



SPRING VALLEY LAKE ASSOCIATION RESOLUTION OF THE BOARD OF DIRECTORS

ADVERSE HEALTH & SAFETY VIOLATIONS (Civ. Code, § 5850)

WHEREAS, Civil Code section 5850 does not permit the Board of Directors (“**Board**”) to impose a monetary penalty for a violation of the governing documents in excess of one hundred dollars (\$100) per violation, except where the Board determines that the violation may result in an adverse health or safety impact on the common area or another Association member’s property (“**Adverse Health & Safety Violation**”);

WHEREAS, the Board, pursuant to its rule-making authority under the governing documents and Civil Code section 4340 et seq., adopted an Enforcement Policy & Fine Schedule for the Association which authorizes the imposition of monetary penalties greater than \$100 for Adverse Health & Safety Violations;

WHEREAS, Civil Code section 5850(d)(2) requires that, before exercising its authority to impose a monetary penalty greater than \$100 for an Adverse Health & Safety Violation, the Board must make a written finding specifying the adverse health or safety impacts in a Board meeting that is open to the members;

WHEREAS, the Board desires to adopt this Resolution to document its written findings of what types of violations constitute Adverse Health & Safety Violations, in satisfaction of Civil Code section 5850(d)(2).

NOW, THEREFORE, BE IT RESOLVED that the Board finds that the violations listed on **Exhibit A** to this Resolution may result in adverse health or safety impacts on the common area or another Association member’s property, and therefore provide grounds for the Board to impose a monetary penalty in excess of \$100, pursuant to the Association’s Enforcement Policy & Fine Schedule and Civil Code section 5850;

RESOLVED FURTHER that if the Board intends to impose a monetary penalty in excess of \$100 for an Adverse Health & Safety Violation which is not contemplated by Exhibit A to this Resolution, the Board shall, prior to sending the violating owner notice of the Board’s decision to impose the monetary penalty, make a written finding in an meeting that is open to the members regarding the adverse health and safety impacts that may result from that violation;

RESOLVED FURTHER that the Secretary of the Board is hereby instructed to attach the executed copy of this Resolution to the official minutes of the Board meeting at which this Resolution was adopted, such that the executed copy of this Resolution is incorporated into the meeting minutes and thereafter permanently kept as part of the Association’s records.

EXHIBIT A

ADVERSE HEALTH & SAFETY VIOLATIONS

Violations of the Association's governing documents that relate to any of the following are considered Adverse Health & Safety Violations under the Association's Enforcement Policy & Fine Schedule and Civil Code section 5850.

I. FIRE HAZARDS

- Use or storage of fireworks or explosives
- Open flames in prohibited areas (e.g., patios, balconies, hallways)
- Charcoal or wood-burning barbecues on balconies or near structures
- Storage of flammable or combustible materials in units, garages, or storage lockers
- Improper storage of lithium-ion batteries or e-bikes in enclosed spaces on association property
- Tampering with or disabling smoke detectors, fire extinguishers, or sprinkler heads
- Use of space heaters or appliances known to pose fire risk

II. STRUCTURAL & BUILDING SAFETY HAZARDS

- Unpermitted construction work or renovations without Association/City approval
- Balcony or deck alterations compromising structural integrity or waterproofing
- Tampering with roofing systems, affecting drainage or water intrusion
- Blocking or damaging access required for emergency inspections
- Failure to report known structural damage (e.g., cracks, sagging, rot)

III. PLUMBING, FLOOD, AND MOLD RISKS

- Drainage system blockages or redirection of water toward another property or common area
- Failure to report or remediate known mold or mildew infestations
- Hoarding or improper storage of damp materials contributing to mold growth
- Tampering with shared plumbing systems (e.g., common sewer or sprinkler lines)

IV. OBSTRUCTION OF EMERGENCY ACCESS AND EGRESS

- Parking in prohibited areas, red zones, fire lanes, or blocking emergency exits on association property
- Tampering with fire exit doors, emergency lighting, or alarm pull stations

V. CONDUCT THAT CREATES IMMEDIATE SAFETY THREATS

- Physical altercations, threats, or intimidation of neighbors or staff
- Underage or excessive consumption of intoxicants in common areas
- Throwing or dropping items from balconies or upper floors
- Discharge of firearms or airsoft/pellet guns on the property

VI. ANIMAL & PEST CONTROL ISSUES

- Keeping aggressive, vicious, or untrained animals known to bite or attack
- Repeated failure to leash dogs in common areas
- Allowing pets to defecate or urinate in prohibited areas
- Failing to, or improperly disposing of, pet waste
- Feeding feral cats, rodents, or wildlife leading to infestations
- Failure to address rodent, insect, or bird infestations

VII. VEHICLE-RELATED SAFETY HAZARDS

- Reckless or excessive speeding on Association Property or driveways
- Driving under the influence within the community on association property or driveways
- Repairs involving jacks, welding, or flammable materials in driveways, garages or common areas
- Oil leaks or chemical spills from vehicles damaging asphalt or creating slip hazards

VIII. BOAT-RELATED SAFETY HAZARDS

- Reckless driving or excessive speeding
- Operator under the influence
- Wrong direction of travel

IX. HAZARDOUS SUBSTANCES & ENVIRONMENTAL CONTAMINANTS

- Improper disposal, use or storage of paints, solvents, fuels, pesticides, batteries or any other hazardous substances
- Unauthorized use of toxic or corrosive cleaning agents in common areas
- Exposing others to noxious substances, smoke or odors

X. SECURITY AND UNAUTHORIZED ACCESS RISKS

- Renting the Unit for a period of less than thirty (30) days (i.e., short-term rental)
- Propping open or disabling common area doors intended to restrict access
- Duplicating and distributing community access devices without authorization
- Providing entry to unauthorized vendors or solicitors
- Tampering with or disabling security cameras, locks, or lighting
- Trespassing into restricted mechanical rooms, rooftops, or maintenance closets