

BOARD OF DIRECTORS OF
THE DALE CITY T-7B-1 HOMEOWNERS ASSOCIATION
POLICIES AND PROCEDURES REGARDING TRASH AND RECYCLING DISPOSAL

POLICY RESOLUTION # 2016-001

WHEREAS, Section 55-515 of the Virginia Property Owners' Association Act ("Act") charges all lot owners and their tenants, guests and invitees with compliance with the Declaration of Covenants, Conditions and Restrictions of The Dale City T-7B-1 Homeowners Association, Inc. recorded in Deed Book 1167 at page 1850, and the Declaration of Covenants, Conditions and Restrictions of The Dale City T-7B-2 Homeowners Association, Inc., recorded in Deed Book 1264 at page 1629, all among the land records of Prince William County, Virginia (collectively, the "**Declaration**"); and

WHEREAS, the Declaration establishes The Dale City T-7B-1 Homeowners Association, Inc., successor by merger to the Dale City T-7B-2 Homeowners Association, Inc. (the "**Association**") for the purposes of administering the property submitted to the Declaration (the "**Property**"); and

WHEREAS, Article V, Section 1 of the Association's Bylaws ("**Bylaws**") states that the affairs of the Association shall be managed by the Board of Directors ("**Board**"); and

WHEREAS, Section 55-513 of the Act and Article VIII of the Association's Bylaws provides that the Board shall have the power to adopt and publish rules and regulations, to enforce such rules governing the use of the Property, including the Property's common areas, to establish penalties for the infraction thereof, and to employ a manager or independent contractor as it deems necessary; and

WHEREAS, Article VI, Section 1(c) of the Declaration gives the Association the right as further set forth in Article III, Section 2 of the Bylaws, to assess charges against any member for any violation of the Declaration or rules and regulations for which the member or his family members, tenants, guests or other invitees are responsible and to suspend the enjoyment rights in the Common Areas (as such term is defined in the Declaration) of any member for any period not to exceed thirty (30) days for any infraction of its published rules and regulations, and for any period during which any member is delinquent in the payment of any annual or special assessment levied by the Association; and

WHEREAS, the Board of Directors has identified a need establish rules and regulations regarding trash within the Association.

NOW, THEREFORE, BE IT RESOLVED THAT the policies detailed below are hereby adopted by the Board of Directors for the Association.

I. SCOPE

- A. This Regulation is adopted and published by Board Resolution #2016-001, and incorporate and supersede all prior resolutions regarding trash and recycling. The Board reserves the right to amend all or a portion of these Regulations from time to time by Board Resolution.

II. DEFINITIONS Terms not otherwise defined herein shall have the meaning set forth in the Declaration or Bylaws, in that order.

- A. Association Documents: Shall mean collectively, the Declaration and Bylaws, as amended from time to time, and any Rules and Regulations adopted by the Association.
- B. Good Standing: Shall mean a Resident who i) has no Assessment over thirty (30) days due and owing to the Association and/or ii) has not received written notice of a violation of the Association Documents with an opportunity to cure, and said violation has not been cured within the timeframe set forth in said notice of violation.
- C. Lot: Shall be as defined in Article I, Section 1 (d) of the Declaration.
- D. Management Agent: Shall mean and include that certain management company, its employees or designated agents, contracted by the Association pursuant to a management contract approved by the Board for purposes of providing management services to the Association. The Management Agent, if applicable, shall be the designated the Association and shall have the power to enforce these Regulations.
- E. Member: Shall be as defined in Article I, Section 1 (f) of the Declaration.
- F. Resident: Shall mean Owners, as that term is defined in Article I, Section 1 (e) of the Declaration and shall include individuals to whom the Member has delegated his rights of enjoyment of the Common Areas pursuant to Article VI, Section 2 of the Declaration and Article IV, Section 1 of the Bylaws, such as members of his family, his tenants or contract purchasers, who reside on the Property.

II. SCHOOL BUS STOP TRASH RECEPTICALS

- A. The Board of Directors purchases four (4) trash receptacles that are situated at each scheduled school bus stop. These trash receptacles are NOT to be used by Residents as

their own personal trash container.

III. RESIDENTS' TRASH CONTAINERS

- A. Residents shall use the toters and recycle bins, hereinafter referred to as Trash Containers, as provided by the Association trash company for trash/recycle disposal and shall permanently mark the trash containers with the Resident's house number.
- B. Residents shall use toters and recycle bins exclusively and shall not leave trash in bags only for pickup.
- C. If the toters are too large for any Resident, such Resident may provide their own Trash Container as long as such Trash Container has an attached lid. On trash pickup day, the Association's trash company will dispose of any Trash Containers provided by any Resident that does not have an attached lid.
- D. Residents shall **NOT** use the common area, including any common area woods, to dispose of their trash. The Association and the Management Agent will take every lawful effort to identify Residents who violate this Regulation.

IV. PLACEMENT OF TRASH CONTAINERS

- A. Trash Containers must be stored in the rear of each Lot behind the house and inside the fence. Trash Containers may not be stored in front of the house, behind the front yard shrubbery, or on the side of the house/Lot.
- B. Trash pickup days for the toters/trashcans are Tuesdays and Fridays; and for the recycled bins, on Tuesdays only.
- C. Residents shall place trash containers at the curbside directly in front/side of their house. Residents shall **NOT** place trash containers in common areas or in the front of other residents' homes/Lots.

V. SCHEDULED TRASH PICKUP DAYS

- A. Residents may place their trash containers out for pickup either the night before the day of the scheduled pickup between 5:00 p.m. and 11:00 p.m. or during the morning of the day of the scheduled pickup. On trash pickup days, trash containers shall be removed from the front yard by 11:00 p.m.
- B. The trash company will pick up on all days except Memorial Day, the Fourth of July, Labor Day, Thanksgiving, Christmas, and New Years Day. If these holidays fall on a regularly scheduled pickup day, the trash/recycled items will be collected on the next regularly

scheduled day.

- C. The trash company will NOT pick up dead animals, oil, paint, batteries, construction material, manure, tree stumps, dirt, stones, rocks, concrete, bricks, poisons, dangerous acids, caustics, explosives, or other dangerous materials.

VI. SCHEDULED TRASH PICKUP DAYS

- A. Residents that require a special pickup for big items, e.g., stoves, dishwashers, hot water heaters, washers, dryers, television sets, lawn mowers, etc., shall call the trash company directly at no additional cost to the residents. The resident requesting the pickup shall annotate the date and time of the call to the trash company, the name of the person at the trash company taking the resident's request, and the date of the special pickup. Prince William County will not accept items containing freon gas except when the Freon has been removed by a certified technician and proper documentation is provided to the trash company. Prince William County may also not accept other items, including explosives, ammunition, medical waste, biological waste, asbestos, radioactive waste or unknown substances and business waste.
- B. If the items are not picked up by the trash company and the resident does not have the date and time of the call, the person's name taking the pickup request, and the date of the pickup, the resident will be responsible for a disposal fee of up to \$100.00.

VII. VIOLATION OF TRASH PROCEDURES

- A. Subject to all procedural requirements in the Virginia Property Owners Association Act, the Board of Directors shall have the right to:
 - 1. suspend a member's enjoyment rights in the Common Areas (as such term is defined in the Declaration) of any member for any period not to exceed thirty (30) days for any infraction of its published rules and regulations, including this Resolution.
 - 2. assess a Member Fifty Dollars (\$50.00) for a violation of these Regulations, or Ten Dollars (\$10.00) per day for any offense of a continuing nature, for a period not to exceed ninety (90) days or such greater amounts as may be authorized by the Virginia Property Owners Association Act. Such fines will be for each and every rule and regulation stated within this Resolution. "Each," shall mean that fines may be assessed for every individual violation, for example: A trashcan with no lid is one violation. A trashcan with no street address is a separate violation, etc.

- B. Imposition of fines or suspension of privileges as described in Article VII, Section A(1) and A(2) shall be in accordance with the Association's policy resolution regarding the same now in effect.

THE DALE CITY T-7B-1 HOMEOWNERS ASSOCIATION

Resolution Action Record

Resolution No. 2016-001

Pertaining to: Adoption of the Policy Resolution # Regarding Trash

Duly adopted at a meeting of the Board of Directors held 4-19-16.

Motion by: Marilyn Burke
Seconded by: Paul Barr

VOTE:

Position	Name	Signature	Vote
<u>President</u>	<u>Marilyn Burke</u>	<u>M. Burke</u>	<u>(Yes)</u> No Abstain
<u>V. President</u>	<u>Chloe Turner</u>	<u>Chloe Turner</u>	<u>(Yes)</u> No Abstain
<u>Secretary</u>	<u>Lisa Adams</u>	<u>Lisa Adams</u>	<u>(Yes)</u> No Abstain
<u>Treasurer</u>	<u>Paul Barr</u>	<u>Paul Barr</u>	<u>(Yes)</u> No Abstain
<u>Director</u>	<u>Beiben Adams</u>	<u>Beiben Adams</u>	<u>(Yes)</u> No Abstain

ATTEST:


Secretary

4-19-16
Date

Resolution effective: November 1, 2016