

SKY BRYCE ASSOCIATION, INC.

RULES AND INFORMATION

As Adopted by the Board of Directors

For additional details, please contact the Association's Business Office:

Office Location: 7208 Supinlick Ridge Road

Mail: P.O. Box 20,
Basye, Virginia 22810

Call (540) 856-2550

This Compiled Rules and Information Document approved on May, 2005

Last Revision to an Individual Rule is dated Feb 2016
Last Revision to an Individual Information is dated May 26 2017
Last Revision to an Individual Information is dated July 1, 2018

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SBA Rule # 1

SKY BRYCE ASSOCIATION, INC.
7208 Supinlick Ridge Road
P. O. Box 20
Basye, Va. 22810-0020

Business Office Hours:

Monday - Thursday 9:00 a.m. - 5:00 p.m.
Friday 8:00 a.m. - 4:00 p.m.

Open Saturday and Sunday by appointment only

Contacts:

Telephone - (540) 856-2550
Voice mail when office is closed
Fax # - (540) 856-3060
Email - skybryce@shentel.net
Website - skybryce.org

Sky Bryce Association, Inc.'s Business Office and Board Room are No Smoking areas

The Business Office is closed on these Federal and State Government Holidays

New Year's Day	Lee-Jackson Day
Martin Luther King Day	President's Day
Memorial Day	4th of July
Labor Day	Columbus Day
Veterans' Day	Thanksgiving Day
Christmas	

Approved by Sky Bryce Association Board of Directors:
Revised: November 13, 2007

SBA Rule # 2

Amended Declaration of Protective Covenants and Restriction of Sky Bryce Association, Inc.

Article 6.2

Construction

Are you planning to add an addition to your present house, build or replace a deck, or build a new house? Don't forget before construction can begin, the Architectural Committee of Sky Bryce Association must approve your plans. Stop by the Association office at 7208 Supinlick Ridge Road or call (540) 856-2550 for information concerning the paperwork required for approval.

The Architectural Committee will grant no architectural approval for proposed building plans unless all current and past due assessments with interest and penalties are paid in full.

Important information for Owners of Unimproved Lots planning to build

The Board of Directors of Sky Bryce Association, Inc. requires that each owner of a residential lot order a survey, with stakes, before any construction takes place on the lot. The owner of the lot is responsible for adhering to the legally enforceable Covenants and Restrictions, which are part of each residential lot owner's deed. The Architectural Committee of the Association approves plans and specifications submitted by the owner, provided they meet the requirements of the covenants and restrictions. It is of particular importance to the owner to determine accurately the required setbacks from all boundary lines. It is necessary for your builder to understand that he should not begin construction until the survey stakes are in.

Assessments for road repairs for property owners

Article 4 b of the Bylaw of Sky Bryce Association, Inc. has established an assessment of a onetime fee for Property Owners who; build new homes, make additions or remodel existing homes, decks, or other structures. This fee is for repairs to the roads used by heavy construction equipment and delivery of construction material. This fee is non refundable and is in addition to the compliance fee which is submitted with the house plans. This fee must also be submitted before house plans can be approved or before any remodeling can begin. See SBA Rule 3 Paragraph 7.

Soil erosion control

Soil erosion occurs when rain water flows across lots that have been cleared for building. To fight this problem, Sky Bryce Association has instituted a protection policy.

SBA Rule # 2

The policy requires any contractor building in Sky Bryce Subdivision lots to cover utility trenching with ground cover and straw.

Approved by Sky Bryce Association Board of Directors:

Approval of Plans

How to obtain approval of plans before construction at Sky Bryce Subdivision

The Sky Bryce Association's Architectural Committee requires that SBA Rule 3.1 Construction Approval Form be completed and the items in paragraph A below be submitted before approval of proposed building plans for new construction, additions, or renovations can be considered.

The owner and builder MUST follow all requirements of Sky Bryce Association's Amended Declaration of Protective Covenants and Restrictions and all items in paragraph B below. A copy of the Covenants is enclosed.

After all of the required information has been received by the Sky Bryce Association's Business Office, the Architectural Committee needs approximately two (2) weeks for approval. You will be notified by mail upon approval.

You may mail all required information to the Sky Bryce Association, Inc. at P.O. Box 20, Basye, VA 22810 or bring it to the Association's Business Office at 7208 Supinlick Ridge Road.

The rate of assessment will be changed from "lot" to "improved lot" commencing when the roof of the proposed residence is in place.

No architectural approval of proposed building plans will be granted unless all current and past due assessments with interest and penalties are paid.

Construction and tree removal WILL NOT begin until Sky Bryce Association has issued its approval and the owner is ready to begin construction. Violators will pay a remedial fee of up to \$500.00

Any change(s) to originally approved surveyor's site plot or approved plans, whether for construction, siding, roofing, landscaping or placement on the Lot will require approval by the Architectural Committee before the start of construction. Contact the Association's Business Office for the procedures used to obtain approval.

A. Items to submit

- 1.** Construction Approval Form completely filled out and signed by owner AND builder.
- 2.** Plans of the house, including exterior design, with a sample of the siding and color, trim and color, and roof. If vinyl siding is to be used, provide sample of color and texture of the siding and trim.

SBA Rule 3

3. Specifications.

4. A certified plot of the lot done by registered surveyor showing placement of the house with decks on the lot within set back requirement, and including driveways and parking areas. The surveyor's site plan should bear a red dotted line indicating the area(s) to be cleared of trees and brush. Clear cutting is not authorized. **No trees** beyond twenty (20) feet of the building can be cut. **No trees** can be removed within ten (10) feet of the sides and rear of any lot. A screen of trees is to be maintained between the house and road where possible.

5. Landscaping plans will be provided on a copy of the surveyor's site plan that will show where replacement trees will be placed, type of trees, location of shrubs and other plants, type of shrub and other planting, and what type of ground cover is being used. Trees will be of appropriate size and plants will be native to this area and noninvasive.

6. Added November 2017: Effective March 1, 2018: A certified plot/site plan of the lot done by registered surveyor showing existing topography and post construction topography. Additionally, an engineered water management program/plan may be required.

B. Items of compliance

1. A compliance fee of \$ 500.00 must be paid before new construction or addition plans will be approved. This fee may be waived for small additions. Request for the return of this fee will be **in writing** to Sky Bryce Association's Business Office. Before the fee is returned, the Association will inspect to determine:

a. any damage to roads in the immediate area of construction or damage to other property caused by construction of the proposed house is repaired to the satisfaction of the Architectural and Roads Committees.

b. an "as built" survey done by a registered surveyor is provided upon completion of house or addition; showing actual location of the structure (include decks, steps, etc.) and driveway/parking area on the Lot.

c. erosion control is done; utility trenches, including the sewer trench from property to the main sewer connection should be level with surrounding ground; the builder must provide ground cover (at least straw covered then seeded) to prevent erosion.

d. construction has been completed and the site has been cleaned up and all construction equipment and debris such as, but not limited to, ladders, paint buckets, scaffolding, signs and lumber have been removed from the site.

e. The E-911 address is posted on the house and has been provided to the Business Office of Sky Bryce Association.

f. Landscaping is completed as per the submitted plan.

g. Driveway culvert installed.

SBA Rule 3

2. An assessment of a onetime fee that is non refundable, and is in addition to the compliance fee, for construction of new homes, or additions or renovations of homes, decks, or other structures requiring excavation or use of heavy equipment, such as concrete trucks, heavy-laden delivery vehicles, or crane. This fee must be paid before any plan is approved.

The fee for Stick Build and Package homes is: \$150.00 per 100 total square feet of the floor space listed in the application.

3. Property Owners must insure the following conditions are fully adhered to during the construction of the approved project:

a. at no time will construction material or equipment associated with building be parked on the road that will prohibit traffic flow (to include construction workers' personal vehicles).

b. closing or the blockage of a road association with construction of a house will be reported to the Sky Bryce Association's Business Office forty eight (48) hours before closing a road.

c. closing of a road due to construction will be posted with signs(s) or cones and when necessary have a flag man to reroute traffic.

d. construction track vehicles will be transported to the lot by trailer. A track vehicle will be unloaded from the trailer onto the lot. At no time are construction track vehicles to be driven on the hard-surfaced roads.

e. the builder will provide a port-a-john for the construction workers.

f. burning of construction waste to include brush/trees on the job site is not permitted per Covenant 6.13. The builder should provide dumpster on the job site for removal of construction waste. The cost to clean up construction debris and trash from the neighborhood of a construction site will be billed to the Contractor of the site

g. upon receipt of your E-911 address from Shenandoah County, when your foundation is finished and inspected, post the address on the house and provide this address to the Sky Bryce Association's Business Office.

h. the time allowed for construction, as specified in the amended covenants and restrictions, require that roof, siding, windows and doors be in place one (1) year from the date of approval of plans indicating a construction start date.

4. Construction of a package home or preparing a construction site that requires extra heavy equipment must submit a Transportation Route Plan for such equipment (oversize vehicles, cranes, heavy dump trucks, etc.). The Builder will submit the Route Plan on a map, provided by Sky Bryce Association, of the

SBA Rule 3

section or sections involved. Sky Bryce Association must receive the Route Plan at least two weeks before the arrival of the equipment or package units. The Architectural Committee of Sky Bryce Association must approve the Route Plan and when necessary impose alternative routing.

5. Added September 2012: Effective January 1, 2013 when/if SBA Road Services determines that a plan for new home construction should include installation of a culvert; **a \$1,000 per culvert compliance fee is required before approval will be granted.** This fee will be refunded ONLY when an SBA approved culvert has been installed. If SBA Road Services must install or otherwise perform work to bring the culvert up to SBA standards, costs related thereto will be deducted from the \$1,000 compliance fee and any remaining money will then be refunded to the home owner.

Sky Bryce Association advises property owners planning to build at Sky Bryce to use steel culvert pipe, instead of plastic culvert pipe, for driveways and parking areas.

Sky Bryce Association requires that all builders' job site identification signs be removed from a building site upon occupancy inspection as stated in approved sign policy.

After your plans have been approved by the Architectural Committee, it will be necessary for you to obtain a Shenandoah County Building/Zoning Permit. Call this County office at (540) 459-6185 for further information.

For water and sewer service contact the Stoney Creek Sanitary District at (540) 459-7491 for information.

If your plan requires vacating any property lines between adjacent lots to create larger building lots, it is possible that underground utilities may be located along these property lines. Therefore you MUST contact Stoney Creek Sanitary District at (540) 459-7491 to locate the utilities. When your surveyor has drawn up the new 'PLAT' to vacate the lines, owners will need the following signatures: first; the owner, second; Rodney McClain, Director of Public Utilities at Stoney Creek Sanitary District, third; Sky Bryce Official, fourth; a Shenandoah County Official will be the final approval. The signature approval of Stoney Creek must be obtained before submission of the plans to the Sky Bryce Architectural Committee for approval.

If you have any questions, please call the Association's Business Office at (540) 856-2550. We will be happy to help you in any way we can.

Attachments:
Approval Form

SBA Rule 3

Copy of Amended Declaration of Protective Covenants and Restrictions
Copy of Sky Bryce Association Adopted Rules and Information
List of Builders/Surveyors

Approved by Sky Bryce Association Board of Directors:

Revised January 1, 2005
Revised December 19, 2005
Revised February 24, 2006
Revised May 15, 2006
Revised March 23, 2007
Revised April 27, 2007
Revised September 28, 2012
Revised November 3, 2017

SBA Rule 3.1

Sky Bryce Association
Architectural Committee Construction Approval Form

Section _____ Block _____ Lot _____ Total lot Sq. Footage _____

Owner _____ Builder _____

Address _____ Address _____

_____ Zip _____ _____ Zip _____

Phone: (H) _____ Phone: _____

(0) _____

Dwelling type _____ Package _____ Stick Built _____

Is the proposed house designed to be for use as a single-family residential dwelling unit?

Yes _____ No _____

The definition of a single-family residential dwelling unit for this purpose is:

One or more rooms in a residential building which are arranged, designed, used or intended for use as a complete independent living facility for one family, and which includes permanent provisions for living, sleeping, eating, cooking and sanitation.

Sq. Footage: Basement _____ Total height of dwelling _____

1st Floor _____

More that 2 1/2 Floors:

2nd Floor _____

Yes _____ No _____

Garage _____

Total Sq. Ft. _____

Waiver Requested No _____ Yes _____ Reason _____

ACTUAL Set-Backs:

(as shown on attached site plan)

Type of Siding _____

Front _____

Color of Siding _____

Side (a) _____

Color of Trim _____

Side (b) _____

Type of Roof _____

Back _____

Color of Roof _____

Off-street parking provided: Approximate total sq. feet _____

This will accommodate a maximum of _____ full sized cars

Landscaping site plan attached? No _____ Yes _____ Reason _____

Do you or your builder consider a culvert necessary? Yes _____ No _____

SBA Rule 3.1

If so, give length _____ and diameter _____

Note: Sky Bryce Association retains the right to make final decision.

Construction Schedule: Start Date _____, Under Roof Date _____

Completion Date _____, Occupancy Date _____

Compliance Fee from:

Owner _____ Builder _____ Check No. _____ Cash _____

Square Foot Assessment Due: _____

Owner _____ Builder _____ Check No. _____ Cash _____

Signature of Owner and Builder verifies they are fully aware of guidance contained in the information for preparation of application and the contents of the construction approval form

Owner's Signature

Builder's Signature

Date _____

Date _____

Sky Bryce Association Architectural Committee Approval

Approved on _____ By _____ Approved on _____ By _____

Approved on _____ By _____ Disapproved on _____ By _____

Assessment paid: Yes _____ No _____ For period FY _____ Amount Due _____

This approval is good for six (6) months from _____ through _____

Office Use:

Copy of approved construction form and site plan sent on _____

To: owner _____ builder _____ Owner/builder _____

Shenandoah County Zoning office faxed on _____

SBA Rule 3.2

Sky Bryce Association
Architectural Committee Compliance Fee Return Form

Section _____ Block _____ Lot _____

Owner _____ Builder _____

Address _____ Address _____

Zip _____ Zip _____

Phone: (H) _____ Phone: _____

(O) _____

Soil Erosion Control completed (SBA Rule 2 and SBA 3 B 1c)

As Built survey turned in to Business Office (SBA Rule 3 B 1b)

Construction is complete and site and surrounding area is clean (SBA Rule 3 B 1d)

E-911 posted on house (SBA Rule 3 B 1e)

E-911 provided to Business Office (SBA Rule 3 B 1e)

Landscape completed as per submitted plan (SBA Rule 3 B 1f)

Culvert installed as per submitted Plan (SBA Rule 3 B 1g)

Any noticeable damage to roads or surrounding areas (SBA Rule 3 B 1a)

Comments: _____

Approved by Architectural on _____ By _____

Approved by Roads on _____ By _____

Fee Returned on _____ Check Number _____

Amount _____

Approved by Sky Bryce Association Board of Directors: April 2007

GENERAL CONDUCT POLICY

Sky Bryce Association, Inc. (SBA) Subdivision is a residential community comprised of property owners who are entitled to the enjoyment of their property.

The following rules are established for the observance by all owners, guests and renters:

1. Observe quiet hours between 11:00 p.m. and 7:00 a.m.
2. Posted Speed Limit on the private roads in Sky Bryce Subdivision is: 25 m.p.h.
3. Hunting or discharge of firearms is NOT allowed in Sky Bryce Subdivision.
4. Fireworks are NOT allowed.
5. No wood harvesting from property that you do not own.
6. Dogs, cats, or other small domestic animals, generally considered as pets, shall be permitted as long as they are properly inoculated, of a quiet and inoffensive nature and kept under the control of a responsible person at all times. Dog not on a leash and not on the Lot of the owner, is considered "at large" and in violation of Covenant 6.21.
7. All pet owners and those walking pets must immediately clean up the pet's waste/feces if deposited on property other than that of the Lot where pet lives, and then dispose of it in a closed trash container, within the owner's regular trash, on the owner's Lot, to help promote the overall appearance and sanitary conditions of the community.

The Board of Directors will investigate complaints received by SBA, Sky Bryce Patrol or the Shenandoah County Sheriff's office of violations to this policy for appropriate action.

Approved by Sky Bryce Association Board of Directors: March 27, 1999

Revised: July 19, 2002

Revised: December 12, 2013

Security Notes

The quiet surroundings of the Shenandoah Valley are so peaceful that we forget some real world problems. One of those problems occasionally rears its ugly head here in the mountains, which shatters our Garden of Eden. Several incidents of crime and vandalism have pointed out the need to be more alert to what is happening in our neighborhood. These incidents can be the result of an individual or group. We may have interrupted these incidents if a neighbor had been more alert to what was happening in their neighborhood. It doesn't mean that we should sit at the window and become "Big Brother" to the extent that you are obnoxious. Nevertheless, a little nosiness may just prevent an unnecessary act of vandalism or other crime. Try to know who your neighbors are and their occupation in your part of the Sky Bryce Subdivision area. If something seems unusual or not just right, call the Sheriff's Department at 911 and that office will coordinate with Sky Bryce Association's Patrol to investigate your report. Let's all of us work together for a peaceful crime free area

Alarm Systems

If your security alarm rings outside your house, Sky Bryce Association, Inc. **REQUIRES** you to leave a key and instructions on how to reset the alarm with the SBA Patrol. They will investigate and reset the alarm, and notify the owner. Complete the form in SBA Rule 5.1.

Authorization to Enter Premises - Emergency key

An authorization for a member of Sky Bryce Association's Patrol or Business Manager to enter your home, **for emergency purposes**, is available. Complete the form in SBA Rule 5.1

Special Check on Home

For full time residents of Sky Bryce Subdivision who are away from home the Association offers a notification service in case of an emergency. Complete the form in SBA Rule 5.2

Approved by Sky Bryce Association Board of Directors:
Revised March 26, 2010

Authorization for SBA Patrol Officers and Business Manager to Enter Premises

I (we) _____ owner of the home located in Section _____ Block _____ Lot _____ of Sky Bryce Subdivision in Shenandoah County, Virginia, do hereby request the above members of the staff of Sky Bryce Association to use the key available in the office of the Association to enter my home and lot in case of an emergency involving fire, water or other damage to the property, to address emergency problems emanating from the home or lot, or for the following emergencies:

In consideration of the Association's efforts to limit damage or address emergencies, I hereby waive and hold the Association harmless from any causes of action or claims of liability property damage or trespassing that I might have arising from the Association's possession of the key or if the Association staff uses the key to enter my home in case of an emergency, such as one described above, to prevent further damage to the property or to address problems emanating from the home.

E-911 Address: _____

Principal Residence of Owner: _____

Phone: _____ Home
_____ Work

Other Emergency Contact Person
If Owner is Unavailable: _____

Phone: _____ Home
_____ Work

Date: _____ Signature of
Owner _____

Phone _____ Home _____ Work

Out of Area Home Check

In consideration of the Associations efforts to limit damage or address emergencies, I hereby waive and hold the Association harmless from any causes or action or claims of liability, property damage or trespassing that I might have from the Association's actions in case of an emergency.

Date: _____ Name: _____

E911 address: _____

Section: _____ Block: _____ Lot: _____

Telephone: _____ Home _____ Work _____

Departure Date: _____ at time: _____

Return Date: _____ at time: _____

Key provided: Yes _____ No _____

Person to contact in emergency: _____

Telephone: Area code _____ Number _____

Will anyone be checking on or entering your home for any reason?

Yes _____ No _____

Who? _____

When? _____

Will there be cars in driveway? Yes _____ No _____

Description if yes _____

Light on in home? Yes _____ from _____ to _____ No _____

Animals at home? Yes _____ Type _____ No _____

Signature of owner _____

If received telephonically, date _____ time _____ received by _____

Snow Removal Priority

1. Main Roads: Fairway Drive, Straton Way, and Greenview Drive.
2. Roads off Fairway Drive, South (Sections 1, 4, and 6).
3. Roads off of Straton Way (Section 2).
4. Killmon Road and all roads in Section 9 Extended including Erika Drive and Locher Road in Section 9XX.
5. Roads in Section 5 and Section 5 Extended including Aspen Way North, Fritzel Way, and Scott Road.
6. Roads in Section 10, Section 10 Extended, and Section 12.
7. Roads off Greenview Drive (Section 7A and 7B).
8. Roads in Section 8.
9. Roads in Section 11.
10. Roads in Section 9 including all roads off Stonewall Drive, Lee Road, Beaureguard Drive, and Ashby Road (Section 9XX), and Chad Land (Section 7C).
11. Roads in Section 3 (Ellen Drive, Spitz Lane, and Lee Court).

As long as snow continues to fall at a steady rate, the snow removal crew will concentrate on the main roads (Fairway Drive, Staton Way, and Greenview Drive). When the snow lets up or completely stops, they will move, onto other roads

If you have any questions during snow removal activities, you should call the Association's office at (540) 856-2550.

Our policy does not include plowing private driveways or parking areas.

Approved by Sky Bryce Association Board of Directors:
Revised March 26, 2010

OFF-ROAD PARKING -WHO NEEDS IT

Have you ever swung around one of Bryce Resort's narrower curves in the snow... or in a summer thunderstorm... and found yourself, the driver of the oncoming vehicle and a parked car ahead occupying two narrow lanes at the same time? If you have, we're sure you'll agree that adequate off-street parking is not just a technicality that has been written into the Bryce covenants. It's important to the safety of you, your neighbor, your guests and everybody else at Bryce Resort.

Amended Declaration of Protective Covenants and Restriction of Sky Bryce Association, Inc.

Article 6.20

Parking:

"Each lot owner shall construct and maintain suitable and adequate parking spaces on the lot for parking of a minimum of two (2) vehicles. Additional vehicles, when regularly parked, must be provided with off street parking. Parking should not obstruct or interfere with vehicular travel on or access to any of the roads in the Association. Vehicles parked in fire lanes, blocking other vehicles on any portion of a road or parked so as to create a hazardous condition shall be subject to immediate towing at owner's risk and expense."

If you've fallen into bad parking habits, keep not just yourself, but all other drivers in mind when you put on the emergency brake and climb out of your vehicle. Also when your neighboring lot owners talk about building, remind them that off-street parking is a MUST in Sky Bryce Subdivision.

OFF-ROAD PARKING

The Sky Bryce Association endeavors to monitor covenants requiring residents to provide for off-road parking. It is understandable that meetings and/or guests will increase on-road parking for short periods of time. It is essential that residents understand the need to provide open roads for snow removal and emergency vehicles. For the protection of all residents, every effort should be taken to provide for the use of all roads at all times.

Approved by Sky Bryce Association Board of Directors:

SBA Rule # 8

Amended Declaration of Protective Covenants and Restriction of Sky Bryce Association, Inc.

Article 6.11

Tree and Brush Removal

TREE CUTTING

Much of the charm of the Bryce community lies in the way most of the houses are tucked down into the trees and hidden from view. To maintain this setting, the Protective Covenants prevent the cutting of trees larger than 6 inches at ground level without receiving permission from the Sky Bryce Association, unless the trees are located within 20 feet of the main or accessory building. The Covenants provide further that no trees growing within 10 feet of the side or rear lines of any Lot shall be cut or removed. Obviously, cutting trees on someone else's lot for any reason without permission is a criminal offense.

The Sky Bryce Patrol Officers have been alerted to watch for improper tree cutting.

If you are aware of any violations, please report them promptly to the Association Office (540) 856-2550

Approved by Sky Bryce Association Board of Directors:

SBA Rule # 9

Amended Declaration of Protective Covenants and Restriction of Sky Bryce Association, Inc.

Article 6.24

Trash

**YOU ARE RESPONSIBLE FOR KEEPING YOUR PROPERTY CLEAN,
ATTRACTIVE AND FREE OF LITTER**

1. The instructions below are for using the household trash and garbage pick-up service paid for in annual assessments and provided by your Sky Bryce Association. Your household trash/garbage will then be picked up regularly each week on MONDAY.

These Regulations Comply With the Shenandoah County Nuisance Ordinance

- a. NO loose trash will be picked up. ALL trash must be placed in heavy duty plastic bags. Trash bags must be tied and placed in a trash can/trash container with a secure lid. Trash cans/trash container must be kept free of loose debris and WATER!
- b. Buy as many outside cans as necessary to hold all of your refuse. Metal cans with tight fitting lids are best. Place bricks or rocks on top of the lid. Dogs, crows and other small animals tear bags open.
- c. All outside trash containers or storage bins must be placed near the road on your property. They may NOT be placed on the roads. We cannot drive into driveways and pickup trash from decks and alongside houses.
- d. Buy large, heavy duty trash bags, not leaf bags. Line outside trash containers with these bags. They can then lift out the plastic trash bag, unbroken, tied and place it in his truck.
- e. If the plastic trash bags are torn open, or break when lifted, it is your responsibility to clean up all loose refuse and start over with new bags.
- f. Newspapers may be bundled, tied securely with twine and placed next to your containers.
- g. Large cardboard boxes must be broken down in order to have them picked up. The boxes should be tied like bundled newspapers and placed next to your containers. Boxes not broken down may blow out of the open trash trucks, causing hazards to the road and a state fine. Boxes not broken up cannot be picked up.
- h. We DO NOT pick up leaves, branches or any other outside lawn trash material. Building materials should be removed by your Contractor.

SBA Rule # 9

- i. We are not required to pick up your trash if your dog is loose or not properly restrained or supervised.
 - j. Have trash out by 7:15 A.M. to be picked up.
 - k. Always place your trash at the same location to be picked up. We will not search your property for your trash if it is not in your normal pick-up location.
2. You can take, or instruct your guests or renters using your house, to take all household trash/garbage to the trash/recycle areas provided by Shenandoah County. Follow the County regulations for their facilities. These areas are located:
- a. East on Route 263 (Orkney Grade) going toward Mt Jackson and 181,
 - b. West going toward Orkney Springs behind the Orkney Hotel on Route 610.
3. If a resident agent handles the rental of your house through a Property Management Agreement, you should insert a clause in the Agreement that will make your agent responsible for keeping your property clean outside, and inside.

When the following Holidays are on Monday, Trash will be picked up Tuesday:

New Year's Day	Lee-Jackson Day
Martin Luther King Day	President's Day
Memorial Day	4th of July
Labor Day	Columbus Day
Veterans' Day	Christmas

Approved by Sky Bryce Association Board of Directors:

Updated: October 15, 2003

Updated: March 26, 2010

Updated: July 19, 2018

SBA Rule 9.1

REQUEST FOR HOME OWNER HOUSEHOLD TRASH/GARBAGE PICK-UP SERVICE

Date _____

Owner(s) _____ Section _____

Block _____ Lot number _____

E911 address _____

Phone #'s _____ Home

_____ @ Sky Bryce

Please check:

Are You a Full-time resident _____ Weekend resident _____

Is this a Rental unit: no _____ yes _____

full-time _____ part time _____

Weekends only _____

Type of outside trash container:

_____ can _____ no can, trash bag s only

_____ storage bin for can _____ storage bin for trash bag

State location of above container: _____

SBA Rule # 10

Amended Declaration of Protective Covenants and Restriction of Sky Bryce Association, Inc.

Article 6.22

Signs

The Board of Directors of Sky Bryce Association, Inc. has adopted a sign policy and enforcement procedures. The Board of Directors will as of February 1, 1994 enact and enforce strict and clear guidelines regarding the use of signs to maintain the beauty of the property and property values for the benefit of all owners.

All previous resolutions, written letters of permission and policies have been rescinded and the following is our new policy for owners, Realtors and builders signs.

Owner/ Realtor or Builder must submit a written request for a sign. Complete Form in Rule 10.1 Request to Place Sign on Numbered and Recorded Residential Lots of Sky Bryce Subdivision.

A. OWNER PROPERTY IDENTIFICATION SIGNS:

1. One sign of no more than two (2) square feet showing the owner's name, the name of the premises and/or the address is permitted. Such signs must have a background color of a subdued green or brown color or natural wood stain that blends with the landscape. Only wooden signs will be permitted. In no event shall a sign measure more than three (3) feet in length or height.
2. Any existing property identification sign shall be allowed to remain until its condition requires replacement or substantial repair. Any new or replacement sign must meet the standards set forth above in paragraph A..1.

B. FOR SALE AND FOR RENT SIGNS:

Realtor, builder and owner signs advertising a property for sale or for rent must adhere to the following requirements:

1. Size - 18" by 18" with no riders
2. Color - Gray background with black letters
3. Material - Metal sign with standard metal mounting
4. Contents - "For Sale" or "For Rent"
 - Real Estate Company, Builder or
 - "By Owner"
 - One Telephone Number

SBA Rule # 10

- Email address or Website address
- Small Black Logo
- Small Quick Response (QR) Code
- Printing on both sides of sign
- 5. Placement - No more than two (2) feet from ground to bottom of sign
 - Centered ten (10) feet from road shoulder on lot or, where topography prohibits the sign from being visible, with prior written approval at a location approved by the Board of Directors
- 6. Limitations - For sale or for rent use only
 - One sign per lot
 - Signs must be removed within two days of the date the rental agreement or deed is fully executed
 - No "Sold" or other signs shall be permitted
 - All signs must be kept in good condition, standing erect and both posts firmly placed in the ground
- 7. Approval Either a written request form or an email must be submitted to the Association before a sign is placed on a lot which indicates the name and lot number or address of the owner; the realty company or builder who has authority to advertise the property, or the owner if for sale or rent by owner; a contact person; a telephone number for inquiries; the date the sign is first to be placed on the property, and the requested location of the sign if topography prohibits visibility from the approved location. Such forms will be available from the Association office and will be kept on file once the forms have been submitted. Forms will be acknowledged as received and approved or disapproved by the Association's Board of Directors and a copy will be returned to the party requesting approval within ten (10) days of receipt.

C. BUILDERS JOB SITE IDENTIFICATION SIGNS:

1. Size - 18" by 18" with no riders
2. Color - Gray background with black letters
3. Material - Metal sign with standard metal mounting
4. Contents - Builder's name
 - Telephone number
 - Printing on both sides of sign
5. Placement - No more than two (2) feet from ground to bottom of sign
 - Centered ten (10) feet from road shoulder on lot or, where topography prohibits the sign from being visible, with prior written approval at a location approved by the Board of Directors
6. Limitations - For builder's job site identification use only

SBA Rule # 10

- One sign per lot
- Signs will be removed upon occupancy inspection
- No "Sold" or other signs shall be permitted
- All signs must be kept in good condition, standing erect and both posts firmly placed in ground

7. Approval A written request form must be submitted to the Association before a sign is placed on a lot which indicates the name and lot number or address of the owner; the realty company or builder who has authority to advertise the property, or the owner if for sale or rent by owner; a contact person; a telephone number for inquires; the date the sign is first to be placed on the property, and the requested location of the sign if topography prohibits visibility from the approved location. Such forms will be available from the Association office and will be kept on file once the forms have been submitted. Forms will be acknowledged as received and approved or disapproved by the Association's Board of Directors and a copy will be returned to the party requesting approval within ten (10) days of receipt.

D. OPEN HOUSE SIGNS:

1. Open house signs, including balloons, arrows or other directional signs or aides may be displayed for only one day each week, with an additional day for official state or federal three day holiday
2. All such signs left up for more than one day or more than an official state or federal three day holiday will be considered abandoned litter and will be removed for disposal by the Association at the cost of the owner.

E. DIRECTIONAL ARROWS:

1. Request for approval for use of a long term directional arrow sign will be considered on a case by case basis presented in writing before the Board of Directors.
2. The directional arrow must meet the same criteria as Section B. for size, color, material, and content.

Approved by Sky Bryce Association Board of Directors: Nov. 20, 1993
Revised February 28, 2004
Revised December 9, 2011
Revised December 7, 2012
Revised February 26, 2016

SBA Rule 10.1

REQUEST TO PLACE SIGN ON NUMBERED AND RECORDED
RESIDENTIAL LOTS OF SKY BRYCE SUBDIVISION

Date: _____ Owner: _____

Section: _____ Block: _____

Lot: _____ Phone # _____

E911 Address: _____

Type of sign: _____ For Sale by Realty Company

_____ For Sale by Owner

_____ For Sale by Builder

_____ For Rent by Realty Company

_____ For Rent by Owner

Authority to Advertise Property: _____ Owner

_____ Realty Company

_____ Builder

Name of Realty Company/Builder _____

Advertising Lot:

Address: _____

Phone # _____

Contact person: _____

Date sign will be placed on lot: _____

Requested location of sign on lot: _____

Form submitted by: _____

SBA Rule 10.1

REQUEST TO PLACE BUILDER'S JOB SITE IDENTIFICATION SIGN
ON NUMBERED AND RECORDED RESIDENTIAL LOTS OF
SKY BRYCE SUBDIVISION

Date: _____ Owner: _____

Section: _____ Block: _____

Lot: _____ Phone # _____

E911 Address: _____

Builder: _____

Address: _____

Phone Number: _____

Contact Person: _____

Date sign to be placed on lot: _____

Location of sign on lot: _____

Form submitted by: _____

SATELLITE DISHES

On the numbered and recorded residential lots of Sky Bryce Subdivision

A satellite ground receiving station (satellite dish) is a structure subject to approval by Sky Bryce Association pursuant to the protective covenants and restrictions of the subdivision. The covenants control location and appearance of structures on lots and seek to preserve esthetic qualities of the mountain.

Sky Bryce Association's policy is to permit dishes while requiring that, consistent with adequate reception, they be positioned to give as little offense as possible to the ambiance of the community. If the dish will be attached directly to the house no permit is required. In all other types of dish installation, ground, tree, pole, etc., then a permit is required

Sky Bryce Association urges property owners considering a dish to:

Check on the scheduled availability of cable;

Obtain assistance of Sky Bryce Association Architectural Committee in early planning.

Sky Bryce Association actions on specific applications will rest upon the following considerations:

Reception

25 or 15 foot setback requirement

Neighbor's view

View from street

Owners of dishes already in place on May 1, 1987 will be granted automatic approval or waiver upon application to Sky Bryce Association

Approved by Sky Bryce Association Board of Directors: May 23, 1987

GUIDELINES FOR CONSTRUCTION OF SWIMMING POOL

Swimming pools have safety, environmental, and aesthetic impacts. Safety concerns are obvious, particularly for small children, and there are county codes to address this issue. Environmental considerations include tree removal, excavation, leaks, and the potential for noise and light pollution. Aesthetic concerns are particularly acute for on-ground and above-ground pools where the height of these structures and often garish colors can create unsightly views for neighbors.

Therefore, the following requirements must be met before the Architectural Committee will consider approving the installation of a swimming pool on a homeowner's lot.

1. All permanent pools shall be below ground, with the exception of small, portable pools no larger than eight (8) foot diameter and twelve (12) inches deep, which are authorized for use from Memorial Day to Labor Day, and which are to be removed and stored at other times.
2. Shenandoah County required security fence shall not be bare chain link fence.
3. The Architectural Committee, after examination of the site, shall recommend to the, Board of Directors that shielding shrubbery be required whenever, in the committee's judgment. There is insufficient screening of the pool area by existing woodland from adjoining properties.
4. No pool area lighting shall be installed above the ground level. Existing exterior floods and other general purpose lights on houses may continue to be used

Approved by Sky Bryce Association Board of Directors: October 22, 1988
Revised: August 29, 2008

INSTALLING PROPANE GAS TANKS

1. Tanks can be painted any color except black or navy blue and only with “all purpose enamel.”
2. The tank has to be at least 10 ft. from the insured building.
3. The tank has to be at least 10 ft. from the property line.
4. The tank cannot be covered (carport/roof).
5. The tank cannot have any permanent structure built around it.
6. Plants/shrubs may be planted up to 3 ft of tank and must have 3 foot opening for service.
7. The tank has to be within 80 feet of a driveway (80 foot hose on truck).
8. Driveway has to be plowed in winter to obtain service.

Approved by Sky Bryce Association Board of Directors: January 5, 1991.

SBA Rule #14

Amended Declaration of Protective Covenants and Restriction of
Sky Bryce Association, Inc.

Article 6.18

DITCH CLEANING

In spring, one of the activities on the schedule of the road maintenance crew is the cleaning of the ditches. One of the hazards of the job is that invariably in the process someone's prized petunia or favorite seedling gets clipped. The road crew tries very hard not to have this happen, but, alter all, it is not the easiest thing to spot tiny plants while operating a large piece of equipment. So, if you have plants close to the ditches and do not want the ditch cleaned, please call the Association Office - 856-2550 - and let them know.

CULVERT PIPE INSTALLATION

Property owners planning to build in the Sky Bryce Subdivision, or who are replacing a culvert, SBA recommends the use of steel culvert pipe, instead of plastic culvert pipe, for driveways and parking areas.

CULVERT PIPE CLEANING

House owners who have culvert pipe under their driveway are responsible for cleaning these culverts and they are kept open.

If you travel over a culvert that crosses under the main road and that culvert is clogged, please advise the Business Office of Sky Bryce Association at (540) 856-2550 so we can arrange to clean it.

Approved by Sky Bryce Association Board of Directors:

LOT CONSOLIDATION POLICY

1. The Association has established its assessment schedule to best reflect the estimated costs incurred relative to both improved and unimproved lots at Sky Bryce. The estimated costs for unimproved lots were derived by recognizing that costs relative to road maintenance, snow removal, and environmental activities are essentially the same for all lots at Sky Bryce. Costs associated with the other activities such as administration and security were prorated with the heavier burden levied on the improved lots.
2. Recognizing that common ownership of a group of lots does not reduce the Association's obligation to provide services associated with those lots, the average costs incurred remain the same.
3. As of July 1, 1995, the Association will not approve the further consolidation of lots at Sky Bryce with regard to the reduction of assessments.

Approved by Sky Bryce Association Board of Directors: April 22, 1995

SBA Rule #15

Amended Declaration of Protective Covenants and Restriction Of Sky Bryce Association, Inc.

Article 5.2

COLLECTION POLICY

1. Annual assessments: Sky Bryce Association, Inc. (SBA) assessments are mailed on July 1 with a due date of August 1. After August 1, the past due amount will begin accruing interest at 1.5% per month (18% per year) until paid.

2. Electronic Check Conversion (ECC): When you provide your check to SBA, you authorize SBA to use information on the check to make a one-time electronic payment **from** your account. Funds may be debited from your account on the same day payment is received. Your check will not be returned to you. If your check is returned for nonsufficient funds (NSF), there will be an additional fee of \$20.00 plus bank charges added to your assessment. Checks process will be shredded after six (6) months

3. Other billing: (examples: violation charges, patrol services, special trash pickups, etc.) Are due and payable to SBA thirty (30) days after the billing date. Unpaid accounts will be subject to an interest charge of 1.5% per month (18% per year) until paid.

4. Late notice: Past due accounts are sent a late notice, by SBA, ninety (90) days after the due date. The notice includes a \$20.00 late fee and interest.

5. Overdue accounts: Accounts more than thirty (30) days past the late notice date are overdue. We will refer them to the Association's Attorney for legal action. This will result in a legal fee being added to the account to offset the Association's expenses. After a "good faith" action by the Attorney to collect the funds, an injunctive action will be initiated and/or a property lien will be filed.

6. Account with the Attorney: When an overdue account is with the Attorney and we levy a new assessment and it becomes overdue, as defined in paragraph one, it will be added to the Attorney's ledger to become part of the collection's case. Failure to include all assessments due to date on civil suits may result in the Association losing the ability to collection on that amount in the future.

7. Maintain Judgment: The Association will maintain judgment liens on property to insure our collection when properties are sold.

Note: An improved lot assessment is charged when the roof of a proposed house is in place.

Approved by Sky Bryce Association Board of Directors: March 28, 1998
Amended July 2004
Amended Sep 2010
Amended May 2011
Amended March 2014

COVENANT VIOLATION LEGAL COMPLIANCE PROCEDURES

The procedures in this Rule are applicable to alleged violations of the SBA Amended Declaration of Protective Covenants and Restriction and Rules and Information and must be followed before the Board can impose violation charges against an Owner pursuant to Sections 4.1(b) and 10.1 of the Declaration and Section 55-513 of the Property Owners' Association Act ("POA Act"). However, the procedures in this Rule are not mandatory prerequisites for taking any other type of enforcement action available to the SBA.

Note: Owners are responsible for their own violations and for violations by their family members, tenants, guests and invitees, as may be applicable.

1. All complaints alleging a violation of the SBA Declaration of Protective Covenants or Rules shall be made in writing to the Business Manager of the Association. Nothing shall preclude the Business Manager, or designee, from initiating a complaint.
2. Upon receipt of a written complaint, if warranted under the circumstances, further investigation to attempt to verify the alleged violation, the Business Manager (with concurrence of the applicable committee chairperson) shall notify the accused in writing of the alleged violation explaining the nature of the alleged violation in detail and shall seek voluntary compliance and correction of the alleged violation within a period not to exceed thirty (30) days, weather permitting, from the date of such notice is mailed or delivered..
3. At the conclusion of the period allotted for correction, the complaint shall be reviewed by the Business Manager or designee, and the applicable committee chairperson.
4. If the violation has been corrected the matter shall be concluded with the Business Manager, with the concurrence of the committee chairperson, so notifying the violator of this fact; except that if previous notices of violation have been sent to the same individual regarding the same type of violation within the past 12 months, the Business manager has the discretion to forward the matter to the Legal Committee for further action.
5. If the violation has not been corrected, the violation and all written documents pertaining to it shall be forwarded to the Legal Committee.
6. Upon receipt of the matter forwarded per step 5, the Legal Committee will meet as necessary and review the forwarded documents, research any prior data pertaining to the issue of the violation, and (if deemed necessary) consult with legal counsel to establish a Committee position relative to the violation. If the Legal Committee concurs that a violation with legal merit has occurred, the Board of Directors will be notified and the action of step 8 will be taken. If the Legal Committee concludes that the cited violation does not have sufficient legal

SBA Rule # 17

merit necessarily to be enforced in this instance, it will notify the Board of Directors in writing with a statement of its findings and justification.

7. If the Legal Committee has concluded that the violation is not enforceable, a majority of the Board of Directors may elect to proceed to step 8 with the matter and act in lieu of the Legal Committee. If a majority of the Board agrees with the findings of the Legal Committee, the Business Manager will so notify the violator of this fact.

8. The Legal Committee shall advise the Owner responsible for the alleged violation (the "Respondent") that he or she has the opportunity to appear at a date and time designated at the hearing of the Legal Committee. In accordance with the Virginia Property Owners Association Act Section 55-513 (B), this hearing notice shall be given not less than fourteen (14) days prior to the date of the hearing, and shall be either hand-delivered to the Respondent or sent by first-class mail and by certified mail, return-receipt requested to the Respondent's address of record.

9. The Legal Committee shall give the Respondent full opportunity to be heard at the hearing or meeting and present a defense to any accusations which have been made. The complaining party or parties shall also be given full opportunity to present, in any form, evidence of the accusation. At the hearing the Legal Committee shall be empowered in its discretion to:

9.1. Resolve whether or not a violation has occurred or continues.

9.2. Determine if violation charges should be imposed by the Board.

Within seven (7) days after the conclusion of the Legal Committee's hearing, the SBA shall send the Respondent written notice of the hearing results (including, e.g., the Committee's recommendation that the Board assess violation charges).

10. The sanction imposed by the Board will be the following:

10.1. Imposition of a monetary charge against the Respondent not to exceed \$50.00 per violation or up to \$10.00 per day for a continuing violation (the imposition of violation charges does not prevent the Board from also requiring, for example, that the Respondent restore property to a condition similar to its condition before the violation occurred; and/or

10.2.. Such other legal action as the Board may deem appropriate, including filing a lawsuit against the violator to compel compliance with the governing documents.

11. The Respondent may appeal the findings of the Legal Committee to the Board of Directors within ten (10) days after the SBA sends notice of the Legal

SBA Rule # 17

Committee hearing. The notice of appeal shall be given to the Business Manager of the Association, either by hand-delivery or my mail, so that it is received within the ten (10) day appeal period. If an appeal is not made within the above specified period, the recommendations of the Legal Committee shall be reviewed by the Board without further input from the Respondent. The Board of Directors shall review the Legal Committee's recommendation at a regular or special meeting of the Board, and if Respondent timely filed an appeal, shall provide the Respondent written notice on the date, time, and place of the meeting, so the Respondent can present his/her appeal to the Board. The Board of Directors is empowered, at its discretion to:

11.1. Uphold the recommendation of the Legal Committee.

11.2. Revise the recommendation of the Legal Committee.

11.3. Deny the recommendation of the Legal Committee.

12. Legal Committee hearings (as referenced in Step 8 above) are intended to allow the Legal Committee to hear and understand the positions of both the property owner and the party seeking to enforce compliance.

Each hearing will be conducted approximately as follows:

(Note, the chairperson of the Legal Committee will conduct the hearing, and be solely responsible for ensuring that the procedures are followed and decorum maintained.)

a. The legal chairperson will convene into executive session and open the hearing, introduce the participants, and summarize the purpose of the hearing and the procedure to be followed.

b. The complainant committee chairperson, Board member or Business Manager, as applicable, will present the facts of the matter at issue, as seen by the complainant. AFTER the complainant is finished, all participants may ask questions to seek improved understanding.

c. The property owner will present the facts of the issue as seen by the property owner. AFTER the property owner is finished, all participants may ask questions to seek improved understanding.

d. At this point all parties will be asked if there is anything else of significance to be added. The Legal Committee will be polled to ask if further clarifications needed, if not the, the chairperson shall require the alleged violator, the complainant and others present to leave the hearing room (except for the other members of the Legal Committee, Business Manager and/or the Association's legal counsel, if applicable) and, while still in executive session, discuss whether to recommend sanctions.

SBA Rule # 17

e. After reconvening into open session, the Legal Committee shall decide the matter by majority vote of the Committee members participating in the hearing; however, if additional time is needed to reach a decision, the Committee may continue the hearing to an announced date and time for purposes of additional deliberation, with no further written notice required. Within seven (7) days after the hearing (including any continuances), the Business Manager shall notify the violator of the hearing results in writing, by either (i) hand-delivery or (ii) first-class mail and certified mail, return receipt requested, to the violator's Respondent's address of record with the Association..

13. All documents required under these procedures shall be kept in the Association's records.

14. As provided in the POA Act, Section 55-513(B), the amount of any violation charge to be assessed shall not exceed fifty dollars for a single offense or ten dollars per day for any offense of a continuing nature (for up to 90 days or until the violation is cured, whichever occurs first) and shall be treated as an assessment against the Respondent and his/her lot. For violations corrected within the specified deadline, before the hearing date or before the Board's decision, the Board reserves the right to assess a violation charge against the Respondent, for instance, to help dissuade future violations.

15. Violations of a Continuing Nature:

For a violation which continues beyond after the compliance deadline specified in the initial notice of violation, a daily charge shall be assessed until the violation is cured. The daily charge may commence as of the first calendar day after the deadline specified in the initial notice of violation.

16. Payments:

The charge is due and payable to SBA upon receipt or delivery of a bill to the Respondent at the Respondent's address of record.

17. Lien Procedures:

In the event of non-payment of charges, a lien may be recorded in the county's land records as an encumbrance against the Respondent's lot, and collection action may be commenced against the Respondent.

Approved by Sky Bryce Association Board of Directors: April 24, 1993

Amended: May 4, 2001

Amended: January 23, 2009

Amended: May 2011

Amended: Oct 2011

SBA Rule # 17

Amended: Sep 28, 2012

Review by attorney: Feb 2013

Amended: Feb 22, 2013

SKY BRYCE ASSOCIATION, INC. COMPLAINT PROCEDURE

Pursuant to Section 55-530(E) of the Virginia Code, the Virginia Common Interest Community Board ("CICB") has promulgated final regulations imposing a requirement that each common interest community (including condominiums, property owners' associations and cooperatives) adopt a reasonable procedure for the resolution of certain written complaints from the members of such association and other citizens. The Sky Bryce Association, Inc. (the "Association"), has adopted and established the following CICB-mandated Association complaint procedure **for handling written complaints concerning actions or inactions by the Association, Board of Directors or Business Manager allegedly inconsistent with state laws and regulations governing common interest communities:**

1. **Definitions.** Unless otherwise defined in this Rule, the words, terms or phrases used in this Rule shall have the same meanings as defined in the CICB regulations and/or in the Association's recorded covenants.

2. **Complaint Form.** If a member of the Association, a resident or other individual alleges that an action, inaction or decision of the Association, the Board of Directors ("Board") or the Association's Business Manager is inconsistent with state laws or regulations governing common interest communities, then that individual must submit a formal written complaint ("Complaint") to the Board using the CICB Complaint Form (see Rule 18.1) to trigger the formal procedures described below. If the individual does not wish to trigger these formal procedures, then the individual should submit their questions, concerns or issues to the Business Manager or the Board without using the below form.

Complaint Form Instructions and Attachments: A completed Complaint Form must include a description of the specific facts and circumstances relevant to the individual's Complaint, and the specific action, result or resolution that is being requested. If the individual submitting the Complaint Form (the "Complainant") knows the law or regulation that has been allegedly violated or is otherwise applicable to the Complaint, then the Complainant must provide a reference to that law or regulation on the Complaint Form. The Complainant must also attach to the Complaint Form a copy of any documents that Complainant believes support the validity of the Complaint (not including laws, regulations or the Association's governing documents).

3. **Mailing or Delivering Complaint to Board of Directors.** The fully completed, signed and dated Complaint (including the Complaint Form and all attachments) shall be mailed or otherwise delivered to the Board at the following address:

SBA Rule 18

By Mail: Board of Directors, Sky Bryce Association, Inc.
P.O. Box 20
Basye, VA 22810-0020

By Hand-Delivery: Board of Directors, Sky Bryce Association, Inc.
7208 Supinlick Ridge Road
Basye, Virginia

By Facsimile: Board of Directors, Sky Bryce Association, Inc.
(540) 856-3060

4. Means of Providing Notices to Complainant. All written acknowledgments or other notices required by these procedures, to be provided by the Association to the Complainant, shall be either hand-delivered to the Respondent, or sent first-class mail and by certified mail, return receipt requested, to the Complainant at the address provided on the Complaint Form, or by facsimile transmission or email if the Complainant has previously provided the Association with the Complainant's written consent to communicate with him/her by electronic transmission. The Business Manager shall retain in the Association's records proof of the mailing, delivery or electronic transmission of the acknowledgments and notices per Paragraph 8.

5. Acknowledging Receipt of Complaint. Within seven (7) days of receipt of a Complainant's Complaint Form, the Business Manager shall provide the Complainant with written acknowledgement of the Association's receipt of the Complaint.

Incomplete Complaint: If it appears to the Business Manager that the submitted Complaint is missing the required minimum information, then the acknowledgment of receipt shall include notice to the Complainant of the identified problem(s) with the Complaint and advise the Complainant that he/she will need to submit a revised/corrected Complaint before it can be accepted and forwarded to the Board for consideration. For purposes of this provision, an incomplete Complaint includes, for example, a Complaint form that does not allege that a particular action, inaction or decision by the Board, the Business Manager or Association is inconsistent with an applicable state law or regulation.

Forwarding to the Board: If it appears to the Business Manager that the submitted Complaint includes the required minimum information, then on the same day that acknowledgment of receipt of the Complaint is provided to the Complainant, the Business Manager shall provide the Board with a copy of the Complaint for consideration.

6. Formal Action – Consideration of Complaint by Board. All completed, signed and dated Complaints forwarded to the Board shall be considered by the

SBA Rule 18

Board at a meeting, and the Board shall decide what action, if any, to take in response to the Complaint.

6.1. Meeting at which Complaint will be Considered. Complaints will be considered by the Board at a regular or special Board meeting held within 90 days from the date on which the Complaint was forwarded to the Board for consideration.

6.2. Notice to the Complainant. At least fourteen (14) days prior to the Board meeting at which the Complaint will be considered, the Business Manager shall provide the Complainant with notice of the date, time, and location of the Board meeting at which the matter will be considered by the Board. This Notice may be combined with the acknowledgment of receipt referenced in Paragraph 5.

6.3. Board's Decision on Complaint. The Board shall make a decision on the Complaint by an appropriate vote of the members of the Board at the meeting pursuant to the Association's governing documents. The Board's decision at the meeting shall fall into one of the following two categories:

6.3.1. A decision that there is *insufficient information* on which to make a final determination on the Complaint *or that additional time is otherwise required* to make a final determination, in which case the Board shall postpone making a final determination on the Complaint until a later scheduled Board meeting to be held within ninety (90) days (announced at the meeting or by giving at least fourteen (14) days notice to the Complainant) and, if needed, make a written request for additional information from the applicable party(s), specifying a deadline by which time the additional information must be received by the Business Manager for forwarding to the Board; or

6.3.2. A *final determination* on the Complaint, indicating whether the Complainant's requested action or resolution is, or is not, being granted, approved or implemented by the Board. A final determination may include, for example, a decision that no action will be taken on the Complaint due to the Complainant failing to timely provide additional information that was requested by the Association. No appeal process is available; the Board's rendered decision is final.

7. Notice of Final Determination. Within seven (7) days after the final determination is made (per subsection 6.3.2.), the Business Manager shall provide the Complainant with written notice of the Board's final determination. The notice of final determination shall be dated as of the date of issuance and include:

7.1. Specific citations to applicable provisions of the Association's governing documents, laws or regulations that led to the final determination;

SBA Rule 18

7.2. The Association's registration number as assigned by the CICB, and if applicable, the name and CICB-issued license number for the Business Manager; and

7.3. Notice of the Complainant's right to file a "Notice of Final Adverse Decision" with the CICB via the CIC Ombudsman (providing the applicable contact information).

8. **Records.** The Business Manager shall retain, as part of the Association's records, a record of each Complaint (including the Complaint Form and attachments, related acknowledgments and notices, and any action taken by the Association or Board in response to such Complaint) for a period of at least one (1) year from the date of the Association's final action on the Complaint.

9. **Resale Disclosure Packet.** A copy of this Rule (including the 18.1 Complaint Form) shall be included as an attachment to SBA-issued disclosure packet.

Approved by Sky Bryce Board of Directors: Sept 28,2012

Reviewed by attorney: Feb 2013
Amended: Feb 22, 2013

SBA Rule 18.1

P.O. Box 20
Basye, VA 22810-0020

By Hand-Delivery: Board of Directors, Sky Bryce Association, Inc.
7208 Supinlick Ridge Road
Basye, Virginia

By Facsimile: Board of Directors, Sky Bryce Association, Inc.
(540) 856-3060

4. If, after the Board's consideration and review of the complaint, the Board issues a final decision adverse to the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB.

The notice shall be filled within thirty (30) days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25.00 filing fee.

The Ombudsman may be contacted at:

Virginia Department of Professional and Occupational Regulation
Office of the Common Interest Community Ombudsman
9960 Maryland Drive Suite 400
Richmond, VA 23233-1485

(804) 367-2941

cicombudsman@dpor.virginia.gov

HOME RENTAL POLICY

Sky Bryce Association, Inc (SBA) is a residential community comprised of lot and home owners within the Sky Bryce Subdivision. Approximately 20% of the homes are owned and occupied by permanent full-time residents while the remainders are weekend/vacation users of their homes. Owners may elect to rent or lease their homes for periods of time either personally or by contracting with a commercial rental agency. SBA monitors the rental process to ensure that all renters are aware of the nature of the subdivision and that they are expected to follow established rules for the enjoyment of all residents and the protection of all property.

Owners electing to rent their homes either personally or through a commercial rental agency must advise SBA of their desire to do so by completing the attached SBA rental agreement form. The form will be maintained by SBA and will allow SBA to advise owners of any unusual events or incidents that may occur while the home is rented or leased.

SBA will coordinate with the commercial agencies to ensure that they advise their renters of the residential nature of the subdivision and that they observe the SBA rules posted in the home. These home rental rules apply to owners' renters.

SBA Board of Directors has approved a policy of observance of quiet hours after 11:00 p.m. nightly and a prohibition on hunting and the discharge of firearms within the subdivision. The SBA Amended Declaration of Protective Covenants and Restrictions clearly prohibits the outside burning of trash, uncontrolled pets, vehicle parking that obstructs subdivision roads, the use of mopeds, motorcycles and all terrain vehicles except entering or exiting the home from County roads, improper disposal of trash and activities that may be an annoyance to others. The second attachment to this policy is the rules to be posted in a prominent place in all rented or leased homes.

Complaints received by the Business Office of SBA, Sky Bryce Patrol or the County Sheriff's office (911 calls) will be investigated. SBA will maintain a file so as to identify any repeat offending groups or homes. Owners who rent their own home will be advised of these occurrences. Owners who place their home with a rental agency will be advised, if necessary, by the rental agency.

- Attachments 1. Home Owner Rental Information Form
- 2. SBA Rental/Leased Home Rules

HOME RENTAL RULES

1. Sky Bryce Association Subdivision is a residential community comprised of property owners who are entitled to the enjoyment of their property. Please be a considerate neighbor and observe quiet hours after 11:00 pm.
2. To limit the threat of fire, outside fires are not permitted. Outside grills use for cooking are permissible but must be attended at all times when in use.
3. Pets, when permitted, are to be controlled by a responsible person and must be of an unoffensive nature. (Shenandoah County has a Dog Leash Ordinance prohibiting owners from allowing dogs to run loose.)
4. All vehicle parking must not obstruct or interfere with travel on subdivision roads or obstruct access to such roads.
5. The use of mopeds, motorcycles and all terrain vehicles is limited to entering or exiting the home from County roads.
6. To prevent animals' access to garbage or other waste, refuse should be kept in sealed, sanitary containers and placed in containers or other equipment used for storage.
7. Activities should be planned so as not to be an annoyance to others.
8. Hunting and the discharge of firearms are prohibited within the subdivision.

Note: For your safety please be aware that Bryce Resort strictly enforces trespassing regulations against non golfers on the golf course and trespassing on the airport runway. Please refrain from trespassing in those areas.

Approved by Sky Bryce Association Board of Directors: May 24, 1999

HOME OWNERS
RENTAL INFORMATION FORM

Home owners either renting or leasing their homes must complete the appropriate paragraphs and provide the completed form to the Sky Bryce office.

The home located at: E911
Address _____

1. has been placed in a rental pool with the _____
rental agency as of (date) _____

2. has been rented or lease for a period in excess of 90 days to the
following persons: _____ by the
owner(s).

3. is rented for short periods of time, less than 90 days, to the following
persons: _____ by the owner(s).

I (We) understand that it is my (our) responsibility to notify Sky Bryce
Association, (540) 856-2550, when the home will be renter occupied.

Signature _____ Sig nature _____

Date _____ Contact Telephone(s) _____

Completed forms should be mailed or delivered to:

Sky Bryce Association, Inc.
Attn: Business Manager
P.O. Box 20
7208 Supinlick Ridge Road
Basye, VA 22810
FAX Number 540-856-3060

NOMINATION of DIRECTORS

Bylaws of Sky Bryce Association, Inc

Article 3.3

The nomination of candidates for election to the Board shall be as follows:

1. Nominating Committee. The president, with the approval of the Board, shall appoint a Nominating Committee of members, the simple majority of which shall be non-members of the present Board of Directors. The Nomination Committee shall prepare a ticket of at least two nominees more than the number of Board vacancies. All proposed nominees shall be qualified voting members of the Association and have consented to serve in writing.

2. Nomination by Petition. Candidates for election to the Board may be nominated upon petition of ten (10) percent of the Members, presented to the Board or the Nominating Committee before the deadline for submission of nominees. All proposed nominees by petition shall be qualified voting members of the Association and have consented to serve in writing.

3. Deadline for Submission of Nominees. All nominations shall be presented for approval at the regularly scheduled August meeting of the Board of Directors. The Secretary shall announce the names of the candidates by mail to all qualified voting members of the Association at least thirty (30) days prior to the annual meeting of the members. Ballots shall be returned ten (10) days prior to the date of the annual meeting and shall be tabulated by three (3) election tellers, appointed by the President, who shall announce the results at the annual meeting

Approved by Sky Bryce Association Board of Directors: July 8, 1999

BALLOTING AND ELECTION PROCESS

Amended Declaration of Protective Covenants and Restriction of Sky Bryce Association, Inc.
Article 3

Bylaws of Sky Bryce Association, Inc
Article 2.8

Each member of the Association shall be entitled to:

- a. One vote for each numbered and recorded residential lot, and
- b. One additional vote for an approved residence, improved and occupied, or available for occupancy.

No owner shall be eligible to vote if they are delinquent in assessments.

The owner's name, address and lot number will appear on the face of each ballot.

Each year we elect three new board members and normally have at least five candidates. As there are 2775 Property/Lot owners, each candidate for the Board of Directors shall appear on the top of 20% of the ballots. The top name will then go to the bottom of the ballot for the next 20% and the other names move up towards the top of the list, etc. Adjustments will be made by the Board as necessary, depending on the number of actual candidates or other circumstance that requires modification of these procedures.

The ballots will be opened and shall be tabulated by three election tellers appointed by the President. The three tellers will be non-members of the present Board of Directors. The President and Secretary of the Sky Bryce Association, or other designated Board member in their absence, will be present during the ballot counting.

The vote tellers will submit a written report on the election results to the President. The report will list the total number of votes cast, each candidate's name and the number of votes for each, and any votes that were rejected (and the basis for rejection). The report will also break down the total ballots received, the number of improved lot/home owners voting and the number of unimproved lot owners voting.

The election results will be announced at the Annual Meeting by the President, who will state the names of the elected candidates based on the tellers' report. The President may announce such additional information as he/she sees fit.

Detailed election results for all candidates for the most recent election will be

SBA Rule 21

provided after the Annual Meeting to those property owners that submit a request in writing in accordance with the Property Owners' Association Act (Va. Code Sec. 55-510).

Approved by Sky Bryce Association Board of Directors: December 20, 2003

SKY BRYCE ASSOCIATION PATROL MISSION

- * Patrol the residential areas of Sky Bryce Association.
- * Keep the private roads of Sky Bryce Subdivision safe and open to vehicular traffic
- * Assist motorists who are on SBA-maintained & patrolled roads and in need of assistance.
- * Safeguard the home owners keys entrusted to the Association office for emergencies
- * Visually inspect members' property from the road after severe weather conditions for signs of damage unless specifically authorized to enter the property.
- * Maintain liaison and provide assistance on SBA-maintained roads, as appropriate and if required, with local fire, rescue and law enforcement services.
- * Investigate and Report on Covenant violations.

By separate agreements, patrol services are also provided by Sky Bryce Association to the following organizations:

Lake Laura Homeowners Association's storage shed
Bryce Resort

Approved by Sky Bryce Association Board of Directors: March 1998
Revised March 27, 2009
Revised March 26, 2010

SKY BRYCE ASSOCIATION COMMITTEE DESCRIPTIONS

ARCHITECTURAL - Acts for Board of Directors to approve proposed building plans and to enforce Amended Protective Covenants and Restrictions. Refers continued instances of the noncompliance to Legal Committee for further action in accord with current Board policies and Virginia law.

BUDGET AND PERSONNEL - Reviews annual budget requests and makes recommendations to Board of Directors. Also reviews status of budget execution and recommends necessary changes to achieve priorities established by the Board of Directors. Oversees personnel matters to include pay and leave, appeals process, job descriptions and employee evaluations. Recommends policies to Board of Directors.

ENVIRONMENTAL - Deals with environmental issues that affect Sky Bryce Subdivision and Bryce Mountain.

LEGAL - Acts for the Board of Directors in the enforcement of the Sky Bryce Association Amended Protective Covenants and Restrictions and other Sky Bryce Policies and Virginia law. The Committee recommends action to the Board on delinquent account policies and other matters requiring legal consideration that the President or other Board members/committee chairpersons refer to it.

LONG RANGE - Identifies and describes a vision of Sky Bryce Subdivision 5-10 years in the future and develops a plan for Sky Bryce Association participation in building that vision. Also reviews and updates as necessary the Long Range Planning Committee Report of May 1992 (last update 10/03). Identify issues and problems and make recommendation, with other committees, to the Board of Directors for necessary action.

PATROL - Responsible for operation of Patrol activities for association members and other organizations that reimburse for patrol services.

PUBLICATION AND LIAISON - Accumulates, edits and sets up the Association's newsletter, Sky Bryce Beacon, as required. The administrator of the Sky Bryce Association's Website www.skybryce.org. Maintains liaison with the Basye Community Council, Bryce Resort, and other Bryce Mountain organizations on matters of joint interest.

ROADS - Responsible for road maintenance, snow removal and trash services for association members.

STONEY CREEK SANITARY DISTRICT LIAISON - Represents Sky Bryce Association on a committee established to advise the Stoney Creek Sanitary District and Shenandoah County Planning Commission and Board of Supervisors.

Approved by Sky Bryce Association Board of Directors:

Dogs and Your Neighbor

Dogs Running at Large and Barking Incessantly

The purpose of this Rule is to advise Sky Bryce Association Property Owners of a Sky Bryce Association covenant and Shenandoah County codes that pertain to dogs running at large, not under control, or barking incessantly.

1. SBA Covenant 6.21, (Pets and Animals) specifies that pets “shall be permitted as long as they are properly inoculated, of a quiet and inoffensive nature and kept under the control of a responsible person at all times.”

2. Shenandoah County Codes about Dogs:

2.1 Section 62-12 (Dogs Running at Large) (A) states as follow: “It shall be unlawful for the owner of any dog to permit or allow such dog to run or be at large within the County. For the purposes of this section, a dog shall be deemed to be ‘at large’ while roaming, running or self-hunting off the property of its owner or custodian and not under its owner’s or custodian’s immediate control.”

2.2 Section 62-45 (Barking or howling Dogs) states the following: “ It shall be unlawful to harbor or keep any dog which by loud, frequent, habitual barking or howling disturbs the peace and quiet of any person or neighborhood. Any person annoyed by such loud, frequent, habitual barking or howling may enter his or her written complaint by summons returnable to the general district court. A violation of this section shall constitute a Class 4 misdemeanor.”

There have been several recent reports concerning dogs running at large and not under the control of anyone. Some of these reports mentioned dogs at large that have threatened, jumped or bit a person at Sky Bryce. The Shenandoah County Dog Warden was contacted in these cases and responded. However, the warden could take no legal action because the witness, complainant or victim would not testify as a witness in court.

3. When a dog(s) is seen running at large and particularly when the dog attacks or threatens to attack a person, Property Owners need to report the incident to the Shenandoah County Dog Warden at (540) 459-6100 and the Sky Bryce Association Office at (540) 856-2550. Verbal complaints to the SBA Office should be followed up in writing.

3.1 The SBA Board of Directors needs your support in reporting incidents of dogs running at large. We need Property Owners who witness these incidents to cooperate fully (including testifying in court, if necessary) with the Shenandoah County Dog Warden and Sky Bryce Association. The Board asks that you help in keeping Sky Bryce safe. If you have a dog, keep the dog under control at all times (i.e., when walking your dog keep your dog on a leash).

4. Dogs running at large and barking incessantly are a covenant violation and expose the responsible Property Owner to SBA enforcement action, including, for example, assessing the Owner up to \$50 per incident in violation charges in accordance with the Legal Compliance Procedures described in SBA Rule # 17. In addition, for repeated violations the Board may report the matter to the County Dog Warden, ban the dog from

Sky Bryce community, and take legal action against the Owner. As a reminder, Property Owners are responsible for their own violations and for violations by their family members, tenants, guests and invitees. To assist in the enforcement process, persons who report violations to SBA are encouraged to do so in writing and appear at any resulting violation hearing held pursuant to SBA Rule # 17.

Approved by Sky Bryce Association Board of Directors: December 12, 2013

Information

As provided for by:
Amended Declaration of Protective Covenants and Restriction of Sky Bryce
Association, Inc. as approved December 17, 2001

Article 9.1 (d)

EMERGENCY NUMBERS

We remind home owners, guests, and renters to call "911" for emergencies: fire, medical, or security; or for other assistance. The Shenandoah County's Dispatch Office staffs this number twenty-four hours seven days a week. They train these operators to assist and dispatch the necessary help.

To contact Sky Bryce patrol personnel for non emergency purposes, please call the Association's office at 856-2550, or 856-2022. The Association uses voice mail when no one is in the office and after normal posted business hours. Do not leave messages for the patrol personnel at Bryce Resort.

Remember, the fastest way to obtain emergency assistance is to use the
" 911 EMERGENCY NUMBER ."

SKY BRYCE ASSOCIATION ROAD ACCIDENT REPORTING

If there is personal injury call 911. Appropriate assistance will respond. If there is no personal injury, call Sky Bryce Patrol at 856-2550. If after hours, leave your name, 911 address, phone number and the location of the accident. A Patrol Officer will contact you.

SBA Information #2

Amended Declaration of Protective Covenants and Restriction of
Sky Bryce Association, Inc.

Article 5 Covenant for Maintenance Assessments.

The annual assessment fee provides Road Services (maintenance, snow removal, and trash), Patrol Service, and Administration Services

As of July 1, 2018 the annual assessment for a property owner is:

unimproved property (lot) is \$ 234.00.

improved property (home) is \$ 681.00.

Approved by Sky Bryce Association Board of Directors:

Amended: May 24, 2007

Amended: June 27, 2008

Amended: June 14, 2009

Amended: May 28, 2010

Amended: May 20, 2011

Amended: May 24, 2013

Amended: April 25, 2014

Amended: May 15, 2015

Amended: May 26, 2017

Amended: May 25, 2018

Winterization hints from Stoney Creek Sanitary District

1. Disconnect hoses from outside hydrants.
2. Close and insulate all crawlspace vents.
3. Turn off your main water supply valve if leaving for an extended period of time. Please be sure guests and family members know what valve is cut off before they call the Sanitary District Office because of no water.
4. Keep your thermostat set at no lower than 55 degrees. Thermostats are not always accurate and 40 degrees may not be sufficient when the mountain winds blow.
5. Open cabinet doors along exterior walls if they have plumbing behind them to allow heat to reach the pipes.
6. Check for running drain-down valves and commodes before leaving for an extended period of time.

Stoney Creek Sanitary District's phone number is (540) 459-7491.

Lake Laura Information

Lake Laura, the 45 acre lake at Bryce Mountain, is owned by Bryce Resort. Any questions concerning the condition and use of Lake Laura should be directed to the General Manager of Bryce Resort at (540) 856-2121.

Motor boats are not permitted in Lake Laura.

Fishing in Lake Laura is available to anyone having a valid Virginia fishing license. Public access to Lake Laura is by way of the dam, beach area off Richmon Road and boat landing area by the stables.

Boat storage for Lake Laura

Bryce Resort has designated storage areas for Bryce property owners who wish to leave their boats at the lake during the summer months. Registration is required and each boat will receive a registration number. Any boats not registered will be removed at the owner's expense. A minimal registration fee will be charged to cover tie-up facilities.

Attention beach users

Your attention is called once again to the parking restrictions along Richmon Road, Section 11, just above the beach. Parking in this area creates a hazardous driving and walking situation. Parking is prohibited in this area and is clearly marked with signs. Cars found parked along this road will be towed away at owner's expense.

SBA Information # 5

Removed. Information contained in the letter is now part of SBA Rule 24.

SBA Information # 6

Removed. Information contained in the letter is no longer applicable.

ALWAYS THINK ABOUT FIRE SAFETY

A cozy fire can be wonderful, but the Sky Bryce Association reminds you that if not tended carefully a blazing fire in the fireplace can cause tragedy.

Please read the checklist. A NO answer to any item indicates a hazard.

Fireplace has proper screen and hearth

Have adequate fire extinguisher available

Fireplace ashes disposed of properly

Chimney is clean

Smoke detector cleaned and tested regularly

Good general housekeeping in work areas, basement and garage

Babysitter has been instructed in case of fire or emergencies

Windows open easily

E911 Address is posted in case 911 has to be called

Trash Disposal

All Sky Bryce Association home owners are reminded that the trash dumpsters located at Stony Court Townhouses and Aspen East Condominiums are paid for and maintained for the sole use of these two complexes.

Weekly trash collection for privately owned homes is provided by the Sky Bryce Association, Inc. Pick-up day for homes is Monday.

In fairness to the owners and occupants of the townhouses and condominiums, home owners of Sky Bryce Association are requested to refrain from depositing trash in the dumpsters at Stony Court and Aspen East. Also, home owners should inform their guests and renters not to use these dumpsters.

SBA Information 9

WHAT DO I DO IF I MEET A BEAR FACE TO FACE?

Bears are shy creatures and will generally avoid contact with humans if at all possible. But, if you should find yourself near a bear, the following may help:

- * Make your presence known to the bear by clapping your hands or making other noises
- * Never corner a bear - make sure it has an escape route
- * If the bear huffs, snaps, pops its jaws or swats the ground, it's warning you that you're too close. Slowly back away.
- * If you meet a bear at close range, remain standing upright, avoid direct eye contact and back up slowly while speaking in a calm, assertive voice. If the bear still does not leave, get into your car or house if you can.

A bear may "bluff charge" when cornered, threatened, or attempting to obtain food. Stand your ground and slowly back away.

THERE ARE LAWS PERTAINING TO FEEDING BEARS

The Virginia Department of Game and Inland Fisheries adopted a rule that became effective on July 1, 2003 making it illegal to intentionally feed bears. The law states, in part, as follows: "It shall be unlawful for any person to place or distribute food, minerals, carrion, or similar substances to feed or attract bear...or for any other purpose if the placement of these materials results in the presence of bear in such numbers and circumstance to cause annoyance to any person, property damage, or endanger any person or wildlife."

In other word, you can also be liable if you unintentionally attract bears by leaving out garbage, pet food and/or bird feeders. You could receive a written warning by the Game Warden if a bear gets into your bird feeder or other scraps.

The regulation is intended to curtail the feeding of bears because it causes them to lose their innate fear of humans and their instincts for finding food in the wild.

If a bear does get into your pet food or bird feeders, the Game Warden recommends that you remove the food immediately and keep it **away** for at least **three** weeks. He also suggests that grills and garbage be stored in a garage or shed. Trash should be put out for collection - even if it's bagged and in cans - on the morning it's picked up rather than the night before.