

**THE CAPE CONDOMINIUM ASSOCIATION
BOARD APPROVED
RULES & REGULATIONS**

ASSESSMENT OF FINES

Violation by an co-owner, occupant, or guest of any of the provisions of the Condominium Documents including any duly adopted policies or rules and regulations shall be grounds for assessment by the Association, acting through its duly constituted Board of Directors, of monetary fines against the involved co-owner, such co-owners shall be deemed responsible for such violations whether they occur as a result of his/her personal actions or the actions of his/her family, guests, tenants or any other person admitted through such co-owner to the Condominium premises.

*****PROCEDURE*****

Upon any such violation being alleged, the following procedures will be followed;

Violation Notice – A notice of violation letter is to be sent to the co-owner. Letter will include the Condominium Document provision violated, along with a description of the alleged offense. If co-owner does not comply immediately, upon receipt of notice, a second notice of violation letter will be sent and the first fine assessed (co-owners failure to comply constitutes a default). If co-owner does not comply with second request a third notice of violation will be sent and the second fine assessed. And so on until co-owner complies.

Default – Failure to respond to notice of or immediately correct violation constitutes a default.

Enforcement – Violations will be enforced for a two year period – Violations exceeding a two year period will become obsolete when determining fines.

Opportunity to Defend – Co-owner shall have an opportunity to appear before the Board and offer evidence in defense of the alleged violation. The appearance shall be at the Boards next scheduled meeting, but in no event shall the co-owners be required to appear less than ten (10) days from the date of the first notice.

Hearing and Decision – Upon appearance by the co-owner and presentation of evidence of defense, or in the event of the co-owners default, the Board shall, by majority vote of a quorum of the Board, decide whether a violation has occurred. The Board's decision is final.

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*****AMOUNTS*****

Upon violation of any of the provisions of the Condominium Documents and after default of the offending co-owner, or upon the decision of the Board as recited above the following fines shall be levied:

- First Violation. Written warning. No fine levied*
- Second Violation. \$50.00 Fine*
- Third Violation. \$75.00 Fine*
- Subsequent Violation(s). \$100.00 Fine (One Hundred Dollars)*
- Violations exceeding two years Obsolete*

*****COLLECTION*****

Fines levied above shall be assessed against the co-owner and shall be due and payable with the regular condominium association dues on the first of the following month. Failure to pay the fine will subject the co-owner to all liabilities set forth in the Condominium Documents including, without limitations, those described in the By-laws.

Fines may be levied for violations involving, but, may not be limited to:

- Architectural modification/improvements, (including interior walls) without approval
- Damage to limited common elements
- Decks
- Erection of exterior modification (awning, antenna, lights, satellite dish, etc.) without approval
- Fire Arms
- Illegal behavior (drugs, alcohol, fighting, etc.)
- Lease/rent restriction
- Loud noise after 10:00PM
- Parking
- Patio area
- Pet
- Repair/maintenance of vehicles
- Signs or advertisements
- Storage area
- Unlicensed vehicles
- Unsafe/Unsanitary condition in patio and on common areas

APPROVED: NOVEMBER 12, 1997
AMENDED AND APPROVED: JANUARY 8, 2003
AMENDED AND APPROVED: APRIL 13, 2005