

OSG Garbage Rules and Regulations

(Supersedes all other refuse rules and regulations issued prior to February 17, 2009)

WHEREAS, the Declaration obligates each member of the Association to comply with the rules and regulation promulgated by the Board; and

WHEREAS, the Board of Directors believes it is in the best interest of the Association to establish and promulgate uniform rules and regulation related to the management of garbage on the Association's Property.

NOW, THEREFORE, BE IT RESOLVED THAT the following rules and regulations related to the management of garbage are adopted:

A DEFINITION OF TERMS:

- A.1 *Property*:** All of the Limited and Common Area, which comprise of the geographical area, know as Old Sterling Gable Conservancy.
- A.2 *Resident*:** Any person, whether owner or tenant, who resides within the property.
- A.3 *Unit*:** Residence, or home.
- A.4 *Parking Areas*:** Any portion of the Common Area marked and designated as parking spaces, whether assigned or unassigned.
- A.5 *Garbage*:** Any item in a trash or garbage bag or trash or garbage bin is considered garbage. Any item left on the common area unattended, including but not limited to paper, cigarette butts, beer bottles, grocery bags, food, tools, plastic or broken decorations, trash and recycle bins, or dead animals is considered garbage. Any large bulk item located on the common area, including but not limited to furniture, appliances, automotive materials, and construction debris is considered garbage.

In addition, children's toys, including bicycles, basketball hoops, etc. and/or children's furniture (playhouses, etc), which have been left on the common area unattended overnight are also considered garbage.

B RULES AND REGULATIONS:

- B.1** No resident shall store garbage (as defined in section A.5 of this document) on the common area in front or around any unit overnight.
- B.2** Residents living in corner units will place their garbage in front of the first house, to their left, without a common area. If there are two homes in a row with a common area in front of them, then the following applies:

- (1) The end unit will place their garbage in front of the first home to their right, (which may mean, the unit perpendicular to their unit)
- (2) The second unit is the home right next to the end unit, the home shall place their garbage in front of the first home to their left, not in front of a common area.

- B.3** No resident shall store garbage and/or Recycling bins in front of any unit, on a porch, stoop or behind bushes (or behind other landscaping elements) between collection days.
- B.4** All residents shall place garbage for collection in the grassy area immediately forward of the sidewalk in front of the resident's house. All residents **shall comply with this clause within 30 days of adoption of this resolution.**
- B.5** 30 days after adoption of this resolution, all residents **shall cease placing garbage for collection in the common areas**, such as the corners within the property or in grassy areas between parking spaces.
- B.6** No resident shall place garbage on the curb any earlier than 6:00 p.m. the night before collection day. The Board recommends that residents place any garbage for collection out no later than 6:00 a.m. on the day of collection to ensure collection.
- B.7** All residents shall call the Association's garbage company to schedule a bulk item pickup. As of the date of the adoption of this resolution, the Association's garbage company is American Disposal and may be contacted at 703-368-0500. There may be a small fee for this service. The resident is responsible for paying this fee.
- B.8** No resident shall place garbage on the common area or in the front, side or back of any adjacent unit. Each resident is responsible for the garbage produced by their unit.
- B.9** No resident shall place household garbage in the common area garbage cans.
- B.10** All residents shall contain all garbage in a garbage container designed for the storage and disposal of garbage. No resident shall store garbage in the front of their unit. Residents are hereby advised that Loudoun County requires all garbage be placed at the curb in a garbage container, per County Ordinance chapter 1082.07 and chapter 1088. Both of these chapters provide Loudoun County various methods of enforcing these chapters, including the inspection of garbage containers and both describe legal repercussions for non-compliance, including fines. The Board requires that all residents use garbage containers, and may only

use black garbage bags in rare, and/ or extreme circumstances. However, Loudoun County may cite an Owner for non-compliance of County ordinances.

C ENFORCEMENT AND LIABILITY:

C.1 The Board of Directors shall have the complete authority to enforce and remove, as well as to assess penalties and charge back all costs incurred for non-compliance with these Rules and Regulations. All costs associated with the enforcement or removal for non-compliance shall be the sole responsibility of the unit owner. The Association assumes no responsibility for lost, damaged or otherwise removed items from the Common Area or items that are not in compliance with these regulations.

C.2 Garbage left in an area not authorized by the terms of this resolution, or unattended is subject to removal without notice and shall be at the expense of the owner whose unit the trash is found near or around the common area of the property. Costs of removal may range from \$25 - \$500.00 or more, depending on the size and volume of the item(s). Charges related to the removal of garbage will be directly invoiced to the Owner.

C.3 All Owners shall have the right to appeal charges related to the removal of garbage to the Board of Directors provided that the Owner notifies the management company's office in writing within 30 days of receiving an invoice. The management company can be contacted at:

Old Sterling Gable Conservancy
c/o TWC Association Management
12110 Sunset Hills Road, Suite 60
Reston, VA 20190
703-437-5800

The Board of Directors will immediately assess the appeal and provide a disposition of the appeal to the management company within 14 days of receipt of appeal. Decisions regarding appeals are final and will be noted in an executive session addendum within the next quarterly meeting minutes.

C.4 Owners who do not comply with these regulations are also subject to a fine of \$50.00 per incident or of \$10.00/per day for up to 90 days (\$900.00).

C.5 Owners who do not comply with the terms of this resolution and/or pay assessments related to non-compliance are subject to revocation of their parking privileges, including any associated costs, such as parking blocks or towing fees.

C.6 Owners who do not comply with the terms of this resolution and/or pay for charges related to non-compliance may be referred to the County and/or an attorney or collection agency.

D ADOPTION OF RESOLUTION

This Resolution was duly adopted at a meeting of the Board of Directors on the seventeenth of February, 2009. The effective date shall be 30 days from the date of adoption and shall supersede and replace the existing rules and regulations governing the management of garbage on the property.