

**CONTINENTAL RANCH COMMUNITY ASSOCIATION**

**RESOLUTION  
DRONE & UNMANNED AIRCRAFT POLICY**

**(Effective March 1, 2020)**

**RECITALS**

WHEREAS, the Association is governed by a Declaration of Covenants, Conditions and Restrictions recorded on November 18, 2002 in the Pima County Recorder's Office at Document No. 2002-2221225 ("Declaration"), as amended;

WHEREAS, Article 3, Section 3.1.5, Article 4, Section 4.2 and Article 6, Section 6.3 of the Declaration authorize the Association, by a majority vote of the Board, to adopt and amend reasonable rules pertaining to: (a) the management, operation and use of the Common Areas;

WHEREAS, Article 5, Sections 5.4.1 and 5.4.14 of the Declaration authorize the Association to make rules restricting or regulating nuisances within a Parcel or Lot or in or on any of the Association's facilities,

WHEREAS, the Association also has a general duty to keep any areas under its control safe. For these reasons, the Association has the authority to regulate the use of drones on certain Common Areas and public right-of-ways;

WHEREAS, the Board of Directors has received numerous complaints from residents regarding other residents' use of drones;

WHEREAS, the Association seeks to restrict the use of drones or other similar unmanned aircraft from being flown within its private common areas;

WHEREAS, by adopting this Resolution the Board has determined there is a need to have a Drone & Unmanned Aircraft Policy in which the Association prohibits all Owners and residents from flying drones or other unmanned aircraft within its common areas and creates a fine schedule for any resident who violates this policy;

THEREFORE, BE IT RESOLVED that the Board of Directors of the Continental Ranch Community Association ("Association"), hereby approves and adopts this Resolution for Drone & Unmanned Aircraft Policy and hereby incorporates the following rules relating to the prohibition of drones and other similar unmanned aircraft:

1. Owners may not operate drones within any of the Association's common areas or right-of-ways and may not permit their guests or invitees to operate drones or other similar unmanned aircraft within the Association's Common Areas.
2. Notwithstanding the above, Owners may operate drones at Windmill Park. This is the main (large) park located at 9150 N. Coachline Blvd. Owners are responsible for any damage caused to the park due to drone use.
3. All Owners in violation of this prohibition are responsible for the fines imposed as a result of the use of drones or other unmanned aircraft;
4. All Owners are responsible for any damages resulting to the Common Areas or any Parcel resulting from the use of drones or other unmanned aircraft.

### **VIOLATION PENALTY**

**Notice of Violation – Monetary Penalty Schedule:** The Association has determined that the penalty schedule for violating this policy will be:

**First Offense: \$100.00.**

**Second & Subsequent Offenses: \$250.00.**

**Note:** This type of activity is not a "condition of the property" as that term is used in A.R.S. § 33-1242(B). As such, the Association is authorized to levy a fine immediately. Notwithstanding, the Association will provide the Owner with notice and an opportunity to be heard before the Board of Directors.

If an Owner or their guest or invitee causes any damages from the use of drones, the Association will procure a vendor to restore the damage and the Association will pass those common expense costs through to the Unit Owner(s). Pursuant to Article 8, Section 8.6 & 8.7 of the Declaration, these costs are secured by the assessment lien.

**The Board of Directors reserves the right to take any action permitted by law or the Declaration, in addition to levying a fine.**

#### **Procedures:**

1. Homeowners will be notified by first class mail of all violations and notices relating to the reimbursement of all Common Expenses for the costs relating to restoring damage to Common Areas or Parcels.
2. The homeowner has the right to a hearing before the Board, where decisions of the Board are final.



The Board shall retain the right to amend or repeal this Resolution.

**CERTIFICATION**

I HEREBY CERTIFY that the foregoing is true and correct, and the above Resolution was approved at a meeting duly called and held where a quorum of the Board was present. I further certify that all requirements for this Resolution as set forth in the Recitals were met.

DATED this 17<sup>th</sup> day of March, 2020.  
*approved at 3/17/20 BOD meeting*

**CONTINENTAL RANCH COMMUNITY ASSOCIATION**

By:   
Its:  Board President  
John Lambert