

**CAMERON PARK COMMUNITY SERVICES DISTRICT  
CC&R PROCEDURES HANDBOOK**

**TABLE OF CONTENTS**

**ARTICLE I** Overview ..... Page 1-2

**ARTICLE II** CC&R Violations .....Page 3

**ARTICLE III** CC&R Enforcement Process .....Page 4

**ARTICLE IV** CC&R Committee.....Page 6

**ARTICLE V** CC&R Office Descriptions .....Page 7

**ARTICLE VI** CC&R Process.....Page 8

**ATTACHMENTS** Attachment A: CA Government Code Section 61601.10  
Attachment B: Temporary Variance for Hardship


**CAMERON PARK COMMUNITY SERVICES DISTRICT  
CC&R PROCEDURES HANDBOOK**

**PROCEDURE: CC&R ENFORCEMENT**

**ARTICLE I - OVERVIEW**

- A. Authority:** Pursuant to Government Code Section 61601.10 (Attachment A), in November 1986, the residents of Cameron Park voted to extend the authority of the Cameron Park Community Services District (“District” or “CPCSD”) to include enforcement of the Declarations of the Covenants, Conditions and Restrictions (“CC&Rs”) which are recorded in each subdivisions comprising of Cameron Park.
- B. Funding:** The Cameron Park Community Services District can collect anywhere from \$7.00 to \$12.00 dollar fee per parcel to fund the CC&R enforcement program. In addition, the District will continue its efforts to seek fining authority through approved legislature of the Davis-Sterling Act. Monies received, if any, from the payment of fines levied against property owners for CC&R violations, will be used solely for the purpose of funding the Districts CC&R enforcement program. In addition, should the District be successful in recovering its attorney fees or costs of suit in a CC&R enforcement action, the recovered funds will also be re-deposited in the CC&R enforcement fund.
- C. Goals & Objectives:** The objective of the District is to enforce all CC&Rs in a uniform, consistent and non-discriminatory manner. CC&R enforcement is necessary in order to preserve and enhance property values throughout the community, to protect and maintain the quality of all residential areas in Cameron Park.
- D. Open Communication:** The District encourages members of the community to communicate to the CC&R Committee and staff any concerns or suggestions they may have concerning the enforcement of the CC&Rs or actions taken by the District, and the District encourages members of the community to report, by telephone or written complaint, possible CC&R violations to the CC&R Compliance Officer.
- E. Enforcement Personnel:** The District employs a CC&R Compliance Officer who shall perform duties in a reasonable, timely and non-discriminatory manner. The District’s principal objective in appointing a CC&R Compliance Officer is to provide resident property owners with a means of impartially overseeing enforcement of the CC&Rs. To this end, every agenda for a regular CC&R Committee meeting shall provide an opportunity for members of the public to directly address the committee on items of interest or concern.
- F. Meetings:** The CC&R Committee shall meet, once a month to address items of interest or concern except as follows: If (a) there are no agenda items requiring a vote by the CC&R Committee and (b) the District has not received any requests from community members desiring to address the CC&R Committee, then the decision may be made to cancel the meeting. However, if two successive meetings are cancelled for any reason(s), the CC&R Committee shall convene the next regular scheduled monthly meeting. The CC&R Compliance Officer in conjunction with the CC&R Committee Chairperson may make the decision to cancel meetings. All CC&R Committee meetings shall be public.

**G. Agendas:** The committee shall post, on District bulletin boards and District website an agenda for each meeting at least seventy-two (72) hours prior to each meeting per Gov't. Code 54954.2.



**CAMERON PARK COMMUNITY SERVICES DISTRICT  
CC&R PROCEDURES HANDBOOK**

**PROCEDURE: CC&R VIOLATIONS**

**ARTICLE II**

**A. Investigation of CC&R Violations:** When the CC&R Compliance Officer receives a complaint regarding an apparent CC&R violation or if the Compliance Officer observes a possible violation, the following steps shall be taken:

- 1.) Determine which CC&R provisions apply to the tract and if a violation exists.
- 2.) Perform a visual inspection before taking further action.  
Resident complaints are received via the District website. Complainant is not required to leave name, address or telephone number. If complainant chooses to leave name, address and telephone number it becomes public record.

**B. Monthly Reports to CC&R Committee:** The CC&R Compliance Officer shall be responsible for the preparation of a monthly CC&R Case Management Report. The report will contain all escalating cases i.e. initial notices, final notices, pre-legal, legal, refer to legal and variances. The report will not list unverified complaints, courtesy notices, referred to outside agencies or verbal warnings.

**CAMERON PARK COMMUNITY SERVICES DISTRICT  
CC&R PROCEDURES HANDBOOK**

**PROCEDURE: CC&R ENFORCEMENT PROCESS**

**ARTICLE III**

- A. First Contact Notice to Owners:** The CC&R Officer will engage property owners through a variety of mediums including person to person conversations, door hangers, verbal warnings and courtesy notices.
- B. Initial Notice to Owners:** When the CC&R Compliance Officer determines that a property owner and/or resident is engaging in conduct or activity or has created a condition which reasonably appears to be a violation of the CC&Rs applicable to the owner's property, the Officer shall first issue an initial notice, via first class mail, written to the recorded owner of the property. The Notice shall specifically set forth the following:
1. Specific nature of the CC&R violation including a reference to the paragraph or section number alleged to be violated.
  2. A request that the conduct or activity constituting the alleged violation be resolved and rectified.
  3. Appellate steps available to the resident in relation to the violation
- C. Final Notice to Owners:** In the event the property owner fails to comply with the First Notice of the CC&R violation, the CC&R Compliance Officer shall issue a Final Notice informing the property owner to contact the CC&R Officer and comply with the violation. The CC&R Officer may grant a longer time depending on the situation. Steps to appeal the violation will also be listed within the Final Notice.
- D. Pre-Legal Notice to Owners:** In the event the property owner/resident fails to comply to the Final Notice of CC&R violation, the CC&R Compliance Officer may issue a Pre-Legal Notice informing the property owner of the date, time and place of the meeting and the District's intent to forward said CC&R violation to District's legal counsel. All Pre-Legal Notices are to be sent by First Class mail with tracking number. The meeting will be held in open session unless otherwise advised by legal counsel to meet in closed session in accordance with existing law set forth in the Brown Act. The Committee shall open the meeting and allow a reasonable time for all information as follows:
- Compliance Officer presents all facts and circumstances comprising of the alleged violation of the CC&Rs.
  - The property owner shall then be given the opportunity to present any evidence, witnesses or comments.
  - The Committee shall afford interested community members and each member of the committee an opportunity to address issues, questions, evidence or make a relevant comment.
  - The CC&R Committee recommendation, by motion and vote for Legal Action, shall be forwarded to the Board of Director's by the CC&R Compliance Office.
- E. Hearing Continuance:** If the property owner/resident demonstrates, to the CC&R Compliance Officer good cause as to why he/she cannot attend the scheduled meeting, the requesting party shall be

granted one continuance as a matter of right. The hearing shall be rescheduled to the next regularly scheduled CC&R meeting and notice of meeting shall be sent to the property owner

- F. Failure to Appear:** If the property owner/resident fails to appear at the meeting or to request continuance, the Committee shall proceed with the meeting and may reach a decision based upon the presentation of the CC&R Compliance Officer and the testimony, if any of other interested parties.
- G. Failure to Comply (Pre-Legal Notice):** If the property owner fails to participate in a meeting to resolve the alleged CC&R violation, or the property owner has been found by the CC&R Committee to be in violation of the applicable CC&Rs, or if the property owner fails to correct the condition or to cease the activity constituting the alleged violation, the CC&R Committee's recommendation shall be referred to the CPCSD Board of Director's for final disposition. The Board may affirm or overturn the decision of the CC&R Committee. If the Committee's action is upheld, refer the matter to legal counsel with instructions to pursue all appropriate legal and/or equitable remedies to compel compliance.
- H. Repeat Offenders:** If the property owner repeats a prior violation, then the CC&R Compliance Officer shall issue a notice via first class mail, written to the recorded owner of the property. The notice shall specifically set forth the following:
1. Specific nature of the CC&R violation including a reference to the paragraph or section number alleged to be violated.
  2. A request that the conduct or activity constituting the alleged violation is resolved and rectified.
  3. Appellate steps available to the owner in relation to the violation.
  4. A statement that if the property owner fails to timely comply, then the District's next enforcement step will be the step after the last step that the District had previously taken upon the prior violation that has been repeated.

The notice applies no matter when the prior violation occurred. A repeat of a prior violation is a violation that is the same or substantially similar to the prior violation. For example, a repeat of a prior violation is when an owner had parked a recreational vehicle without it being properly screened in violation of the CC&Rs and then later parks a different recreational vehicle without screening in violation of the CC&Rs.

**CAMERON PARK COMMUNITY SERVICES DISTRICT  
CC&R PROCEDURES HANDBOOK**

**PROCEDURE: CC&R COMMITTEE**

**ARTICLE IV**

**General Description of the CC&R Citizen Committee Selection & Appointment:**

Members of the community are hereby appointed and designated by the District Board President as members of the CC&R Committee per Policy 3060 Board Committees

Interested community members are to submit for selection process;

- a. Previous experience on volunteer committees
- b. Reason for wanting to be a committee member are specified.
- c. Availability to participate in the meetings and other likely responsibilities of a Committee member.

**Tasks to be performed by CC&R Committee Members:**

- Conduct meetings referred to the Committee by the CC&R Compliance Officer.
- Recommend legal action to the CPCSD Board to compel compliance of CC&R infractions.
- Review and update policies and procedures for ultimate approval by the Board
- Conduct open communication with the public in collaboration with the CC&R Officer.

**CAMERON PARK COMMUNITY SERVICES DISTRICT  
CC&R PROCEDURES HANDBOOK**

**PROCEDURE: ROLES OF COMMITTEE AND STAFF:**

**ARTICLE V - OFFICERS**

- Chairperson - Conduct all meetings
- Vice-chairperson - Shall back up Chairperson

Officer Nomination Procedures - The Committee officers shall be elected at the January meeting by a quorum vote of the committee, and shall take over responsibilities immediately after officer selection.

Quorums - For valid action, the Committee can only take action if a quorum of at least three (3) voting members are present at a duly noticed meeting. A valid action requires a unanimous vote with three (3) members present.

Role of District Staff - The CC&R Compliance Officer or an individual appointed by the General Manager shall act as secretary, take notes of meetings, create and issue all correspondence and other memoranda to and from the Committee

Attendance Requirements - If a member of the Committee fails to attend three consecutive regular meetings, without good cause, a new member will be chosen as a replacement to fill the vacancy.



**CAMERON PARK COMMUNITY SERVICES DISTRICT  
CC&R PROCEDURE HANDBOOK**

**PROCEDURE:**            **CC&R PROCESS:**

**ARTICLE VI**

**Amendment to Existing CC&Rs:** CC&Rs may be amended in accordance with the amendment provisions contained in the CC&Rs and other legal requirements, if any. It shall be the responsibility and obligation of property owners to provide the District with a copy of any amendments passed by the necessary percentage of property owners as described in each CC&R. The District however, may respond to inquiries and offer suggestions concerning proposed amendments when such input or comment is requested by the proponents of the amendment. . The District website provides a guide and procedures for amending CC&R's.

**Temporary Variance for Hardship:** The CC&R Committee may grant a temporary variance for hardship (Attachment B.) Temporary Variance for Hardship was approved by the CC&R Committee on January 7<sup>th</sup> 2019. This process for a temporary variance and its requirements for approval are specific and are not permitted in any CC&R that prohibits variances.

**Attachment A****Section 61601.10 of the Government Code:**

(a) Notwithstanding the provisions of Section 61600, whenever the board of directors of a district listed in subdivision (b) determines by resolution that it is feasible, economically sound, and in the public interest, and if a majority of the voters voting on the proposition vote in favor of the additional purpose pursuant to Section 61601, the district may enforce the covenants, conditions, and restrictions adopted for each tract within the district and assume the duties of the architectural control committee for each tract within the district for the purposes of maintaining uniform standards of development within each tract as adopted in the covenants, conditions, and restrictions. The district shall exercise the duties of an architectural control committee for any tract only to the extent that an architectural control committee is authorized by the covenants, conditions, and restrictions that apply to the tract. For the purposes of this subdivision, “tract” means any parcel of land for which the county or the city has authorized development. The district may divest itself of the power in the same manner as the power was acquired.

(b) This section shall apply only to the following districts:

- (1) Bel Marin Keys Community Services District.
- (2) Big River Community Services District.
- (3) Brooktrails Community Services District.
- (4) Cameron Estates Community Services District.
- (5) Cameron Park Community Services District.
- (6) El Dorado Hills Community Services District.
- (7) Golden West Community Services District.
- (8) Lake Shastina Community Services District.
- (9) Rancho Murieta Community Services District.
- (10) Salton Community Services District.
- (11) Sea Oasis Community Services District.
- (12) Stallion Springs Community Services District.
- (13) Tenaja Community Services District.
- (14) Springfield Meadows Community Services District.
- (15) Wallace Community Services District.
- (16) Mountain House Community Services District.
- (17) Bear Valley Community Services District.

**Attachment B****Temporary Variance for Hardship.**

1. a. Property owners requesting a temporary variance due to a hardship must submit a request to the CC&R Committee. A \$50.00 application fee will be due at that time. The CPCSD will place the property owner's request on the CC&R Committee's meeting agenda for review and action.

b. After the property owner obtains the CC&R Committee's approval for the temporary variance, conditioned on the property owner obtaining written signed consents from proximal neighbors ("conditional approval"), then the property owner must engage proximal neighbors as follows.

c. Within thirty days of the CC&R Committee giving conditional approval for the temporary variance, the property owner must obtain written signed consent to the variance from no less than 66.7% of the property owners that are both within (i) 250 feet of the subject property boundary and (ii) within the same subdivision. CC&R Officer reserves the right to reasonably adjust the distance on a case by case basis when additional property owners may be affected.

d. The property owner must obtain the written signed consent pursuant to 1.a. above on a form provided by the District, which outlines the proposed variance.

e. If the property owner is able to obtain the required consents, then they may submit the form to the CC&R Compliance Officer for final approval.

1. Upon the CC&R Compliance Officer's final approval:

a. The temporary variance will be granted for a period of 60 days from the final approval. The variance will be posted on the CPCSD website and in a conspicuous location at the District Office during that time.

b. If after 60 days no complaints pertaining to the requested temporary variance have been submitted to the CC&R Compliance Officer, the temporary variance will automatically convert to the full timeframe as approved by the CC&R Committee not to exceed 12 months from commencement. If the CC&R Compliance Officer receives complaints within the 60-day period, then the CPCSD will notify the property owner of the complaints, and the CC&R Committee will place the matter of the temporary variance on its meeting agenda for review and action, which may include termination of the temporary variance.

c. A \$50.00 administrative fee will apply and must be paid prior to the temporary variance going into effect.

2. If a property owner would like to renew the temporary variance:

- a. The CC&R Compliance Officer must receive written notification of the request to renew at least 60 days prior to the expiration of the temporary variance.
  - b. Once the CC&R Compliance Officer receives the request to renew, it will place the matter of the renewal on the CC&R Committee's meeting agenda for review and action, which may include granting the request for the renewal. While the request is pending, the temporary variance will remain in effect. .
  - c. A request for variance is not required for renewal. However, the District will send the owner's renewal request to the neighboring property owners as determined per 1(a) of this procedure at least fifteen days before the CC&R Committee decides whether to grant the property owner's request, to allow for public comment.
  - d. An additional \$50.00 Administrative Fee will also apply and must be paid for each subsequent renewal of the variance.
3. Once a variance is granted, the following conditions will also apply:
    - a. If the subject property is sold, the temporary variance will be automatically terminated.
    - b. If the property owner deviates from any of the conditions imposed by the CC&R Committee, then the variance will be terminated immediately upon confirmation of the deviation by the CPCSD CC&R Compliance Officer.

**Variations will not be granted where a given set of CC&Rs explicitly prohibit such variations.**