

Cedar Dunes Owners Association, Inc.

Rules and Regulations

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Cedar Dunes Owners Association, Inc Rules, Regulations and Compliance

I Introduction

The Cedar Dunes Board of Directors is authorized by the Cedar Dunes By-Laws, Articles of Incorporation, the Declaration of Party Facilities and Article 720.305 of the State of Florida Statutes to make, amend and enforce reasonable regulations necessary to operate Cedar Dunes.

Article 7.16 of the Amended Cedar Dunes By-laws authorizes the Board of Directors to levy fines for violations or failure to comply with Cedar Dunes Rules and Regulations and/or By-Laws.

The Cedar Dunes Rules and Regulations may be added to, amended or repealed at any time by resolution of the Board of Directors. Whenever reference is made to Unit Owner, such reference shall include the Unit Owner, his or her family, tenants, guests, agents, invitees and license

II Compliance

Paragraph 4 of the Cedar Dunes Protective Covenants states in part “As a member of such Association, said owner shall be governed by he Articles of Incorporation, By-Laws, Declaration of Party Facilities, Protective Covenants, Rules and Regulations of the Association, and any amendments of the above named instruments. ”

Owners shall be responsible for the actions of their tenants, guests, licensees and employees. Owners will receive copies of warnings, Board actions and fine assessment notices.

In the event that there are continuing violations by an owner or occupant, payment of fines will not preclude other action deemed necessary by the Board of Directors.

III Violations of Articles of Incorporation, Covenants, Bylaws, Declaration of Party Facilities, Rules and Regulations

Any Unit Owner or occupant may report a violation of the Articles of Incorporation, Covenants, Bylaws, Declaration of Party Facilities, and the Rules and Regulations to the Board of Directors. The alleged violation shall be described as completely as possible by indicating when it occurred, date, time, where, what happened, who was involved etc.

Any information received by the Board or any of its committees will be considered strictly confidential.

Upon determination of a violation of the Articles, Covenants, Bylaws, Declaration of Party Facilities or Rules and Regulations, the violator will be informed verbally of the violation and given an opportunity to correct the alleged violation. In circumstances where the owner is not present for a verbal communication, a written notice will be mailed with at least 14 days to correct the violation or comply with the rule. If the violation is not corrected in the time specified in the initial meeting or notice, then two Board members shall decide if a fine or penalty is to be imposed. A notification letter will be sent to the violator explaining the violation, the date of the first meeting or communication, the time allotted to correct the violation, the fine and other pertinent information. Fines will be levied for each violation according to a "Schedule of Fines". Said Fines are not to exceed \$500.

Appeal

An opportunity for a hearing before a Review Committee of non-board members will be provided prior to a fine being imposed. The violator has 14 days from the date of the notification letter to appeal the fine. The Review Committee will review the violation and render a decision as to whether a fine will be imposed. If a fine is to be imposed, the committee will determine the amount of the fine utilizing the Schedule of Fines as a guideline. The Review Committee is autonomous and their decision is final.

Owners Failure to Comply

If a Unit Owner fails to comply with the Articles, Covenants, Bylaws, Declaration Of Party Facilities, or the Rules and Regulations or the decision rendered by the Review Committee, the Board has the prerogative of suing for damages caused by the failure or the injunctive relief or both. The prevailing party in any such proceeding is entitled to an award of all costs and attorney's fees incurred.

Effect of Failure to Enforce Provision

The failure of the Association to enforce a provision of the Articles, Covenants, Bylaws, Declaration of Party Facilities or the Rules and Regulations on a given occasion is not a waiver of the right to enforce that provision on any other occasion.

IV Penalties and Fines

The Schedule of Fines for violations of Cedar Dunes Bylaws or Rules and Regulations are attached as Enclosure A. The Board of Directors and the Review Committee will use these Penalties and Fines as a guideline. They may elect to change the penalty or levy another fine in the event it determines facts of a nature it deems sufficient to warrant a different sanction.

V Rules and Regulations

A Pets*

1. Pit bull dogs (APBT) are not allowed in Cedar Dunes.
2. No more than two (2), four (4) legged, non-caged pets are allowed per unit.
3. Dogs weighing over eighty (80) pounds or over twenty-four (24) inches in height at the shoulder is not allowed.
- 3A. Owners of pets owned on November 14, 2006 currently residing in Cedar Dunes are “grandfathered”.
4. All pets must be leashed with a leash of 15 feet or less, or carried when outside the residence. Pets found running loose will be subject to pick-up by animal control.
5. Pet owners shall not own or harbor a pet, which disturbs the peace and quiet of the area, is vicious or is a danger to any person.
6. Pet owners shall clean up after their dogs immediately and dispose properly. Dogs are not allowed to urinate on plants, bushes, shrubs, flowers or trees in the common areas.
7. Pet owners are responsible for all damage, destruction or litter incurred in the common area or at other Units as a result of their pet's actions.
8. Unit owners and occupants shall hold the Board of Directors harmless against loss or liability for any actions of his/her pets within the Association.

B Vehicles and Parking

1. **ONE** numbered parking space is allotted to each unit. Parking in a numbered space not allocated to your unit is prohibited. Residents must park in their numbered parking space before parking in an unnumbered space.
2. Parking of commercial vehicles, trailers, unlicensed or inoperative vehicles. Trucks over 1 1/2 tons, storage containers, boats, boat or motorcycle trailers are prohibited. Notwithstanding any of the above, any vehicle or object of a size that cannot be accommodated in a single parking space is prohibited.
3. Parking is prohibited on all streets and driveways. All streets and driveways are designated lanes for emergency vehicles.
4. Motorcycles are not allowed on the grass or sidewalks at any time.
5. Parking or driving on the grass is prohibited. Violations of the prohibitions above will subject the offending vehicle/trailer to be towed from Cedar Dunes property at the owner's expense.

THE SPEED LIMIT IN CEDAR DUNES IS 15 MPH

C Individual Unit

1. No unit shall be utilized for any reason other than residential use

- 2 Hanging garments, towels, rugs, etc. over/from the railing, balcony, fence or from any of the facades is prohibited.
- 3 Advertisements or posters of any kind shall not be displayed without the written approval of the Board. One small "FOR SALE" sign may be posted on the sliding door.
- 4 Garbage must be placed in the dumpsters in closed and tied plastic bags. Recycled material (glass, newspaper, etc.) will be placed in appropriately marked containers outside the dumpster. Large items such as furniture, TV's, doors, grills, etc. shall be placed neatly outside the dumpster enclosure for pick-up.
- 5 Whenever possible satellite dishes shall be placed on the unit's roof so as not to be seen from the ground. In unit locations that preclude reception because of trees or other obstructions and the satellite dish cannot be placed out of sight, a written statement from the company will be provided to the Board
- 6 No flags, banners, pennants, etc. will be displayed draped over railings. Flags, banners, pennants, etc depicting events various times of the year (Christmas, Easter, Halloween, St, Patrick's Day, etc.) can be displayed for a reasonable period. The American, Florida and New Smyrna Beach flags can be flown appropriately.
- 7 Exterior walls, roofs and fences are to be maintained in a well-kept condition at all times. All exterior work plans must be approved by the Appearance Committee prior to work being started. Paints and stains applied to the exterior building and fence must meet requirements described in Section 7.3 of the Cedar Dunes by- laws.
- 8 Each Unit Owner will provide to the Association, as well as adjoining Unit Owners, a copy of their subterranean termite bond issued by a pest control company indicating the expiration date. A copy of the termite bond will not be required unless a different company is used.
- 9 Owners who rent their units shall provide the Board with the names of all the tenants and their telephone number.
- 10 Owners who rent their unit will provide a copy of these Rules and Regulations to each unit for reference by the occupants. The owners are to provide to the Board a written statement that their tenant has read and agree to abide by these Rules and Regulations.

D Nuisances

- 1 There shall be no loud or unusual noises between the hours of 11:00 pm and 6:00am.

The playing of stereo equipment, television and other audio devices shall be played at a level not to be heard from the adjacent unit at any time.

- 2 Parents are responsible for their children's behavior. Riding of bicycles, wagons, skateboards, scooters, motorbikes, etc. on any grass or walkway is prohibited.
- 3 Owners, tenants, guests, etc. occupying any unit shall not feed raccoons, alligators, bears or other wildlife with the exception of birds.

The Rules and Regulations become effective on March 29, 2012

E. Board Meetings

Owners are encouraged and welcome to attend board meetings. Board meetings are strictly for board members. Audience members are not permitted to talk or disturb the board meetings. The only persons permitted to talk at the board meetings are board members, committee members, persons called to speak by request of the board, or any person that is on the meeting agenda. If an owner wishes to speak at a board meeting, they must make a request in writing, including the subject matter, 24 hours prior to the meeting. The owner will be given three uninterrupted minutes to present the subject. If the owner is interrupted, the clock will stop and restart once the owner has been given a chance to continue. Any audience member that disrupts the meeting will be asked to leave. If they refuse to leave, the meeting will be adjourned.

Enclosure A

SCHEDULE OF FINES

Appearance

Violation of rules regarding approval of Appearance Committee prior to making any improvements, additions or modifications to the exterior of the unit. \$100 fine plus \$5 per day from the date of the violation until compliance.

Failure to maintain unit, including patio fence and improvements. \$50 fine plus \$10 per day until compliance.

Failure to use the paint colors and stains designated by the by-laws on the exterior of the unit or the patio fence. \$50 fine plus \$5 per day until compliance

Posting unauthorized signs \$10 fine per day until removed.

Hanging towels, bathing suits, laundry or rugs from the upper balcony, the windows or the fence. \$10 fine per day until removed.

Parking and Vehicles

Noncompliance with Cedar dunes parking regulations including fire lanes Vehicle towed at owner's expense

Impeding access to another parking space, entrance or exit Vehicle towed at owner's expense.

Vehicles occupying parking spaces without a license plate or an up to date tag. Vehicle towed at owner's expense.

Performing major repairs on vehicle. \$100 per incident.

Commercial vehicles parked over 24 hours. Vehicle towed at owners expense.

Noise and Disturbance

Disturbing other residents by excessive noise from radios, televisions, musical instruments loud parties or barking dogs. \$30 fine per incident

Pets

Failure to remove pet waste from common areas \$20 first incident, \$30 per Incident thereafter.

Failure to leash animal \$20 first incident, \$30 per incident thereafter.

Violation of the Rules and Regulations regarding pets. \$50 per violation plus \$20 per day until compliance.

Miscellaneous

Failure to properly dispose of trash. \$100 per incident.

Intentional or negligent damage to common property. Cost of repair plus a fine equal to the cost of repair.

Violation of other Rules and Regulations or By-Laws. Fines will be assessed on a case-by-case basis as determined by the Board