

PARKWAY PLACE HOMEOWNERS ASSOCIATION, INC.
POLICY RESOLUTION NO. 2023 - 1
GUIDELINES FOR STORING OF TRASH CONTAINERS

WHEREAS, Article 3, Section 3.2 of the Bylaws and § 13.1-853(B) of the Virginia Nonstock Corporation Act provide that the Board of Directors shall have all powers and duties necessary for the administration of the affairs of the Parkway Place Homeowners Association, Inc. ("Association"), and may do all acts not prohibited by the Governing Documents or by law;

WHEREAS, Article 12, Section 12.2.1 of the Declaration authorizes the Board of Directors ("Board") to regulate the architectural appearance of the Lots, and requires Owners to obtain permission before commencing any construction, painting or other changes to the exterior of the Lot;

WHEREAS, Article 6, Section 6.1 of the Declaration provides that the Board shall have the authority to adopt procedures and design guidelines pertaining to the appearance of the Lots, as considered necessary or appropriate, to preserve and enhance values and to maintain harmony;

WHEREAS, the Board of Directors has determined that it is in the best interest of the Association to adopt reasonable regulations governing the storing of trash containers on their property, pursuant to Virginia Code §55.1-1819 and Article 6 of the Declaration, Section 6.1.1.

NOW, THEREFORE, the Board of Directors hereby adopts the following regulations pertaining to the storage of trash containers, and which shall supersede any current restrictions of record or previously adopted rules on the same subject matter.

I. DEFINITIONS

Trash Container: Specialized container, which is easily rolled to the street on collection day and is provided by the Roanoke County General Services, or meets Roanoke County specifications for residential trash containers.

II. APPLICATION FOR STORING OF TRASH CONTAINER OUTSIDE OF THE APPROVED GARAGE AREA

III. Application: All Owners currently storing Trash Containers outside of an approved garage location, and all Owners seeking to do so, shall submit a written application (Change Request Form) to the Association for approval of their proposed storage location. All applications must include a drawing indicating the exact location of the desired storage location.

IV. If an Owner submits an application to the Association for approval of the Trash Storage Location, the Association will issue a decision on the application within forty-five (45) days of the receipt of the application. If the Association does not issue a decision within that time, the application shall be deemed approved by waiver.

V. Either the Board or the Association's managing agent may act for the Association, at the discretion and direction of the Board.

III. STORING WITHIN LOT BOUNDARIES

1. No Owner may store a Trash Container in the Common Area or on any property owned by the Association.
2. The preferred location for Trash Container shall be where there is minimal or no visibility of the Trash Container from the street. Thus, Trash Container must be placed at the backside of the dwelling place. In such cases where this placement location for the Trash Container is not adequate or practical, the Association shall reserve the authority, in its sole discretion, to grant a variance from any of the requirements expressed herein, but shall endeavor to protect the community from architectural blight to the greatest degree possible and strive to ensure that all concerns are satisfied.
3. Except as otherwise provided herein, Owners are prohibited from storing Trash Containers in any way, shape or form that encroaches upon any Common Area or any other lot.

IV. STORING

1. Trash Container shall not be larger than the Specialized container, which is easily rolled to the street on collection day and provided by the Roanoke County General Services.
2. Trash Container shall be stored and secured in a manner so that visibility from the streets is eliminated or minimized and blends into the surroundings as much as possible.
3. Trash Containers must be properly secured so that animals cannot gain access to their contents.

V. MAINTENANCE

Owners who store Trash Containers outside of the garage area are responsible for all associated costs, including, but not limited to, those related to the following:

1. Removal of debris when found by grounds personnel prior to/or during mowing
2. Reimbursement to residents or the Association for costs incurred to correct damage caused by an Owner's failure to secure Trash Containers property against animal intrusions.

VI. TRASH CONTAINER CAMOUFLAGING

If Homeowners are incapable of storing Trash Bins in garages they may store the bins (a) preferably at the back of the home or if this is not possible (b) on the side of a home, with the following provisions:

1. A Change Request Form must be submitted to Architectural Review Committee Chairperson for approval of plans for storage outside of garage.
2. If storage is to be at the back of the home and the Bin is not visible from the road it is recommended that item C is followed to ensure animal intrusion does not occur.
3. If storage is at the side of the home or the Bin is visible from the road at the back of the home the following enclosure plan must be followed:

Enclosures/Screening Wall shall meet the following minimum requirements:

Screening Wall is located no more than 5" (inches) from the dwelling and is a minimum of three feet (3') wide x forty-two inches (42") tall.

Enclosure is located no more than 5" (inches) from the dwelling and is as far to the backside of the dwelling and has the following dimensions: for one bin should be three feet (3') wide x forty-two inches (42") tall, or two bins would be three feet (3') x six feet (6') wide x forty-two inches (42") tall. Enclosures against dwelling will consist of three (3) panels, including (2) sides and one (1) door.

Screening Wall or Enclosure material recommendations include Hardie, Trex or Vinyl boards installed in overlapping joints or tongue-in-groove edge creating a snug fit.

Color should be house primary color or as close as possible or the house trim color.

Enclosures should have paver base.

4. If planting is to be utilized to store Trash Containers behind all plantings must be large and full enough at the time of planting to hide the bins. All plantings selected must retain foliage year-round (i.e. Holly, Evergreen or Mountain Laurel bushes).

VII. TRASH CONTAINER STORAGE ENCLOSURE REMOVAL

When Owners remove Trash Container Enclosures, they are required to restore the dwelling unit to its original condition. Owners shall be responsible for all costs relating to restoration of the dwelling unit.

VIII. INSTALLATION BY TENANTS

These Rules shall apply in all respects to tenants. Those tenants who desire to install a Trash Container Enclosure/Screening Wall permitted under these Rules must obtain prior written permission of the Owner and furnish the Association with a copy of this permission concurrent with the Application described in Part II, above.

IX. ENFORCEMENT

In the event of a violation of the foregoing Rules, the Association reserves the right to exercise any and all of its legal remedies, including, but not limited to, the imposition of rules violation assessments, subject to the due process procedures set forth in Virginia Code § 55.1-1819, Adoption and Enforcement of rules, of the Property Owners' Association Act and Article 12 of the Declaration, Section 12.5.9.

VI. SEVERABILITY

If a Court of law rules any provision herein to be invalid, the remainder of these rules shall remain in full force and effect. This resolution shall become effective on January 26, 2023.

Record of Vote taken at Board meeting held on January 25, 2023:

	Yes	No/Abstain	Absent
Stephen Minnix	X		
Gary Baber	X		
Sybil Hayes	X		
Betty Nevin			X
Jack Socha		X	

Sent to all owners of record on January 26, 2023 by Management.