

# **ORANGE COUNTY ASTRONOMERS**

## **MEMBER OBSERVING PAD POLICIES AND PROCEDURES**

### **Procedures And Standards For Member Observing Pad Approval And Maintenance Of Pad Licenses**

Revised May 19, 2013

Approved by the OCA Board of Trustees July 21, 2013

#### **1. GENERAL PROVISIONS:**

These Member Observing Pad Policies and Procedures apply to concrete observing pads at the Orange County Astronomers (OCA) Anza site. Please see the Member Observatory Policies and Procedures for policies and procedures applicable to member observatories at the OCA Anza site. If there is any conflict between the two current sets of policies and procedures, the Member Observatory Policies and Procedures takes precedence over the Member Observing Pad Policies and Procedures.

If any approved structure is added to a member observing pad that can be used as an observatory, a warming hut, or both, the observing pad will be considered a “member observatory” and subject to the fees and to the policies and procedures applicable to member observatories rather than to member observing pads. A structure that provides sufficient shelter and security to allow a telescope to be left in position on a pier on an observing pad while the Licensee is not present on site will be considered an “observatory” for these purposes even if it is removed entirely from the area of the telescope and pier when it is in use.

References to the “Board” in this document mean the Board of Trustees for the Orange County Astronomers.

If the Licensee for an observing pad has not arrived at the Anza site by sunset and has not left a message at Anza House or with neighboring pad holders that he/she is going to arrive after sunset, any member may use that pad and its associated parking space on a first-come-first-served basis.

Behavior of all persons using any particular group of pads that affects the use of or enjoyment of the other pads, such as playing music, is subject to the majority vote of the holders of those pads who are present. Pad users are reminded of the Anza site rule that smoking is permitted only inside of a closed vehicle.

Each Observing Pad Licensee agrees to allow a contact telephone number to be posted at Anza House and/or the Club Observatory for his/her observing pad, so he/she can be contacted in case of an emergency or if another member wants permission to use his/her observing pad or to know if he/she is planning to use it on a specific night.

## **2. LICENSE FEES**

An OCA member in good standing who want to get a license for a new pad will pay a \$200 initial license application fee to the OCA Treasurer, in addition to the annual fee that is billed and payable on the first and each following anniversary of the initial license.

The annual pad license fee currently is \$125.00, and is subject to modification by majority vote of the Board.

## **3. APPROVAL OF AND CONSTRUCTION OF NEW OBSERVING PADS AND MODIFICATIONS OF EXISTING OBSERVING PADS AND RELATED STRUCTURES:**

Plans for initial construction of any member observing pad or related structure at the OCA Anza site and for any significant modification, addition or improvement to any member observing pad or related structure on the Anza site *must* be approved by the OCA Board of Trustees (“Board”) before construction can begin. “Significant modification” includes any modification that changes the outside dimensions of the observing pad, adds a structure to the top of, in the vicinity of, or associated with the observing pad, or changes the outside dimensions or the structural integrity of any approved structure on or associated with the observing pad, including but not limited to work benches, tables, storage cabinets or units, structures to support sun shades, structures to support wind or light shields, or dividing or retaining walls. This does not include standard repair or maintenance of the pad or any associated approved structure, including painting.

Failure to obtain the necessary Board approval will result in sanctions imposed on the offending party and/or corrective action on the pad or structure in issue, to be determined at the discretion of the Board. Such sanctions can include a monetary penalty, removal of the unauthorized construction at the expense of the offending party, loss of the license rights held by the offending party, or any additional actions or penalties that the Board determines are appropriate under the circumstances.

After obtaining Board approval for the proposed observing pad site and plan, the member seeking to build an observing pad needs to pay the applicable pad license fee and the appropriate share of the grading, electrical and other costs associated with preparing the area where the observing pad will be located for pad construction, as discussed below, at which point he or she will become an Pad License Holder (“Licensee”). If any electrical or other permit is required for the proposed observing pad, the Licensee will have to obtain it before construction can begin.

### **A. BUILDING STANDARDS FOR OBSERVING PADS:**

The general standards for construction of an Observing Pad are:

**Dimensions:** The standard observing pad is a 10 foot by 14 foot smooth concrete pad with corner post holes.

**Pier:** The standard observing pad has an appropriately placed, concrete pier base buried beneath the pad and isolated from the pad, with bolts in a common pier bolt pattern projecting from the top, so a metal pier can be attached. A standard 120 volt electric outlet is to be attached to the pier base. Additions and exceptions to the standard pad plan (such as modifications to accommodate Dobsonian-type telescopes) are to be approved by the Board before construction.

## **B. PROCEDURES FOR CONSTRUCTION OF A NEW OBSERVING PAD AREA:**

Historically, the pad areas at the OCA Anza site have been developed as groups of pads, to make the construction more economical and to streamline the changes to the infrastructure at the Anza site that are necessary to accommodate new pad areas. The procedures for development of such new pad areas in the future are:

1. Club members in good standing who want to construct new pads must contact the person designated by the Board to maintain a “Pad Interest List” and provide full contact information to be put on the list. The list is currently maintained by the Member Liaison, but this is subject to change as designated by the Board. If a member is uncertain about who to contact to be put on this list, the club Treasurer should be able to provide that information.
2. When the number of members who want to construct new pads makes it economically feasible to take the necessary steps to produce plans and to prepare an appropriate area of the Anza site for a new pad area, the person maintaining the “Pad Interest List” will advise the Board that a new pad area is needed.
3. The Board will then designate an appropriate person to coordinate the work needed to develop a plan for the new pad area that will include the proposed location on the Anza site and the proposed layout of pads within that area. The plan will also address the issues of grading or otherwise preparing the proposed new pad area, drainage, vehicular and pedestrian access, parking for each of the pads, providing power to the new area, and impact on other pads and observatories on the Anza site.
4. The proposed new pad licensees need to approve the plan and agree to participate in the construction before the Board approves the proposal.
5. Upon Board approval of the plan for the new pad area, the license application fees (see Section 2 above) for the proposed new pads are payable to the club Treasurer. Construction cannot go forward until the license applications fees are paid.
6. The person designated by the Board to coordinate and oversee the project will then make arrangements for grading and/or other preparation work for the new pad area. The Licensees for the pads in the new area will pay for any grading or other preparation work needed for the new pad area, including any access roads needed for the new area. The group of Licensees for the new pad area may split these costs in any way that they deem equitable among them.

7. Each pad Licensee is responsible for performing all improvements after initial grading and main wiring. A standard pad with a standard pier base as described in Paragraph 3A above is considered approved for construction at the site designated in the plan approved by the Board as the pad location for each specific Licensee once the plan is approved by the Board. Any changes from the standard pad plan must be specifically approved by the Board in advance of construction of the pad.

8. OCA will pay for running power from an appropriate main circuit breaker, to be determined by the person designated by the Board to coordinate the project, to a junction box near or in the new pad area. The pad Licensees are responsible for installing the remaining wiring, including local circuit breakers and wiring to the individual pads. The Licensees are to determine an equitable split of the costs for the common wiring equitably among themselves.

9. A group of pad holders may seek approval of the Board to install one or more sheds or storage units near their pads pursuant to the procedures and considerations discussed below. No additional license fees are currently assessed for the installation and use of such structures, though this is subject to reevaluation and modification by the Board and fees could be charged in the future. Removable units remain the property of the purchasers, and the right to place them on OCA property will be in effect for the term of the pad license unless the Board determines after reasonable notice to the affected Licensee(s) and an opportunity for them to be heard on the issue that a modification to or revocation of this authorization is needed. Permanent structures become the property of OCA, which then authorizes their use by the applicable Licensees as part of their pad licenses.

Pad holders will provide the OCA Treasurer with a key or combination to any locks placed on sheds, storage units, or other structures on or around pads. OCA retains the right of inspection of such structures.

## **C. PROCEDURES FOR REQUESTS TO BUILD INDIVIDUAL PADS OR TO FOR APPROVAL FOR MODIFICATIONS OR ADDITIONS TO PADS:**

### **1. SUBMISSION OF PLANS FOR BOARD APPROVAL**

Plans can be submitted for Board consideration at any Board meeting by asking the current president in advance of the meeting to have consideration of the plans added to the agenda. If the agenda for a particular meeting is already full, consideration of the plans may have to be scheduled for a later meeting. If the Board determines that further information is needed before a final decision is reached or that the proposed plans need to be modified to meet the appropriate standards for approval, consideration of the proposed plans may be postponed to a later Board meeting. The Board has to see and approve the final version of the plans before construction can begin, and will not approve plans based on a promise that certain modifications will be made. A copy of the final plans must be provided to the Board for its records.

**a. New Individual Observing Pads or Pads in a New Pad Area That Do Not Conform to the Standard Pad Plan:**

A member seeking approval of plans for a new individual pad or a pad that does not conform to the standard pad plan must provide plans, diagrams or other documentation for the proposed pad, such as pictures, that are sufficiently detailed that the Board can determine all relevant dimensions, the planned location, and how the pad is to be placed in the intended location, and how any deviation from the standard pad plan will affect it and the surrounding areas. In considering the plans, the Board's main concerns are:

- (a) Is the proposed site an appropriate building site for an observing pad? How well does it fit on the proposed site? Are drainage, parking, traffic patterns and access all adequately addressed? How will any deviations from the standard pad plan affect transferability or future use of the pad? Please note that, if there is a dispute between two members who want to submit plans for a pad for the same location, the Board will make the ultimate decision as to which pad, if any, is authorized to be built at that location
- (b) Will the proposed pad and any associated bench, parking or other feature to be added by constructing the pad affect sightlines of the sky from other areas of the site? This is a major issue, and the member seeking approval needs to show by pictures and any other appropriate means that the proposed construction will not interfere with sky view of any other area on the site, or, if it does, that the interference is minimal, has been discussed with pad holders or observatory holders who would be affected and they have no objection to the construction in spite of the interference. In the event that the area that would be interfered with is the Football Field, the RV area, or other general use area, the Board itself will have to assess the level of the interference and determine if the construction should be allowed. If the member seeking the approval feels that any interference with sightlines is minimal but cannot obtain cooperation from the affected members and can show that there is no modification to the plans that would result in less interference with the sightlines without impairing the effectiveness of the proposed pad, the Board has the ultimate authority to balance the interests of the members on both sides and decide on the fairest resolution of the issue. The Board's decision on such a dispute is final and binding on the affected parties as a condition of their licenses.
- (c) How sturdy is any proposed bench, storage or other construction associated with the proposed pad? As a general rule, any construction on the OCA Anza site has to comply with the appropriate building codes and structural standards. The Board's concern here is that any bench or other construction associated with the pad needs to be able to withstand the harsh conditions at the Anza site for the long term, including heat, cold, high winds and intense rains. The Board is also interested in how easy any structure will be to maintain, how any moving parts (such as doors on an approved storage cabinet) will be anchored to withstand high winds.

- (d) Are there aesthetic concerns with the proposed construction? This includes how easy the pad and associated approved structures will be to maintain, color, how they fit in with other structures on the site.
- (e) What types of resources, such as power connections, and additional site maintenance, will the new construction require from the club?

**b. Modifications to Existing Observing Pads and Related Structures**

The Licensee needs to provide plans or other documentation, such as pictures, for the proposed modifications that are sufficiently detailed that the Board can determine all relevant dimensions from them, and can understand the nature of the changes, how the changes will affect the pad itself, and can assess the potential effects on surrounding areas and adjacent users. The Board's concerns in evaluating proposed modifications are essentially the same as those detailed above for a new pad. This also applies to proposals for storage facilities associated with a pad or group of pads.

**4. TIME LIMITS FOR BEGINNING AND COMPLETING CONSTRUCTION; PHASED CONSTRUCTION**

- a. Construction of a member observing pad, new pad area or any approved modifications must begin within six months after the Board approves the plans. If construction cannot begin within that time, the Licensee(s) must advise the Board of the reasons for the delay and obtain an extension; it is the policy of the Board that such extensions will not be unreasonably withheld. If construction has not begun within that time and no extension has been requested or an extension has not been granted, the approval of the plans is withdrawn and the Licensee(s) must go through the entire approval process again before construction can begin. Any such additional approval may be conditioned on the Licensee(s) providing the Board with appropriate guarantees that construction will begin and be completed within the allowed time periods, at the discretion of the Board. Alternatively, at the discretion of the Board, the Board may deem that the project has been abandoned and open the site of the abandoned pad or pad area for proposals from other members.
- b. Construction of a new observing pad, new pad area, or modifications to an existing pad must be completed within a year after the Board approves the plans or within six months after construction begins, whichever occurs first. If construction cannot be completed within that time, the Licensee(s) must advise the Board of the reasons for the delay and obtain an extension; it is the policy of the Board that such extensions will not be unreasonably withheld. Any extension may be conditioned on the Licensee(s) providing the Board with appropriate guarantees that the work will be completed within the extended time, at the discretion of the Board. If construction is not completed within the allowed time, the Board may deem this to be "unfinished construction" and take such steps as it finds appropriate to address the situation, including but not limited to

determining what additional work might be needed to make the building site safe and usable in some form and limiting further construction to that work only, taking the necessary steps to make the building site safe and usable in some form at the expense of the Licensee(s), withdrawing approval of the plans and removing anything that had been put in place on the building location in connection with constructing the pad, pad area or associated structure(s) at the expense of the Licensee(s), terminating the pad license(s), and/or any other action the Board finds necessary or appropriate to address safety, aesthetic and other concerns of the club and its members as to the unfinished construction.

- c. If construction of a new observing pad, pad area or modification to an existing observing pad or associated structure begins and then stops at any point in the construction process with no substantial progress for a 90 day period, the Licensee(s) must advise the Board promptly of the reason for the halt in construction and the expected schedule for completion of the construction, and must obtain the consent of the Board to the delay and proposed new schedule for construction; it is the policy of the Board that such consent will not be unreasonably withheld. If the Licensee(s) do not do this, or consent to the delay is not granted, the Board may, at its discretion, deem this “unfinished construction” and take the steps indicated in the previous section.
- d. If the Licensee(s) wants to build the proposed observing pad, pad area and/or any approved associated structures in stages, that approach needs to be approved by the Board at the time of the original approval of the plans. If the Licensee(s) decides at some point after the original approval that he/she/they want to postpone building part of the original plans while building other parts, that change needs to be brought to the Board for approval as soon as possible. If such staged construction is approved by the Board and there is a delay of more than a year before the Licensee is to start construction of the next phase, the plan needs to be brought back to the Board for further consideration and approval before construction of the next phase can begin, as conditions may have changed.

## **5. MAINTENANCE OF OBSERVING PAD LICENSES IN GOOD STANDING AND RESPONSIBILITIES OF LICENSEES**

Observing pads on the OCA Anza site are held by license issued by the club. As a condition of the license, the club owns the pad itself and any permanent structure or structures associated with it; these are structures that are permanently fixed to a foundation, slab or the ground and/or cannot be removed without substantial damage to the structure, such as standard building construction done on site. Structures that are designed to be broken down to separate components that can be reassembled elsewhere with minimal damage to the overall structure, such as certain storage units, are not considered “permanent” within this definition, and remain the property of the Licensee. Structures that are built to be easily released from their attachment to a foundation or slab and moved as a unit to a different location with minimal damage to the structure are not considered “permanent” under this definition and remain the property of the Licensee unless they become incorporated into a permanent structure, in which case they become “permanent” and become the property of

the club. The Licensee owns the removable contents of the licensed structure(s), including any pier, mount or telescope.

To keep the license in good standing and to continue to enjoy the privileges associated with holding an observing pad license, the Licensee must comply with the following:

- a. The Licensee's club membership must be kept current, and, unless the Licensee is a Life Member, the annual club membership fee must be paid within 90 days after the date it becomes due. The Licensee must also pay the annual observing pad license fee within 90 days after it becomes due. In addition, within 90 days after receiving notice, the Licensee must pay any assessments for undue use of resources (such as excessive power use) or for work the Board has to do to or around the Licensee's observing pad or related structures because the Licensee has failed to fulfill his or her responsibilities as the Licensee for that observing pad as set out below. If payment of these amounts as a lump sum will cause the Licensee undue financial hardship, a payment plan can be worked out with the club's Treasurer, but the Licensee must contact the Treasurer to work out such a plan within 30 days after the amounts payable become due or notice is given of an assessment. If the payments are not made within these timeframes or payments on the payment plan are not made within 15 days after they are due under the plan, the Board will impose sanctions as it finds appropriate under the circumstances, including but not limited to revocation of the Observing Pad License.
- b. If the Observing Pad License is revoked, the Licensee loses the right to use the observing pad and the Board may take such steps as it finds appropriate to transfer the license rights to the observing pad to another member in good standing on such terms as it finds reasonable under the circumstances at the time and considering the condition of the observing pad. If the new Licensee for that observing pad pays an amount to obtain the license, the Board will pay the net amount from that fee to the Licensee whose license was revoked after deducting its reasonable costs related to revoking the license and finding a new Licensee, and deducting any outstanding membership fees, license fees and/or assessments.
- c. The Licensee must also keep the area around the observing pad and related structures clear of weeds and must repair damage to the adjacent roads and walking areas caused by burrowing and other animals, by water runoff and other causes. The deadline for initial weed clearance each year is May 31, due to fire danger. If weeds are not cleared within 15 days after the May 31 annual deadline for initial weed clearance or within 15 days after notice is given to the Licensee that a weed problem or damage to the adjacent roads or walking areas exists around the Licensee's observing pad or related structures, the Board may at its discretion have that work done and assess the Licensee for the costs of doing that work.
- d. The Licensee must also maintain the observing pad and related structures in a safe, structurally sound condition. The Licensee must also keep the exterior of any structure related to his or her observing pad painted and free of dry rot, rust or other deterioration.



- e. The Licensee is not allowed to keep desks, chairs, refrigerators or other items that were primarily intended for indoor use or are likely to suffer significant damage from the weather on or in the vicinity of the pad unless they are kept in an appropriate storage facility to protect them from the elements when the pad is not in use; installation of any such storage facility needs to be pre-approved by the Board, as discussed in previous sections. Licensees must keep their pads and the adjacent areas free from such items and should remove or should report any such items they see in the vicinity of their pad to the Board so they can be dealt with appropriately.
- f. It is the responsibility of the Licensee to create and maintain a defensible fire perimeter around the observing pad and related structures. The club assumes no liability for creating such a perimeter or for any fire damage or other damage that may occur to the observing pad, related structures, and/or their contents at any time, whether that be from wind, rain, earthquakes, vandalism, burglary or other criminal action, or other causes.
- g. If the Licensee wants insurance coverage for anything stored or used at the OCA Anza site, it is the responsibility of the Licensee to obtain that insurance. The club's insurance will not cover buildings, equipment or other losses of individual members.
- h. The Licensee must provide the club Treasurer with a copy of any key to any storage unit or other enclosed structure associated with his or her pad, if any such structure has been approved, or with the combination to any combination lock on any such structure if one is used, within 30 days after installation of the locks or any changes of the locks.
- i. The Licensee must notify the club Treasurer of any change of license holder within 30 days of the change.
- j. All Licensees must have a current acknowledgement of receipt of these Policies and Procedures on file with the club Treasurer, and must provide a current acknowledgment within 30 days of a request for one from the Treasurer.