

**Eagles Bluff - Canada Hills Village 14 Homeowners Association  
Resolution #2017-02 – Trash Collection Policy**

**WHEREAS**, the Subject Properties in the Eagles Bluff - Canada Hills Village 14 Homeowners Association are under jurisdiction of the Declaration of Covenants, Conditions, and Restrictions (CC&R's) for the Association; and

**WHEREAS**, Covenants, Conditions and Restrictions (CC&R's) of the Eagles Bluff - Canada Hills Village 14 Homeowners Association, recorded at Docket 9607 at Page 2275, states that the Board of Directors shall have the power to adopt and publish rules and regulations governing the use of the Common Areas and facilities...; and

**WHEREAS**, the Board of Directors desires to revise the policy as it applies to trash collection and trash containers within the Community; and

**WHEREAS**, the Board of Directors has followed its own standards and procedures, which are both fair and reasonable; and

**WHEREAS**, the Board of Directors rendered this decision in good faith, and in a manner which is neither discriminatory nor capricious.

**THIS RESOLUTION** pertains to clarification of Section 9.14 Trash Containers of the Covenants, Conditions and Restrictions (CC&R's).

**THEREBY, GOOD CAUSE EXISTING, IT IS HEREBY RESOLVED:**

1. To minimize the frequency of heavy service truck traffic entering our community; and
2. To minimize heavy truck traffic causing excessive surface wear on our road surface; and
3. To avoid multiple trash collection days per week; and
4. To minimize homeowner HOA dues for collection services not desired;

The Board shall select a preferred vendor for the Association's exclusive trash and recycling collection. Each Owner of the Lot is required to enter into a contract with this vendor for this service, and will be solely financially responsible for the selection and cost of the services provided.

**FURTHERMORE, IT IS HEREBY RESOLVED:**

It is the Owner of the Lot or his or her Lessee responsibility to provide sufficient container storage volume to contain all of the waste or recycling materials generated between collection periods; and

It is the Owner of the Lot or his or her Lessee responsibility to follow the procedures as set forth in this Resolution, for the use and storage of trash/garbage/recycle container(s). These containers are to be:

1. Placed curb side no sooner than 6:00 PM the evening before the day of collection; and
2. Promptly removed from curb side no later than 6:00 AM the day following collection; and
3. The container(s) are to be stored either in the garage, side, or back yard, behind the gate.

The following exceptions and restrictions pertain to the use and storage of trash/garbage/recycling containers.

DEFINITIONS:

- I. The terms “Trash”, “Garbage” and “Recycling” are all “containers” subject to this policy and resolution.
- II. The term “removed from view” as stated in the CC&R’s, is defined as container storage in a garage, as well as, the Lot’s side or back yard, behind a gate.

1 EXCEPTIONS

- 1.1 Containers may be left in the front yard while landscaping, general clean-up, or remodeling activities are actively ongoing. Care should be used to avoid creating a hazard to vehicular or pedestrian traffic; or allowing wind-blown debris to occur. The Owner of the Lot is responsible for the clean-up and removal of any debris that has been inadvertently removed from their container, as pursuant to the CC&R’s.

2 RESTRICTIONS

- 2.1 At no time should containers be left on the street, posing a traffic hazard, unless that container is adequately marked with hazard cones or other reflective devices to avoid collision with vehicles. The Owner of the Lot assumes full liability for any damage caused by obstructing the roadway.

3 VIOLATIONS

- 3.1 Violation - A violation is deemed as any act that violates the policies or regulations set forth in this resolution. Multiple acts that violate a policy or regulation set forth in this resolution shall result in a violation for each act. Alleged violations committed by the Owner of the Lot, his or her family or licensee, tenant or lessee or invitee or agent acting for the Owner of the Lot, will be the sole responsibility of the Owner of the Lot to correct.
- 3.2 Occurrence - Unless otherwise stated, an occurrence shall be defined as an act that violates any of the policies or regulations set forth in this resolution.
- 3.3 Liability - If a fine is imposed upon a minor who is found to be in violation of this rule, the Owner of the Lot, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the Owner of the Lot, the parents or guardian knew of, or anticipated, a violation of this rule.

4 APPEAL PROCESS

- 4.1 The Owner of the Lot may appeal any violation of this resolution, as set forth in *Resolution #2003-03 Resolution of the Board of Directors Regarding the Imposition of Fines*.

5 – 10 Reserved

The Board of Directors realizes that circumstances may arise when strict adherence to these regulations may be difficult. Such regulations serve to protect the safety, security, and esthetics of our community.

The effective date of this resolution is November 9, 2017 .

Confirmed this 9th day of November, 2017 at a meeting of the Board of Directors.