

**NEWBERRY CONDOMINIUM  
UNIT OWNERS ASSOCIATION  
Board of Directors  
POLICY RESOLUCION-2018-04  
TRASH/ RECYCLING STORAGE & DISPOSAL POLICY**

Whereas Article 111, section 2 (f) of the bylaws of the Newberry Condominium Unit Owner's Association ("Association") provides that the affairs of the Association are governed by the Board of Directors and that the Board has all the powers and duties necessary for the administration of the Condominium, including the adoption of rules and regulations;

Whereas Bylaws article V section 8 (n) states that trash shall be stored in accordance with county health regulations within the unit or storage area of such a unit, or in the common area, if any set aside by the Board of Directors for such storage; and that trash shall not be set out prior to the night before the date of collection and shall be returned to the proper place of storage immediately after collection; and

Whereas Loudoun County Solid Waste Storage Ordinance Section 1082.07 requires trash to be placed in storage containers made of durable, watertight, rust-resistant material having a closely-fitting lid and handles to facilitate collection; and

Whereas Section 55-79.80:2 of the Virginia Condominium Act ("Act") gives the Association the power to assess charges against any Unit Owner for any violation of the rules or regulations for which the Unit Owner, his family members, tenants, guests, or other invitees are responsible; and

Whereas the Board has determined a need for more specific guidelines to better define types of trash containers and appropriate areas that maybe utilized for their storage.

NOW THEREFORE, BE IT RESOLVED THAT the Board hereby adopts the following trash container storage policy as part of the Association's rules and regulations, which hereby rescind and supersede any other policies or procedures relating to this matter:

**LOUDOUN COUNTY TRASH & RECYCLING ORDINANCE MANDATES THAT ALL RESIDENTS SEPARATE RECYCLABLE MATERIALS FROM SOLID WASTE**

1. Trash & Recycling materials must be placed curbside in a sealed container with attached lid no earlier than six pm on the eve prior to the next scheduled pick-up. **Only 50lbs or less** of household waste may be placed curbside at any time. Construction debris, appliances or hazardous waste **may not be set out for pick-up at any time**. Crushable furniture and some appliances may only be set out on the eve prior to a scheduled "special pick-up," additional fees apply.
2. All containers must be returned to storage locations by nine am the day after pick-up. Containers left in common areas and not returned will be collected by staff and will need to be retrieved at the office for a fee .The Association is not be responsible for damaged or missing containers or lids.

3. For containers left in common areas, trash comingled with recycling, trash or recycling materials placed curbside on days with no scheduled pick-up, after first giving notice and an opportunity for a hearing pursuant to Section 55-79. 80:2 of the Act, the association may assess Unit Owner's a charge of up to \$ 50.00 per occurrence, or other amount authorized by the Act.

### **TRASH & RECYCLE CONTAINERS**

- Must have lids that seal shut at all times.
- Must be stored upright.
- Trash or recycling that does not fit into container must be stored inside until pick-up day.
- Must have unit identifying numbers (marked on exterior, lettering or numbers must be six inches or smaller in size).
- Exterior colors must be black, green, brown, tan, gray or blue.

### **TOWNHOME STORAGE AREAS**

Containers and approved recycle bin may not be stored in front of units, unless container(s) are shielded from direct view by landscaping or other board approved means.

### **TRIMINIUM STORAGE AREAS**

Upper level (B) & (C) units may only store one container or one approved recycle bin under their steps. Lower level (A) units may store one container and approved recycle bin in lower entrance landing area or backyard patio.

### **VILLA STORAGE AREAS**

Upper units may store containers and approved recycle bin inside sheds or in lower level storage closets. Lower units may store containers and approved recycle bin inside sheds or inside fenced area. Only one trash container and approved recycle bin may be stored inside fenced area.

**NEWBERRY CONDOMINIUM UNIT OWNERS ASSOCIATION**

**RESOLUTION ACTION RECORD**

Resolution Type Regulatory No. 2018-04

Pertaining to: Trash / Recycling storage & disposal

Duly adopted at a meeting of the Board of Directors of the Newberry Condominium Unit Owners Association held June 19th, 2018. This Resolution supersedes all previously enacted resolutions pertaining to trash/recycling storage & disposal.

Motion by: Linda Berend Seconded by: Paul Jeffers

VOTE:

	YES	NO	ABSTAIN	ABSENT
<u>Jason Kitzmiller</u> , Member	X			
<u>Paul Jeffers</u> , Member	X			
<u>Linda Berend</u> , Member	X			
<u>Margret Prilliman-Brehm</u> , Member	X			
<u>Heriberto Briceno</u> , Member				X

ATTEST:

Margaret Brehm  
Secretary

6-21-2018  
Date

Resolution effective July 1<sup>st</sup>, 2018.