

CLOPPER'S MILL WEST COMMUNITY ASSOCIATION  
20440 Century Blvd., Suite 100  
Germantown, Maryland 20874  
(301) 948-6666 FAX (301) 963-3856  
tmgainc@themgmtgroup.com

TRASH COLLECTION PROCEDURES AND ENFORCEMENT

**POLICY RESOLUTION**

Pursuant to the authority granted to the Board of Directors by Article VIII, Section 1, paragraph (a) of the By-laws and Article IV, Section 1, paragraph (e) of the Declaration of Covenants, Conditions and Restrictions for the Clopper's Mill West Community Association, the Board has adopted the following community-wide Trash Collection Procedures. This policy outlines authorized and prohibited activities and procedures to address trash removal violations as is consistent with Article IV, Section 8, paragraphs (c) & (e) as well as Sections 14 and 15 and Article XIV, Section 3, of the Declaration of Covenants, Conditions & Restrictions.

Each resident and their guests can minimize litter and rodent problems by respecting the rights of other residents. Residents are expected to adhere to the rules outlined below. Failure to do so will result in enforcement action as described below.

**A. Rules and procedures to be followed for trash removal:**

1. Household trash is collected by our private contractor twice per week.
2. Montgomery County collects recyclable materials once per week for single family and town house residents. (For more information visit [www.mcrecycles.org](http://www.mcrecycles.org).)
3. Trash containers must be placed at the curb in front of each home for trash collection.

Household trash should be placed in rigid tightly closed containers; items that cannot be placed in rigid tightly closed containers should place them out on the curb for collection **no earlier than dusk the day before** collection the following day. Placing trash in open grocery bags, loosely tied trash bags and open cardboard boxes attracts unwanted wildlife and is prohibited.

4. Recycling bins and materials set out for recycling should be placed out on the curb for collection **no earlier than dusk the day before** collection the following day. Please remember that all cardboard boxes should be flattened before being placed on the curb. Homeowners should refer to Montgomery County recycling guidelines to determine which items are recyclable and which are to be placed with regular household trash.
5. Any large metal recycling items such as stoves, washers, dryers, refrigerators, or hot water heaters **must be scheduled for pickup** with Montgomery County prior to placing them out for pickup. This service is **free** and can be conveniently scheduled by calling (240) 777-6410. Visit [www.montgomerycountymd.gov](http://www.montgomerycountymd.gov) on the web for more information.
6. Non-metal bulk items such as furniture, mattresses, desks, chairs can be disposed of by calling J & J, Inc at 301-845-2841.
7. Please be considerate of your neighbors and do not block the sidewalk in front of your home. If residents/homeowners have bulk items that they need to dispose of they should contact Montgomery County for the location of the local sanitation station nearest you.
8. All trash containers must have a lid and be tightly closed. Paper placed out to be recycled should be put in paper bags or wrapped with twine and weighted down sufficiently to prevent blowing around on windy days.

9. All trash and recycle receptacles must be removed from view no later than midnight on the day of collection. Containers should be stored so that they are hidden from view and adequately protected from wildlife. Trash and recycle receptacles may be stored in front of the home ONLY if it cannot be seen from the street or sidewalk.

**B. Enforcement Procedures:**

1. In the event that a resident of the Association complains or a management agent/Board member observes that trash or recycling is set out in a manner that does not conform with the above trash rules, procedures, and policy, then a contractor will be hired to investigate who the trash belongs to and to dispose of the items properly. Homeowners whose trash can be identified will be charged the actual cost of collection of the trash, recycling, or removal of the improperly stored receptacles if they are found to be in violation of the above procedures. A contractor hired by the Association will remove trash that cannot be attributed to a specific homeowner. This cost is borne by all community members in the way of HOA fees; persistent use of this service will undoubtedly increase these fees.
2. Due to the urgency of removing trash because of possible rodent problems and health and related safety issues, this policy supersedes any and all enforcement procedures already in place for the Clopper's Mill West Community Association. This trash policy is a separate and distinct remedy to but consistent with enforcement to correct a violation as outlined in Article VIII, Architectural Control Sections 14 and 15 of the Declaration of Covenants, Conditions and Restrictions.
3. Written notification of the charge will be forwarded to the homeowner.
4. The homeowner may appeal charges levied based on violation of the trash collection procedures directly to the Board of Directors.

To do so, a written appeal must be forwarded to:

Clopper's Mill West C. A. - Attn: Board of Directors  
20440 Century Blvd., Suite 100  
Germantown, Maryland 20874

Appeals must be submitted within 15 days of the date of the assessment notice. The homeowner will be notified of the date the appeal will be heard in front of the Board of Directors.

5. The Board will conduct a hearing as part of the business of the next regularly scheduled meeting following receipt of the appeal notice. The homeowner may bring with him/her any documentation or witnesses relevant to this matter. The hearing may be conducted in the homeowner's absence.
6. If the Board of Directors upholds the charge, the homeowner must pay this charge within 15 days of the date of the appeal and/or an additional fine of \$25 for each offense.
7. Homeowners will be responsible for the actions of their tenants.

Adopted: July 6, 2004

Effective: September 1, 2004