

MOUNTAIN VIEW SHORES HOMEOWNERS ASSOCIATION, INC.

Regulatory Resolution No. 2025 - 02

WHEREAS, the Mountain View Shores Homeowners Association, Inc. ("Association"), was created by its Articles of Incorporation and is governed by the Restrictions recorded in the land records of Bedford County, Virginia, and its Bylaws; and

WHEREAS, the Association is empowered by the Virginia Nonstock Corporation Act, §13.1-826, with the authority to do all things necessary or convenient to carry out its business and affairs; and

WHEREAS, pursuant to Virginia Code §13.1-853 the Association's Board of Directors is charged with exercising all corporate powers; and

WHEREAS, Article VII of the Bylaws, Section 1 provides the Board with the power to take such actions as may be necessary and convenient to carry out the purpose and business of the Association, including the adoption of rules and regulations and the exercise on behalf of the Association all powers, duties and authority possessed by the Association and not reserved to the Membership; and

WHEREAS, Article VII of the Bylaws, Section 2 imposes on the Board of Directors the duty of fixing and collecting assessments; and

WHEREAS, the Restrictions, ¶8, require each Owner of a Lot to be responsible for the neat and orderly maintenance of his Lot and to dispose of all trash in a sanitary manner, not permitting garbage, sewage, refuse, waste or other contaminated matter to unduly remain on his Lot or be drained or discharged into Smith Mountain Lake; and

WHEREAS, Restriction ¶11 bars any Nuisance, Annoyance or Offensive Activity that disturbs the peace and quietude of the community or constitutes a Nuisance on any Lot or Common Areas; and

WHEREAS, Restriction ¶13 requires all Owners who rent their homes to be responsible for the compliance by their rental occupants with all restrictions, rules and regulations of the Association; and

WHEREAS, Restriction ¶17 provides that the recorded conditions and restrictions run with the land.

WHEREFORE, the Board of Directors adopts the following Rule, regulating the disposal of trash and setting forth penalties for violation.

1. Commercial Trash Pick-up is on Thursdays and Saturdays. Trash containers must be set out no earlier than the night before trash pickup, all trash must be bagged, and the trash cans must be secured with pest proof bungee cords.
2. Trash containers shall be returned back next to the home on the day of pick-up.
3. A first violation of this Rule shall entitle the noncompliant Owner to notice, to be delivered by US Mail, email (if an address is on file with the Board of Directors), or hand-delivery. The notice shall inform the Owner of the violation and that subsequent violations may result in the assessment of a monetary penalty.
4. A second violation shall result in a notice to the Owner that any further violations shall be cause for the imposition of an assessment of a monetary penalty, to be not less than Fifty Dollars (\$50.00).
5. Upon a third or subsequent violation the Board shall
 - (a) Give notice to the Owner of the violation;
 - (b) Offer the Owner the opportunity for a hearing to dispute the violation;
 - (c) If the Owner requests a hearing, schedule it to take place at the next convenient Board Meeting or other mutually agreed time, date and location;
 - (d) In the event the Board finds a subsequent violation has occurred, impose an assessment of a monetary penalty of not less than \$50.00. Fourth or subsequent violations may be penalized in amounts up to \$100.00.
 - (e) Should the Owner decline to request a hearing, the Board shall convene at its next meeting and confirm the occurrence of a violation and impose the appropriate penalty.
 - (f) In the event any penalty remains unpaid ninety (90) days following its imposition, said assessment shall be cause for a lien to be recorded against the Owner's Lot.

This Resolution shall be effective as of the date of approval and adoption by the Board and is to be published to the Members of the Association.

Approved and adopted this 8th day of August, 2025.

Sally L Wagner
Secretary, Mountain View Shore HOA, Inc.