

BEAR CREEK LANDOWNERS ASSOCIATION

FIRE MITIGATION POLICY

This policy outlines actions to be taken and responsibilities of Bear Creek Landowners Association (BCLOA) and property owners in the event that a property has been found to be a fire risk to adjoining properties or a risk to the community. In addition to the policy, guidelines are given in the BCLOA Emergency Preparedness and Response Plan to provide standards for each property owner to follow. If clarification is desired, members are encouraged to contact a current board member or a member of the Safety and Fire Protection Committee, a Standing Committee of the BCLOA Board of Directors.

Policy:

Unfortunately, some lot owners may not have mitigated the fire risks on their properties and may pose a hazard to their neighboring properties, common areas, or the community at large. Members are encouraged to communicate with their neighbors to amicably rectify any perceived fire hazards. Only if that communication fails to resolve the matter, the following policy is adopted to help protect all property owners and the Bear Creek community.

Once a property with a perceived significant fire hazard is identified by two or more neighboring members, and they have been unsuccessful in resolving the matter with the subject lot owner, they may seek Board assistance to resolve the matter. A written request for assistance must be sent to the BCLOA Board President, copy to the owner, outlining their concerns and their unsuccessful attempts to amicably resolve the matter. The following actions will then be taken:

1. A BCLOA Board Member or the chair of the Safety and Fire Prevention Committee will meet with the concerned members at their property to understand their concerns.
2. If the subject property is perceived to be a potential hazard to the complaining owners, the Board President will notify the property owner that the property may pose a potential risk to the community, that neighbors have complained, and the property owner will be given 45 days to address the situation. Such notice will be given in person if the owner can be located at Bear Creek. If the owner cannot be notified in person, then notice will be given by telephone, email, or mail. At the time of notifying the owner, the BCLOA President will inform the owner of the hazards identified and provide a copy of this policy.
3. If after 45 days, the property owner has not begun mitigation on the property, the complaining owners and the BCLOA Board can take the following actions:
 - a. The complaining owners may retain, at their cost, a trained forestry contractor to assess the hazard from their perspective, i.e. without trespassing onto the property perceived to be a hazard, unless given permission to do so. The contractor should provide a written report including the recommended mitigation required to bring the risk to an acceptable standard.

- b. The BCLOA President will provide a copy of the mitigation recommendations to the property owner and give a 2nd notice that the property is in violation of this policy.
- c. The property owner will be given 60 days to mitigate the risks consistent with the recommendations of the contractor's report. The owner will make whatever arrangements they choose to mitigate the fire risks, including requesting the BCLOA Safety and Fire Protection Committee to arrange for a local contractor to conduct the work under contract to the owner. The owner will bear the sole costs of such mitigation and the Safety and Fire Protection Committee's assistance will be restricted to assisting the owner with supervision of the work.
- d. If the property owner fails to mitigate their property within a reasonable time frame, the BCLOA Board will post a notice to the membership regarding the situation and the owner's refusal.

SECRETARY'S CERTIFICATION: The undersigned, Secretary of Bear Creek Landowners Association, a Colorado non-profit corporation, certifies that the foregoing Policy Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the board on June 18, 2014. In witness thereof, the undersigned has subscribed his/her name.

Bear Creek Landowners Association
Original signed

Herb Bohannon, Secretary