



**DC Ranch Association
Board Report 9-9-19 #3**

Subject Matter: Proposed Revisions to Community Standards DCR-27 Trespassing/Solicitation

Background: There have been situations over the last two years that have brought into question the interpretation of DCR-27 and how it applies for example to door-to-door solicitation, informational distribution at community meetings, petition signing at community centers and pedestrian access to the various neighborhoods.

This matter has been discussed at monthly Governance Committee meetings. At the July 9, 2019 Governance Committee meeting, it was decided that DCR -27 should be clarified. Together with this report is a proposed rewrite of DCR-27 that attempts to address many of the situations that have been discussed the last few years. The proposed rule provides better clarity as to what is and is not permitted. The Executive Directors are also provided with the autonomy to make judgment calls when applicable.

This proposal was presented at the August 6, 2019 board meeting. The Board was not in favor of moving the matter forward. Since then, further revisions have been made.

The Board of Directors, if so inclined, can conditionally approve the proposed revisions for the 30-day member comment period in accordance with Policy 102. If conditionally approved, the matter can be brought back to the Board for formal approval at its November 4, 2019 meeting.

Recommendation: In accordance Policy 102, conditionally approve the proposed revisions to DCR-27 and post for the 30-day member comment period.

A handwritten signature in black ink, appearing to read 'Darren Shaw', is written over a horizontal line.

Darren Shaw, Executive Director

Proposed Revisions Community Standards for Conduct

DCR-27 Trespassing/Solicitation: Current Language

Anyone found in the community (excluding public areas), whether on foot, bicycle or motorized vehicle, without the express permission of a Member or resident is in violation. Visitors in the community must be accompanied by a Member or resident at all times, unless traveling from the neighborhood entrance to the Member's home or other meeting location, or unless the visitor is a club member traveling to or from the club facilities. These restrictions do not apply to houseguests of a Member or resident. Solicitation of any kind except that expressly permitted by State or Federal law is prohibited.

RE: A.R.S. 13-1501, et al., Board Policy, Adopted 03/07/2016

Enforcement:

- 1) Verbal warning, usually by security personnel, and courtesy written notice of noncompliance, photographed and escorted off property
- 2) Repeated occurrence could lead to legal action

DCR-27 Trespassing and Solicitation: Proposed Language

Solicitation in Residential Areas

~~Except as may be allowed by law, S~~solicitation of any kind is prohibited. ~~Political canvassing is permitted only as allowed by law.~~

Solicitation at DC Ranch Owned and/or Operated Properties

~~Except as may be allowed by law, N~~no person shall solicit, campaign, circulate petitions, hand out materials, set up a display area or seek political donations in community common areas or while at DC Ranch-sponsored events, activities or programs, unless expressly permitted in advance and in writing by the Executive Director of the DC Ranch Community Council Inc. (if on Council property or at a Council activity) or DC the Ranch Association, Inc. (if on Ranch Association property). ~~The Executive Director may place reasonable restrictions on such activities in accordance with law.~~ Under no circumstances will individuals engaged in said activities be permitted to approach or call out to attendees or impede entry to community events.

The above-mentioned activities are; however, permitted during DC Ranch Community Council-approved private rentals at Desert Camp and The Homestead Community Center provided they are conducted by the renter and ~~held~~ only within the designated rental space as designated by the Community Council on the rental form.

The use and signing of petitions are is not permitted on Community Council or Ranch Association property. The pertinent Executive Director may approve an exception to this policy in unique circumstances.

Enforcement

- 1) Verbal warning, usually by security personnel, and courtesy written notice of noncompliance, photographed and escorted off property
- 2) Forfeiture of any rental deposit and future rental privileges
- 3) Repeated occurrence could lead to legal action

Trespassing

Anyone found in the community (excluding public areas), whether on foot, bicycle or motorized vehicle, without the express permission of a Member, resident, Ranch Association or Community Council is in violation of trespass. Visitors in the community must be accompanied by a Member or resident at all times, unless (i) traveling from the neighborhood entrance to the Member's home or other meeting location; (ii) the visitor is a club member traveling to or from the club facilities; (iii) the visitor is otherwise permitted by law. These restrictions do not apply to houseguests of a Member or resident.

RE: A.R.S. 13-1501

Enforcement:

- 1) Verbal warning, usually by security personnel, and courtesy written notice of noncompliance, photographed and escorted off property
- 2) Repeated occurrence could lead to legal action