

Emery Bay Village Homeowners Association
STORAGE & MAINTENANCE POLICY

Jurisdiction over carports, balconies, patios and storage easements rests with the Board. These easements are for the private use and enjoyment of the Unit Owner, but under the guidelines set forth by the Association for said use.

1. No waste shall be committed in the Common Area
2. Trash is picked up weekly per Waste Management Service schedule.
3. Each unit may use one (1) 32-gallon container for household trash.
4. Each unit may have additional trash pickup by purchasing Waste Management trash bags at the Unit owner, tenant or guest expense.
5. Garbage enclosures are to be maintained in a clean and safe manner.
6. Garbage enclosures may not be used for storage or dumping of waste material outside of approved container(s). Nothing except for garbage/recycle containers shall be present.
7. Homeowners and tenants shall keep the area around their units free from unreasonable accumulation of trash and other debris.
8. If the residents of a unit will be away for more than 48 hours, they must cancel all newspapers and subscriptions or have someone pick them up. The board finds this policy is necessary to discourage vandals and undesirable persons from realizing the unit is unattended and possibly burglarizing the unit or causing damage. Owners shall inform Tenants of this policy.”
9. No Unit Owner, Tenant or Guest may store or dispose of any toxic material in the complex. “Toxic materials” shall include all those so defined by applicable law and by the Alameda County Household Hazardous Waste Dept. and shall include, but not be limited to, oil, antifreeze, solvents, gasoline and paint. The Board of Directors may levy a fine, seek injunctive relief and/or contact civil or criminal authorities in case of a violation.
10. Each Unit Owner shall clean and maintain their designated Balcony or Patio.
11. Each Owner granted an exclusive easement for a Balcony or Patio Garden may landscape said Balcony and/or Patio Garden in conformity to a plan approved by Landscaping Committee and the Architectural Committee and shall maintain and otherwise care for all landscaping and other improvements located within such Balcony or Patio Garden at said Owner's sole expense. Each Owners and Tenants is responsible for the cost of repair of damages to the building and property by installing plants on the patios or balconies that are too heavy for the structural strength of the building and/or by the watering of plants.

Secretary Signature: _____

Adopted: This day 24 in the Month of January in the Year of 2002.

Amendment Date: February 28, 2002

Amendment Number: 1

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12. No Owner shall build, place or cause to be built or placed within his Balcony, Patio Garden and/or Storage Easement any structure without the prior written consent of the Architectural Committee
13. Any approved changes to Balcony, Patio or Storage Easement must meet all Federal, State and Local codes and have all applicable permits prior to any work being done.

Penalties

1. \$25.00 per occurrence in case of violations that do not present a hazard to personal safety or a threat to property. If the detrimental conduct continues for several days following notification, a \$25.00 per day fine may be imposed, at the discretion of the board.
2. Violations that cause a safety hazard or that can damage property can be fined up to \$500 per day, at the discretion of the board, depending upon the seriousness of the conduct.

Enforcement

If any of the above policies or rules is deemed in violation, the Board and the management company will proceed as follows:

Unit Owners of unit (and/or guests or renters) found to be in violation are to be notified of:

1. The infraction, and
2. The Association's intent to assess fines or other proposed enforcement action.

The first notice will be in writing to the unit owner stating one (1) or more of the following:

1. The violation,
2. The time frame for correction,
3. Any penalty to be assessed if not corrected in time frame allowed, and
4. The opportunity for a hearing.

The Board has the final say on the resolution to matters and issues before it.

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