

Rule & Regulations on Waste Container Storage

The following Rule has been adopted by the Board of Directors, pursuant to the authority granted to the Association in RCW Title 64.38, the Declaration of Covenants of the Association, and all other statutes and laws applicable. These Rules supersede any previously adopted Rules on the same topic. They are intended to supplement the Declaration of Covenants and other governing documents of the Association, not supplant or amend them, and in the event of an inconsistency or conflict between these Rules and the governing documents of the Association, the governing documents provisions will supersede and apply.

Inconsiderate placement and storage of waste and recycling containers (hereafter “containers”), resulting in their being visible from the street and to neighbors, adversely affects marketability and value of our homes and the quality of life of other owners in the community. It is important to maintain the Association community’s visual appeal.

The intent and goal of this Rule is to govern the storage and placement of containers so as to minimize or eliminate their visibility from the street, alleyways, and from neighbors’ homes and yards as much as reasonably possible. The Board recognizes that the physical nature of the residential structures, their yards and driveways, and of the streets, alleys and other common spaces, may make it difficult to adopt a general rule that easily fits every situation. Accordingly, in order to assure the best chance of successfully using this Rule and protecting the community’s interests in controlling storage and placement of containers, it is necessary for the Board to have discretion to make decisions on a case-by-case basis as circumstances call for it.

General Rule: Except on collection day, owners shall store their containers within their backyards, side yards, garages or other private areas, in a manner so they are not visible from the street or to their neighbors. Containers shall be maintained and located in a manner and place so as to minimize odor to habitable areas and their neighbors. Owners shall reasonably screen their containers, as necessary, when storage is outside of their garage, subject to their submitting an ACC or Design Review application for the screening and obtaining written approval for it from the Design Review Committee before installation, all pursuant to and in compliance with requirements set forth herein or in other governing documents.

On Collection Day: Containers may be placed outside of their normal, required private storage area for collection for 24 hours, and must be removed and moved back to their place of storage by end of the next day. Containers shall not be placed for collection in any location which blocks or otherwise impairs the use owners parking their vehicles in their driveway areas, or which blocks or interferes with the use of sidewalks, streets, alleys or other common spaces or elements of the Association community.

Non-Collection Days: On all other days than collection day and the 24-hour grace period mentioned above, the following standards or requirements apply:

- (a) Containers may be stored:
 - within garages;
 - within fenced rear or side yards; subject, however to the requirement that they be reasonably screened from view subject to Design Review Committee prior written approval, and subject to subsection (b) immediately below regarding corner lots;
- (b) Containers may not be stored:
 - in the front area of a home which abuts or faces a street;

- for homes that are on a corner lot where there are streets on two sides of the lot: in a side yard or area which faces or abuts a street.

On All Days: Garbage and debris containers must have lids tightly attached or, if containers are those provided by the collection company with attached swivel lids those lids must be kept closed. The contents of containers, including without limitation recycle bins, must be secured in a manner that will prevent release or escape of the contents due to wind or other forces of nature.

Discretion of the Board: Notwithstanding anything to the contrary in this Rule, in order to effectively and properly govern and control storage and placement of containers within the infrastructure of our Association community, the Board has the discretion to make, implement and enforce decisions regarding the storage, placement and screening of containers on a case-by-case, owner-by-owner, and lot-by-lot basis, especially when (but not limited to) a particular owner's lot or circumstances does not easily fit within the above provisions of this Rule; provided, however, that the Board will diligently endeavor to make decisions regarding application of this Rule as consistently among owners as reasonably possible.

Fines & Collection of Fines: Violations of this Rule are subject to Fines being imposed under the Fine Amounts for Rules & Regulations.

Dated and adopted by the Board of Trustees on the 23rd day of January, 2018.