

Opinion: Proof in TRPA Charter change is possible

Dear Publisher,

I see there are several of your readers who allege the TRPA is “the law” and that we have no choice but to do as we are told. These comments also allege that I am wrong and don’t know the law. However, any eighth-grade student can read the TRPA Charter and determine that the TRPA does not have the authority it currently claims. Take a look at Article VI of the TRPA Charter and you’ll see that its powers are supposed to be “general and regional in application,” leaving the writing and enforcement of specific and local ordinances to local jurisdictions like the city of South Lake Tahoe:



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“Whenever possible without diminishing the effectiveness of the regional plan, the ordinances, rules, regulations and policies shall be **confined** to matters which are **general** and **regional** in application, **leaving to the jurisdiction** of the respective States, counties and **cities** the **enactment** of **specific and local ordinances**, and rules, regulations and policies which **conform to the regional plan.**” (Emphasis added)

What part of “whenever possible,” or “confined to matters which are general and regional,” or “leaving to the jurisdiction of ... cities,” does the TRPA, or my critics, not

understand?

The elected officials of South Lake Tahoe have the legal authority to override the TRPA enforcement codes, to ignore its BMP requirements, and to tear up TRPA red tags, so long as the City Council is prepared to uphold the Constitution and protect its residents from such overregulation and illegal abuse.

Steve Kubby, South Lake Tahoe