



ALA BOARD OF DIRECTORS MEETING – OCTOBER 26, 2019

8. NEW BUSINESS

I. APPROVAL TO POST BYLAWS REVISION - SHORT TERM RENTAL



BOARD OF DIRECTORS

OCTOBER 26, 2019

TO: Board of Directors

SUBMITTED BY: Sharon Pittman, Administrative Assistant

PRESENTED BY: Alan Kaitz, Secretary/Treasurer

SUBJECT: Approval to Post Bylaws Revision – Short Term Rentals

BACKGROUND:

The ALA Board of Directors formed an Ad Hoc Committee to review issues related to Short Term Renters in March 2019. The Committee made recommendations which were then forwarded to ALA's Legal Counsel for review to ensure that any new Bylaws were not in conflict with the 1964 Agreement.

During this time, the Board of Directors received several member complaints regarding STR's. Many of those complaints were about health and safety issues such as trash, excessive noise and failure to follow the ALA Boating and Swimming Rules. Additionally, the Lake Safety Committee saw a significant increase in citation hearings due to the inexperience of STR guests who were using the lake.

ALA's Legal Counsel, Greg Garrison, drafted a Bylaw revision to restrict the use of all ALA properties by guests of STR's. It comes before the Board today for review and a recommendation to direct staff to post this proposed revision to allow ALA members the opportunity to review the Bylaw change which will be voted on at the November 23, 2019 Board meeting.

RECOMMENDATION:

To authorize staff to post the proposed change to the Bylaws on ALA's website and on the Community Board outside ALA's Administrative Office as required in Article VIII of ALA's Bylaws.

Members (as identified in these Bylaws, rules, regulations or other governing documents of the Association) but their respective rights and privileges shall be as identified in written agreements with the Association as approved by the Board of Directors from time to time. Commercial Memberships shall have no voting rights, inspection rights and/or rights to communicate to the Residential Members (which rights are solely granted to Residential Members) and, furthermore, shall have no right to notice of and/or attend Residential Membership and/or Board of Directors meetings.

3. Members in Good Standing.

A "member in good standing" shall mean a member who is current in the payment of all dues and fees (including late charges and interest) and fines levied against the member and/or membership and not be subject to any suspension of membership privileges or Special Use Privileges (as defined below) as a result of any disciplinary proceeding conducted in accordance with these Bylaws or any rule, regulation or other governing document of the Association.

Only members in good standing, the members of their households and their invited guests shall be eligible to use the private facilities of the Association for which they qualify.

The legal owner or owners of a residential lot/unit or residential lots/units in Arrowhead Woods who are "Members in Good Standing" shall be entitled to one vote for each Residential Membership (with co-owners of a residential lot/unit deemed to be one member for voting purposes) in all matters concerning the Association on which such members are entitled to vote. Each Residential Membership shall be carried on the records of the Association in the name of the legal owner or owners of the residential lot/unit or residential lots/units from which such Residential Membership arises ("Residential Member" or "Residential Membership").

SECTION B. Membership

The members of the Association shall be owners of residential property in Arrowhead Woods who apply for Residential Membership in accordance with the regulations prescribed by the Board. Residential Members in good standing may apply for and receive Special Use Privileges in categories as may be determined from time to time by the Board. Except for the Commercial Properties, membership shall not be granted to owners of non-residential lots within Arrowhead Woods.

Only the record owners of residential lots/units within Arrowhead Woods as vested in the County Records office in San Bernardino County, California, shall be entitled to ALA Residential Membership and the Special Use Privileges related thereto. The term "Special Use Privileges" shall mean and include, but not be limited to slips, slip rights, pier site easements, licenses, boating privileges, lake privileges and any other rights of possession or use of ALA property. Commercial Properties are entitled to Special Use Privileges but only pursuant to written agreements with the Association as approved by the Board of Directors from time to time.

(This Bylaw will become effective on January 6, 2020.)

For the purpose of this Bylaw the term Short Term Rental ("STR") means a rental of less than 30 days at a time.

The Arrowhead Lake Association ("ALA") prohibits STRs from accessing or using any dock, pier site, the ALA walking trails, the ALA parks, or the ALA Beach Clubs. STRs cannot receive ALA boat operator licenses, use kayaks, paddleboards, boats, sail, fish or swim in Lake Arrowhead or Grass Valley Lake.

Any ALA member who is renting a home in Arrowhead Woods as an STR shall be subject to discipline by ALA if any STR renter violates any of the provisions of this Bylaw or other ALA Bylaws.

Any ALA member who rents to STRs must register with ALA on an annual basis.