ACC 3 | 9 | Failure to complete new home construction within 1 year from the date of ACC approval without an approved variance for extension | \$25 per day |  |
| ACC 4 |  | Unauthorized metal storage container not approved by the ACC | \$25 per day |  |
| ACC 5 |  | Unauthorized temporary housing not approved by the ACC | \$25 per day |  |
| Traffic Control (TC) |  |  |  |  |
| TC 1 |  | Blocking emergency vehicle access on Association property | \$500 | \$500 |
| TC 2 |  | Illegal parking on Association property. All vehicles must be parked in designated parking spaces | \$100 | \$300 |
| TC 3 | 8 | Illegal/forced entry at entrance/exit gates at Black Creek or Kiva facilities | \$250 | \$250 |
| Pedestrian and Equestrian Trails (P\&E Trails) (PE) |  |  |  |  |
| PE 1 |  | Blocking or Restricting Use of P\&E trail easement | \$25 per day |  |
| PE 2 |  | Construction/encroachment into P\&E trail easement | \$50 per day |  |

## COPPER COVE ASSOCIATION

| Violation Number | Notes (if applicable) | Violation Description | Fine <br> Increments <br> Min / Max |  |
| :---: | :---: | :---: | :---: | :---: |
| Safety (S) |  |  |  |  |
| S 1 | 5 | Dead vegetation/weeds not cut within 30 feet, house or structure | \$25 | \$100 |
| S 2 | 5 | Dead vegetation/weeds not cut within 30 feet, perimeter of vacant lot | \$25 | \$100 |
| S 3 | 4 | Junk, abandoned and/or disassembled vehicles | \$50 | \$250 |
| S 4 | 6 | Burning on No Burn Days | \$50 | \$250 |
| S 5 |  | Smoking/vaping in common areas | \$50 | \$250 |
| S 6 | 4 | Unsightly storage or trash on members lot/property | \$50 | \$250 |
| Kiva/Black Creek Park (KBC) |  |  |  |  |
| KBC 1 |  | Unauthorized household garbage/trash in Association containers | \$250 | \$250 |
| KBC 2 | 8 | Damage, destruction and/or Vandalism of Association property | \$250 | \$250 |
| KBC 3 |  | Unauthorized animals at Kiva | \$50 | \$250 |
| KBC 4 |  | Launching or docking a vessel not displaying a current Association issued decal (guest launch fee has not been paid) | \$100 | \$300 |
| KBC 5 |  | Unauthorized/unapproved overnight docking of a vessel at Kiva | \$100 | \$300 |
| NOTE: Violation of Kiva rules may result in fines, suspension of privileges, and or removal from premises. |  |  |  |  |

## COPPER COVE ASSOCIATION

NOTES: 1. Members are encouraged to call and/or file a complaint with the Calaveras County Sheriff's Department.
2. Members are encouraged to call and/or file a complaint with the Calaveras County Animal Control Department.
3. Members are requested to immediately call/notify the Calaveras County Sheriff's Department.
4. Members are encouraged to call and/or file a complaint with the Calaveras County Code Compliance Department.
5. Members are encouraged to call and/or file a complaint with the California Department of Forestry (CDF).
6. Members are requested to immediately call/notify the Copperopolis Fire Department.
7. Members are requested to contact ACC
8. Members will be responsible for the cost of repair and/or replacement of damaged property.
9. Fines/Assessments only enforced after specific time period decided after Disciplinary Hearing (90 days)


These rules were adopted at an open meeting after a thirty-day (30) review by membership.

Secretary Signature $\qquad$ Date $\qquad$ Revision Date: February 27, 2020

