

**ROLLING HILLS CONDOMINIUM ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 2003-_____
GARBAGE AND RECYCLING CENTER ENFORCEMENT**

WHEREAS, Article III, Section 7 of the By-Laws states that "the affairs of the Association shall be governed by the Board of Trustees, except as otherwise provided by the Articles of Incorporation, the Master Deed, these By-Laws and by law. All of these aforesaid powers and duties are hereby irrevocably delegated to the Board of Trustees of Rolling Hills Condominium Association, Inc. except as may otherwise be expressly provided to the contrary", and,

WHEREAS, the By-Laws requires each member to comply strictly with the By-Laws and the administrative rules and regulations adopted pursuant thereto as either may be amended lawfully from time to time; and

WHEREAS, the County of Sussex Municipal Utility Authority and Health Department, Township of Andover Board of Health, and Rolling Hills Condominium Association have adopted regulations pertaining to the proper collection of garbage and recyclable materials, for the health, welfare and safety of the residents of the County of Sussex, Township of Andover and the Rolling Hills Condominium Association;

Prepared by: 

Alan Y. Lowcher, Esquire, An Attorney
At Law of New Jersey

REC'D & RECORDED
Mar 07 2007 09:31:20A
ERMA GORMLEY
SUSSEX COUNTY CLERK
NEWTON, NJ

WHEREAS, the Association and its members are subject to County of Sussex Municipal Utility Authority and Health Department, Township of Andover Board of Health, and Rolling Hills Condominium Association regulations as the same may be amended from time to time; and

WHEREAS, the Board of Trustees is aware of repeated violations of the County of Sussex Municipal Utility Authority and Health Department, Township of Andover Board of Health, and Rolling Hills Condominium Association regulations; and that the Association has been notified that the County of Sussex Health Department issued violation notices to the Associations and reserved the right to impose monetary fines unless the violations were cured; and

WHEREAS, the Board of Trustees, with the assistance of the Association's Managing Agent and County of Sussex Health Department, obtained additional containers, and initiated additional practices and procedures from its sanitation hauler in an attempt to address the continuing problem; and

WHEREAS, the Board of Trustees is aware that the violations are the result of actions of Association residents and non-residents; and

WHEREAS, the Board of Trustees now seeks to impose monetary penalties to enforce compliance with the aforesaid regulations and to re-state the Association's authority and intention to prosecute violators of the aforesaid regulations, in order to promote safety and general welfare of the entire community;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby adopts the following enforcement procedures to promote the health, welfare and safety of the members of the Association and to enforce compliance with the County of Sussex Municipal Utility Authority and Health Department, Township of Andover Board of Health, and Rolling Hills Condominium Association regulations:

1. The Association shall cause to be posted warning signs in appropriately visible locations notifying all unit owners and residents that regulations adopted by the County of Sussex Municipal Utility Authority and Health Department, Township of Andover Board of Health, and Rolling Hills Condominium Association are being enforced and that the garbage and recycling center is under observation; said notice may incorporate the regulations by reference to the statutory scheme; said regulations will also be published in an Association newsletter. The warning shall also set forth the fines to be imposed.
2. If any unit owner and/or resident fails to act in accordance with this Resolution, the owner shall be fined \$100.00 for the first violation; \$250.00 for the second violation; and \$500.00 for the third and all subsequent violations. Any fines imposed hereunder shall be deemed a lien upon the individual unit owned by the owner of record. Owners shall be responsible for the conduct of their tenants and fines shall be levied upon leased units as well as owner occupied units. All fines levied hereunder shall be collected in the same manner as the common expense assessment.
3. The fines imposed hereunder shall be in addition to any and all other criminal and civil actions that the Association may take against Association owners, residents and non-residents for actions in trespass, nuisance, illegal dumping, and violations of Health Department regulations.
4. The Association shall also pass through any fines imposed by any governmental authorities for any violations of the aforesaid County of Sussex Municipal Utility Authority and Health Department, Township of Andover Board of Health regulations. Said fines shall be subject to collection in the same manner as the common expense assessment.
5. The Board of Trustees directs that this Resolution shall be published in the community

newsletter to be mailed to the members of the Association.

CERTIFICATION

We hereby certify that the foregoing was duly adopted at a regular meeting of the Board of Trustees of Rolling Hills Condominium Association, Inc., held on July 14, 2003.

July 14, 2003
Date

Joseph Telesco
~~Ron Lormann~~, President
JOSEPH TELESKO VICE PRESIDENT

July 14, 2003
Date

Beverly J. Jones
Beverly J. Jones, Secretary

STATE OF NEW JERSEY)
COUNTY OF SUSSEX) SS:

I CERTIFY that on July 14, 2003, Beverly J. Jones, personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of Rolling Hills Condominium Association, Inc., the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Ron Lormann, the President of the corporation.
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Trustees.
- (d) this person knows the proper seal of the corporation which was affixed to this document.

(e) this person signed this proof to attest to the truth of these facts.

Beverly J. Jones
Beverly J. Jones, Secretary

Signed and sworn to before
me on July 14, 2003

Alan Y. Lowcher
ALAN Y. LOWCHER, ESQ.

Record and return to:
Alan Y. Lowcher, Esq.
40 West Washington Avenue
Washington, New Jersey 07882