

IHA RESOLUTION RIA_2025

A RESOLUTION RELATING TO ASSESSMENT FOR IHA ROAD IMPACTS CAUSED BY HEAVY EQUIPMENT IN CONSTRUCTION PROJECTS

WHEREAS, Article III, Section 7 of the Bylaws of Indian Hills Association ("IHA") assigns the Board of Directors ("Board") all powers and duties necessary for the management and maintenance of all properties pertaining to the common use of IHA members (e.g., roads); and

WHEREAS, the private roads within the Indian Hills Association (IHA) community are designed and constructed to accommodate passenger-vehicular traffic but are not engineered to sustain wear from heavy equipment used in construction projects; and

WHEREAS, construction projects within the community involving heavy equipment cause wear and damage to these private roads, necessitating repairs and maintenance funded by IHA; and

WHEREAS, it is equitable and necessary to establish a system of assessments on construction projects to ensure that the costs of repairing road damage caused by heavy equipment are fairly allocated to those responsible;

NOW, THEREFORE, BE IT RESOLVED by the Board of IHA as follows:

1. Assessment Fee Imposed for Road Damage
 - a. Any construction project within the IHA community that involves the use of heavy equipment and has an estimated project cost falling within the following ranges, as approved in aggregate by the Village of Fontana permitting process, shall be subject to a one-time, non-refundable, fee to cover impact wear and damage to IHA roads.
 - b. For construction projects with an estimated cost between \$100,000 and \$250,000, the assessment shall be \$1,000.
 - c. For construction projects with an estimated cost between \$250,001 and \$500,000, the assessment shall be \$2,500.
 - d. For construction projects with an estimated cost exceeding \$500,000, the assessment shall be \$5,000.

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2. Assessment Payment and Timing

- a. The applicable fee shall be paid in full, along with any other deposit required by IHA related to a Member's construction project, prior to the commencement of any construction activity involving heavy equipment on the property.

3. Definition of Heavy Equipment

- a. For the purposes of this resolution, "heavy equipment" shall be defined as any vehicle or construction equipment that exceeds a Class 2b truck (i.e., Gross Vehicle Weight Rating of 10,000 pounds.) For the avoidance of doubt this may include, but not be limited to, bulldozers, excavators, cranes, loaders, dumpsters, dump trucks, and any machinery exceeding the weight and size of a tradesman's pickup, van, or similar vehicle.

4. Use of Assessment Funds

- a. Funds collected from these assessments shall be reserved exclusively for the repair, maintenance, and restoration of IHA roads so impacted from construction activities involving heavy equipment.

5. Enforcement

- a. The Board is authorized to enforce this resolution and may withhold access to private roads, and/or make additional assessments related to access until the assessment has been paid.

6. Effective Date

- a. This resolution shall take effect immediately upon adoption by the Board.

7. Exemptions

- a. This resolution, and its Assessment fee, shall not apply to any IHA Member whose construction project does not at any time utilize IHA roadways. For the avoidance of doubt this exemption does not apply to the terms of any other IHA Construction requirements.

Adopted this 21st day of June, 2025 by the Board of Directors of the Indian Hills Association



Mark Francis, President