

Independence Overlay Metropolitan District

TRASH ENCLOSURE COSMETIC GUIDELINES AND POLICY

THE FOLLOWING FOUR GUIDELINES ARE INTENDED TO PROVIDE CLEAR STANDARDS FOR THE COSMETIC ENFORCEMENT OF TRASH ENCLOSURES:

1. **MATERIALS:** THE ENCLOSURE SHOULD USE THE SAME MATERIALS, OR MATERIALS THAT CLOSELY MATCH THE APPEARANCE OF, THE HOME. FOR EXAMPLE, A PANELING-STYLE ENCLOSURE THAT COMPLIMENTS THE HOME'S EXISTING EXTERIOR WOULD BE APPROPRIATE. DECORATIVE ELEMENTS AT THE TOP OF THE ENCLOSURE, SUCH AS LATTICE OR A DECORATIVE METAL DESIGN, MAY BE PERMITTED.
2. **COLORS:** THE ENCLOSURE SHOULD MATCH THE COLORS OF THE HOME. THIS REQUIREMENT ALSO APPLIES TO ANY DECORATIVE ELEMENTS OR TOPS INCORPORATED INTO THE ENCLOSURE.
3. **VISIBILITY:** NO PORTION OF THE TRASH CANS SHOULD BE VISIBLE FROM THE STREET.
4. **FOUNDATION:** A CONCRETE PAD OR PAVER FOUNDATION DOES NOT REQUIRE SEPARATE ARCHITECT SIGN-OFF, PROVIDED THAT IT IS PROPERLY INSTALLED, WELL MAINTAINED, AND DOES NOT CREATE AN UNSIGHTLY APPEARANCE.

ADDITIONAL CONDITIONS AND CAVEATS

1. **HOMEOWNER RESPONSIBILITY:** HOMEOWNERS WHO INSTALL TRASH ENCLOSURE ARE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH CORRECTING ANY COSMETIC VIOLATIONS, INCLUDING THE COMPLETE REMOVAL AND/OR REPLACEMENT OF THE ENCLOSURE WHEN REQUIRED. HOMEOWNERS ARE ALSO RESPONSIBLE FOR ANY DAMAGE CAUSED BY THE ENCLOSURE TO THEIR OWN LOT OR TO ANOTHER PROPERTY, AS WELL AS FOR THE ONGOING MAINTENANCE AND UPKEEP OF THE ENCLOSURE.
2. **ACC ENFORCEMENT:** ARCHITECT SIGN-OFF MAY BE REQUIRED BY THE ARCHITECTURAL CONTROL COMMITTEE (ACC) IF PROBLEMS OR CONCERNS ARISE WITH AN ENCLOSURE. IN ADDITION, FINES MAY STILL BE IMPOSED IF A HOMEOWNER FAILS TO CORRECT ISSUES OR DEFICIENCIES IDENTIFIED BY THE ACC, PUBLIC ALLIANCE, OR OTHER AUTHORIZED PARTIES.
3. **NO VARIANCE:** THESE TRASH ENCLOSURE GUIDELINES AND THIS POLICY DO NOT CONSTITUTE A VARIANCE OR PERMANENT MODIFICATION OF THE GOVERNING REQUIREMENTS. THE GUIDELINES MAY

BE AMENDED, MODIFIED, OR RESCINDED BY FUTURE ACTION OF THE INDEPENDENCE ACC OR BOARD.