

Maricopa Live Steamers Railroad Heritage Preservation Society Other Rules, Guidelines, and Schedules

Revised December 2023

PREFACE

The purpose of these Rules, Guidelines, and Schedules is to promote the safe enjoyment of Maricopa Live Steamers (MLS) facilities by all members, guests, and visitors.

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Section 1 STRUCTURE GUIDELINES

Revision Adopted February 2007

110. Structures

111. All private structures to be located at the MLS facility for more than 30 days must be approved by the Long-Range Planning Committee (LRPC) prior to installation. The location of the structure must also be approved. Structures must be started within 90 days of approval and completed within one year from that date unless granted an extension by the LRPC. (01/04)
112. The requestors must submit whatever drawings, sketches, photographs or descriptions necessary to describe the structures. (01/04)
113. Structures up to 12 square feet in area and up to 3 feet in height may be approved by the Superintendent of Construction. Appeal of this decision may be made to the LRPC. (01/04)
114. Structures over 12 square feet in area or over 3 feet in height must be submitted to the LRPC for approval. Decisions must be rendered by the committee within 60 days for each submission. (01/04)

205. Priority of renewal shall go to the current renter.
210. Renters may, by mutual consent, exchange their space with existing renters. The treasurer shall be notified before the next regular Board of Directors (BoD) meeting when such an exchange occurs. New rental agreements shall be signed and kept on file by the treasurer to ensure correct rental fees are maintained. (02-23)
215. When space becomes available, priority will be given to those on the MLS Storage waiting list. If any additional rental space remains available, the existing renters shall be allowed to exchange their space for the space available. If more than one such renter wants the available space, a “Lottery System” shall be used to determine who shall be allowed to exchange their space. The space that was exchanged for now becomes available to members on the MLS waiting list. (02-23)
220. Each renter/sub-renter shall own the operational equipment to be stored in the storage space.
225. Sub-renter runs shall not apply toward the renter's run obligations.
230. MLS storage units are primarily for storing operational locomotives. At least one such locomotive shall be stored in each unit unless there are more units and spaces than locomotives. Riding cars may be stored with the locomotive if space permits. The track in front of each unit remains part of the general Maricopa Live Steamers track system and is not under the control of the storage unit renter. Common courtesy would dictate that the unit renter should be able to use the track in front of the unit whenever possible. Under meet conditions, the volume of visiting equipment may require that the tracks in the steaming bay be assigned by the Meet Coordinator and individuals may need to schedule when they may bring their equipment out of storage.
235. A maximum of five (5) gallons of fuel may be stored at a minimum of four (4) feet above the floor.
240. Combustible fuels stored with engines may only be stored in tanks that are part of the engine or in tender fuel bins. Propane or other such fuels may be stored in model equipment connected to the engine.
245. Prior to being stored, steam engines shall have all fires extinguished, boiler pressure blown down to a zero-gauge pressure, and, as applicable, ashes cleaned out of the firebox and ash pan. Fuel tanks shall have the main shut-off valve closed tightly.

300. Purpose

The primary purpose for storing private, operational equipment at MLS facilities is to increase member activity by reducing equipment handling difficulties.

305. Eligibility

Any regular member of the MLS whose dues are paid up may rent/sub-rent space. Members may rent/sub-rent as much space as they wish based on availability, but all space shall have the member's operational equipment stored there. Special consideration may be given for equipment removed for repairs but the renter is still required to pay the set fees.

310. Rental Requirements

- 311. The rental agreement shall be for one (1) calendar year.
- 312. The BoD may refuse to accept/renew a rental agreement. A renter may appeal the BoD decision to the general membership at any regular meeting.
- 313. Renters may sub-rent portions of their storage space. Sub-renters shall be MLS members and abide by the same requirements imposed on renters except they are not required to complete a given number of runs per year.
- 314. A BoD approved rental agreement shall be signed in duplicate by the renter and the treasurer. One copy shall be filed with MLS and the other copy retained by the renter. (02-23)
- 315. A renter may petition the BoD in writing for relief from one or more requirements. This relief shall apply only to the current year's requirements.

320. Renewal Requirements

- 321. The run requirements for rental track may be waived with the understanding that they can be re-instituted should it ever become necessary. (3/9/02)

330. Fees

- 331. The rental fee is due January 1st of each year. Failure to pay the entire fee before February 1st of the same year shall be interpreted as a failure to renew the agreement and the space shall be considered available.
- 332. The BoD shall establish the annual rental rate for storage space. Changes to the rate shall be effective January 1st following their adoption.

335. Penalties

340. Failure to comply with this storage policy of the MLS can result in the MLS removing member's private equipment stored at the facility but only after the following steps have been followed.

341. Certified, return receipt letter shall be sent to the renter notifying him/her that their equipment is in jeopardy of removal for violation of the MLS rules. Failure of the party being so notified to accept this certified letter shall not constitute an argument that the letter was not received. The violator shall be requested to appear before the BoD at the next meeting. The date and time of the next meeting and the method by which relief from the above stated rules may be granted shall be included in the letter.
342. The BoD must hear, and act upon, the violator's request. The BoD's decision is final, and a written statement of the decision of the BoD shall be mailed to the violating renter by certified, return receipt letter. Failure on the part of the party being so notified to accept this certified letter shall not constitute an argument that the letter was not received.
343. Should the decision of the BoD be to remove the stored equipment from the MLS storage facility, the following shall be followed.
 - A. Any such removal of equipment by the MLS shall have as many witnesses as practical with the Secretary documenting the condition of such equipment in writing as well as a video tape and photographic documentation of the entire move made. All reasonable precautions shall be taken to protect the member's equipment from damage.
 - B. If the BoD's decision is to deliver the equipment to the owner's home, the owner of the equipment must be present to receive that equipment and a written release shall be signed by the owner stating that the equipment, as received, was not damaged by the move.
 - C. If the BoD's decision is to store the equipment in a rented storage space, such rental shall be in the name of the MLS with the MLS paying the rental fees. The owner of stored equipment shall be notified by certified, return receipt letter stating that the stored equipment will not be released until all costs incurred by the MLS have been reimbursed in full including legal fees. If the storage fees accumulate to the point that in the BoD's estimation the value of the stored equipment is going to be exceeded, then the BoD needs to take appropriate legal action to gain ownership of the equipment. If this takes place and the owner for whatever reason decides he/she wants the equipment back, he/she would have to repay the MLS for all costs incurred up to that time.

350. Storage Requirements

351. The MLS shall assume no responsibility for any loss or damage to private equipment stored at MLS facilities.
352. Renters shall ensure that stored equipment minimizes hazards.
354. Private equipment stored at MLS facilities is not for general use by the membership and shall not be moved, run, or otherwise used without the specific permission of the owner.

355. This addendum applies only to those storage facilities located on the steaming bays. The lessee/owner agrees not to block or otherwise inhibit the primary function of the steaming bay. When not being used by the lessee/owner for steaming up, guests and members wishing to use the steaming bay will not be restricted by the lessee/owner in any way. To do so will be grounds for the BoD to terminate the lease agreement.
356. All privately owned storage facilities and the grounds surrounding such facilities shall be maintained in good condition.
- A. A container cannot be use for commercial or personal business storage.
 - B. Each container must be maintained and painted by owner.
 - C. Each container must have a number (the number assigned and supplied by MLS) on the transfer table end of the container. A roster of owners will be maintained by the MLS treasurer.
 - D. A false front (and or any side if exposed) must be installed within the first year after installation of the container. The front must fit into the theme established by MLS.
 - E. Storage between containers is permissible as long as:
 - i. What is being stored it not for commercial or personal business storage.
 - ii. There should be a gate at both ends tall enough to hide from view any items that are being stored.
 - iii. The gate on the transfer table end should be set in so that both container doors can open at the same time.
 - iv. There is a safe walkway between containers
 - F. You must be a regular member in good standing to have a storage container.
 - G. The owner of a container may sublet to another member. That member must be a regular member in good standing and follow Rule H.
 - H. It is to be expected that the owner of a container will use his/her equipment.
 - I. It is the owner's responsibility to maintain the area around his/her container, five feet to the front and five feet to the west.
 - J. When a storage unit is sold, the new buyer should be a MLS member in good standing. If the storage unit is sold to a nonmember, that person has 30 days from the date of purchase to remove it. The new owner, if a member of MLS, must agree to the terms of these rules.
 - K. In case of an emergency, there should be a point of contact name and phone number. This list will be held by the MLS treasurer.
 - L. If for any reason MLS loses its lease on the land, it will be up to each owner to remove their containers at their own expense.
 - M. Each storage container owner must furnish a key or the combination to any lock affixed to their container to the treasurer to facilitate periodic inspections by The Maricopa County Parks Department and Maricopa County Flood Control inspectors .The MLS inspection committee will conduct inspections to ensure that all storage containers and cabinets comply with the rules outlined in section 356. (12/23)
 - N. The intent of this rule is to be applied to all privately owned storage, containers or buildings along the railroad or on the end of any steaming bay.

- A. The owner will be notified by email and telephone, by their information indicated on their current membership form, requesting a response within ten (10) days of notice.
- B. Those members who do not respond by providing a key or combination within ten days will be mailed a certified return receipt letter requesting a response within fifteen (15) days of receipt.
- C. In the event of no response, MLS will take further steps to contact a responsible party.
 - i. During this time, MLS will remove the current lock and inspect the interior and correct any violations if needed. The container will then be secured with a lock provided by MLS.
 - ii. A notice will be affixed to the container informing the owner to contact any Executive BOD member to gain entry. Executive BOD member contact information will be included on the notice
 - iii. Forceful removal of any MLS lock will result in permanent termination from MLS.
- D. This procedure will also be used to address "Abandoned Property".

360. Changes

Changes to these requirements shall be printed in the MLS newsletter and announced at a general membership meeting prior to the effective date.

Section 4 DUES/FEES SCHEDULE

Revision Adopted June 2022

410. DUES [Annually]	<u>MLS Fee</u>	<u>Maricopa County Fee Per User</u>	TOTAL
411. Regular Member (prorated quarterly)	\$165	\$15	\$180
412. Nonresident Member	\$ 35	\$15	\$ 50
412.1 Nonresident Spouse Member	\$ 0	\$15	\$ 15
413. Regular Member Spouse	\$ 25	\$15	\$ 40
414. Junior Member [Age 13-17]	each	\$15	\$ 15
414.1 Stand-alone Junior Member	\$ 10	\$15	\$ 25
415. Supporting Member	\$ 0	\$15	\$15
416. Honorary Member	\$ 0	\$15	\$15

420. FEES

422. MLS Engine(s) Use (optional, one time per immediate family)			\$150
423. Annual Locomotive or Rolling Stock Use Fee			\$ 50
424. Membership Badge		Each	\$ 10
425. Annual Track Rental		Per Foot	\$ 5
427. Maricopa County Park Fee (per person)			\$ 15

Section 5 CLUB EQUIPMENT

Revision Adopted November 2022

500. Club Equipment

501. With the exception of scrap items, all club equipment deemed unwanted by the club is to be first offered to all members by auction or sealed bid. Members must be given one month minimum notice of such items. (11/22)