

CROSSINGS AT IRVING AVENUE CONDOMINIUM ASSOCIATION

POLICY CONCERNING PROPER REFUSE DISPOSAL

DRAFTED MAY 4, 2009

REVISED JULY 30, 2009 (Changes noted in red)

General. On-going problems at the Crossings at Irving Avenue Condominium Association with regards to the proper procedure for refuse removal at the association has prompted this policy being formulated and sent to all Crossings owners.

Please adhere to the following guidelines regarding acceptable trash removal at your community. Failure to follow this now established policy shall be grounds for assessment by the Association, acting through its duly constituted Board of Directors, of monetary fines against the involved Co-owner. Such Co-owner shall be deemed responsible for such violations whether they occur as a result of his personal actions or the actions of his family, guests, tenants or any other person admitted through such Co-owner to the Condominium premises.

CROSSINGS AT IRVING AVENUE POLICY REGARDING REFUSE REMOVAL

1. Your current garbage pick up day is Wednesday.
2. All trash must be placed in sealed bags and then placed in garbage containers with sealed lids prior to being placed outside the home for pick-up.
 - a. If heavy-duty, black sealed garbage bags are used and placed outside on the morning of the scheduled pick-up day – no garbage containers would be required.
3. All loose paper and boxes from deliveries that cannot be placed inside the container must be stacked neatly and secured with twine or string before being placed outside for pick-up. The boxes should be covered and taped shut before being placed out for pick-up.
4. All recyclable materials must be placed in a container for this purpose. Lids are to be secured to the containers. Papers must be placed in bags and secured in the recyclable containers before being placed outside for pick-up.
5. Trash containers may be placed out for pick-up no earlier than 7:00 P.M. on the night before a scheduled pick-up day.
6. All containers must be removed into the home or garage **the same day as the scheduled pick-up.**
7. Contact the City of Royal Oak DPW to schedule the pick-up of large bulk items.
8. On holidays that fall during the business week, the scheduled pick-up is usually delayed one day. Please be aware of this timeline during a week that contains a holiday in it.

Procedures. Upon any such violation being alleged by the association, the following procedures will be followed:

A. Notice. Notice of the violation, including the Condominium Document provision violated, together with a description of the factual nature of the alleged offense set forth with such reasonable specificity as will place the Co-owner on notice as to the violation, shall be sent by first-class mail, postage prepaid, or personally delivered to the representative of said Co-owner.

B. Opportunity to Defend. The offending Co-owner shall have an opportunity to appear before the Board and offer evidence in defense of the alleged violation. The appearance before the Board shall be at

its next scheduled meeting, but in no event shall the Co-owner be required to appear less than seven (7) days from the date of the Notice.

C. Default. Failure to respond to the Notice of Violation constitutes default.

D. Hearing and Decision. Upon appearance by the Co-owner before the Board and presentation of evidence of defense or, in the event of the Co-owner's default, the Board shall, by majority vote of a quorum of the Board, decide whether a violation has occurred. The Board's decision is final.

E. Amounts. Upon violation of any of the provisions of the Condominium Documents and after default of the offending Co-owner or upon the decision of the Board as recited above, the following fines shall be levied:

First Violation. Warning Letter. No fine shall be levied.

Second Violation. A fine of twenty-five dollars (\$25.00)

Third Violation and Subsequent Violations. A fine of twenty-five (\$25.00) for each subsequent violation notice.

The Association, acting through its Board of Directors, may increase or decrease the fine schedule set forth above by Board resolution after giving prior written notice to the Co-owners of the proposed change. The resolution and a proof of notice shall then be recorded with Oakland County and the new schedule shall be effective upon recording.

Collection. Fines levied pursuant to the above shall be assessed against the Co-owner and shall be due and payable together with the regular Condominium assessment on the first of the next following month. Failure to pay the fine will subject the Co-owner to all liabilities and remedies set forth in the Condominium Documents. The aforesaid remedies include the right to record notices of lien for the unpaid fines and the right to foreclose such liens in accordance with the procedures set forth in the Crossings documents.