

OCEAN WALK BEACH  
CONDOMINIUM ASSOCIATION, INC.

INFORMATION

AND

RULES AND REGULATIONS



Revised August 30 2023

## INTRODUCTION

Welcome to Ocean Walk Beach Community! We are a shared living community, which means giving up some freedoms so that all may enjoy their homes but also giving up a lot of responsibilities in the way of home maintenance. Many people hate the word "*rules*", but when you read the Rules (and PLEASE do), you will find that they make a lot of sense. The Ocean Walk Beach Community is a condominium community and not a hotel or Resort. All owners are responsible for their visitors, guests, family members, and tenants. All owners are responsible for cleaning up after themselves and informing anyone using their unit of the rules.

## BASIC INFORMATION

1. OCEAN WALK OFFICE- The Office responsibilities are handled by Keys Property Management. You may contact Keys Property Management by phone at 321-784-8-11 or by email to [cocoabeach@keysenterprise.com](mailto:cocoabeach@keysenterprise.com). The fax number is (321) 784-8350. If the office is closed, you may call in maintenance emergencies by calling the Keys Management and follow the prompts for the after-hours emergency answering service. Call **911** for safety and health emergencies; notify Keys Property Management of emergencies when an incident affects others.
2. TELEPHONE SERVICE - All telephone service is the owner's or unit occupant's responsibility. Connection and billing are arranged with the local phone company or any of the various cellular services. **Notify** the office of your telephone number so that it may be entered into the directory at the front gate under the portico. Anyone needing access will dial a code next to your name to call you for identification. **Press 9** on your phone to release the lock (there will be a buzzing sound at the gate) and tell the person to pull the door toward them after they hang up. Make sure your phone uses the tone system. Only landlines connected to a phone at Ocean Walk and cellular phones with a 321-area code may be used for the entry system. If a cellular phone is used for the entry system, entry may only be authorized when the unit owner or occupant is physically on the Ocean Walk property. Anyone who allows entry using a cellular phone while they are not physically on Ocean Walk property will be fined \$100.00 and will lose the right to have a cellular phone connected to the entry system.
3. POOL / SPA AREA- **No Food or Beverage is permitted in the pool or spa area or on the pool/ Spa deck.** The only exception is water in its original plastic bottle. No glass is permitted in the pool area. **Violators will be fined or could be escalated to owners or unit losing their rights to use the pool and spa.**
4. ELECTRIC POWER - For electric power, contact Florida Power and Light Co. (FPL). Owners are responsible for all electric service arrangements and bills.
5. CABLE TELEVISION SERVICE - Basic cable service is provided by the Association. All upgrades for premium services are the responsibility of the owner or occupant.
6. SECURITY - Please keep all outside doors and gates closed and locked for security. If you see an open door, please close it. Do not prop any doors open and do not allow any guests

or service people to prop any doors open; this includes main entry doors, stairwell doors, and elevator doors, PROPPING A DOOR WILL SUBJECT YOU TO A FINE. **Note:** To minimize the use and prevent service calls, the **garage door** will be left open during working hours, **7:00 AM to 2:00 PM, Monday through Friday**

7. **COMON KEYS-** To replace a common key, contact Keys Property Management by phone at 321-784-8011 or by email to [cocoabeach@keysenterprise.com](mailto:cocoabeach@keysenterprise.com) to arrange a common key replacement. Each key is a \$200.00 deposit and a non-refundable cost of \$200.00. Owners selling their unit are responsible for passing along the association common keys in possession to the buyers.
8. **ELEVATORS** - Do not prop open the elevator doors or prevent them from closing, as it will break the connection with the electronic sensors, causing the elevator to be disabled. If you are expecting a delivery or moving in or out put in a work order through the Keys Property Management ComWeb Owners Portal. If you have questions or need assistance call 321-784-8011 or email [cocoabeach@keysenterprise.com](mailto:cocoabeach@keysenterprise.com).
9. **BEACH ACCESS** - Beach access is through the pool area to the wooden walkway. **Please do not use the Lounge or the Exercise rooms as a beach access.** Make sure you have your entrance key with you. **It is illegal to walk across or walk on any dunes.** When you return, please remove tar and sand from your feet or beach shoes or sandals. Water is available by the building near the door. Please ensure that all doors are closed and locked.
10. **MAILBOXES** - Mailboxes are in the area alongside the elevators. Each owner is responsible for the unit mailbox key. Outgoing mail may be placed in the box behind the pillar on which the bulletin board is attached. Boxes for oversized mail are also there and may be opened by the key left in the mailbox by the mail carrier.
11. **UNIT ACCESS** - Except in an emergency or for required maintenance and repairs, the Board will not allow anyone in your unit without your permission. Owners/occupants are to advise the office of those needing access to their unit in advance. Any unit that has an alarm system should notify the office of the code. If access to your unit is needed during your absence, please make arrangements with your caretaker. The staff is not responsible.
12. **GUEST REGISTRATION** - All guests, including family members, in the residence are required to register with the office. Guest registration forms can be obtained in the office and are also located in the box affixed to the bulletin board adjacent to the mailboxes. If the office is closed, please leave the completed guest registration form in the mailbox by the office. Owners that rent their unit must conspicuously display or provide a copy of these Rules and Regulations in their unit.
13. **EMERGENCIES**
  - a. In the event of a medical, fire or police emergency dial **911**.
  - b. If the elevator stops between floors or the door won't open, push the emergency button. This will dispatch call to elevator repair service.
  - c. If the fire alarm is activated, leave the building by way of the exit stairways. Do not

- use the elevators until released by the fire department.
  - d. The driveways, walkways, stairs and entrances must be kept clear of all obstructions for ingress and egress of emergency vehicles, personnel and occupants for the safety of all concerned.
  - e. Notify the office of any occupants in your unit who will need assistance in the event of an emergency.
- 14. **WATER LEAKS** - Call the office at (321) 784-8011 immediately to report all water leaks. Water leaks are caused primarily by water heaters and washing machine hoses. Water heaters should be replaced every seven years to prevent damages from leaks to other units as well as your own. Washing machine hoses should be checked periodically for wear or replaced by permanent type hoses. Failure to take preventative action might be deemed negligence of the owner which could result in additional costs resulting from damage to other units.
- 15. **PEST CONTROL** - Pest control is performed on a regular basis. Notice is posted on the Bulletin Board and in the elevators. All units must be treated in the same manner and at the same time to be effective. Opting out of pest control is not allowed. If you have problems between treatments, please notify the B&R Pest Control, Bruce, at 321-449-0399.
- 16. **REGISTRATION OF ANIMALS** - All animals must be registered with the Association. Animal Registration Forms are available in the office. Failure to register an animal is a violation of these Rules and will subject an owner, tenant, and/or guest to a fine and other enforcement actions. Pets are not to be exercised or permitted to relieve themselves in the common areas of the association. Violations of this rule will be addressed.

## **OCEAN WALK BEACH CONDOMINIUM ASSOCIATION, INC. RULES AND REGULATIONS**

These Rules and Regulations, dated December 1, 2015, shall apply to the Association Property, the Common Elements, the Limited Common Elements, and the Units. They shall supersede all previous written, implied, or oral rules and regulations and are deemed in effect until amended by the Board of Administration of the Association. They shall apply to and be binding upon all unit owners. The unit owners shall at all times obey said Rules and Regulations as well as the regulations specified in the Declaration of Condominium, Articles of Incorporation and the By-Laws and shall see that these rules are faithfully observed by their families, guests, servants, lessees, workers, and all other persons on the premises at their invitation. The Association shall be entitled to take all actions necessary to enforce these Rules and Regulations.

### **SECTION A - SCOPE OF THE HOUSE RULES**

#### **1. RESPONSIBILITY OF OWNERS, TENANTS AND GUESTS.**

- a. All owners, guests, tenants, other occupants, or visitors of the unit are fully responsible for Compliance with these rules and provisions of the Declaration of Condominium, Articles of Incorporation and the By-Laws. Owners are responsible for informing their guests, tenants, and visitors of all rules and regulations. Please provide a copy of the House Rules to your property managers, rental agents, tenants, etc., where applicable.

- b. Monthly maintenance fees are due on the first (1<sup>st</sup>) day of each month. A late fee of \$25.00 will be charged if the check is received after the tenth (10<sup>th</sup>) of the month.
- c. Condominium **Entrance** keys and additional parking tags may be purchased by Unit owners from maintenance for **\$50.00 each**. This is a **non-refundable fee**.

## 2. **ENFORCEMENT**

- a. Violations of the rules should be reported to any Board member in writing and signed. The Board will confirm the violation and request compliance. The Board may enforce the violation compliance by legal means.
- b. Any unauthorized persons on the premises will be cited for trespassing and asked to surrender any entrance keys or garage door openers in their possession.
- c. In any action brought against an owner by the Association for damages or injunctive relief due to such owner's failure to comply with these rules, the Association shall be entitled to court costs, reasonable attorneys' fees and expenses incurred by it if prosecution is necessary.
- d. Any Federal, State of Florida, or Brevard County laws, rules or regulations or those included in the Declaration of Condominium, Articles of Incorporation or By-Laws shall take precedence over house rules.

## **SECTION B-INFORMATION REQUIRED FROM RESIDENTS**

- 1. Owners, tenants or other occupants living in the unit shall complete all information forms and deliver them to the office. Changes must be reported to the office.
- 2. When guests are occupying units with or without the owner being in residence, the office shall be notified and a "Guest Registration" form shall be completed and delivered to the office.
- 3. **Registration of Animals.** All animals must be registered with the Association. Forms are available in the office. Failure to register an animal is a violation of these Rules and will subject an owner, tenant, and/or guest to a fine and other enforcement actions.

## **SECTION C-NOISE CONTROL AND QUIET HOURS**

General quiet hours are from 10:00 **P.M.** to 8 AM. weekdays and from 10:00 **P.M.** to 10:00 AM. on Saturdays, Sundays and Legal Holidays. Each occupant or guest should be considerate toward his/her neighbors by keeping all noise to a non-transmittable level.

### 1. **UNIT RULES**

- a. All noises, including loud talk, radios, TV's, stereos, and musical instruments should be kept at a level which does not disturb other units.
- b. Construction or other work shall only be performed in units between 8 AM. and 5 P.M., except in cases of emergency.
- c. Opening and closing sliding doors is a real source of noise inside units. Please open and close them slowly. Keep the tracks clean and lubricated.
- d. Conversation on balconies carries into nearby units. Please move indoors after 10:00 PM or quietly enjoy your balcony.
- e. All unit owners are responsible for complying with the laws and ordinances of the

**Sea Turtle Ordinance.** From May 1 - November 1 during the hours of 9:00 P.M. until 5:00 A.M., units are required to ensure that the unit is not causing direct or indirect illumination of the beach. **Unit owners can be fined by Brevard County \$500 per day for each violation.** Please close blinds when the lights are on; move lights away from all North, South, and East windows; and turn off lights and timers if you are going to be away.

**2. COMMON ELEMENTS AND LIMITED COMMON ELEMENTS**

- a. All noises, including loud talk, radios, CD, record, tape or disc players must be kept at a level which does not bother others. Unreasonable noises will not be permitted.
- b. Batting or throwing balls against walls or other similar types of activities is prohibited.
- c. Vehicle noise shall be kept to a minimum and must conform to Florida Statutes.
- d. No signs are to be affixed to any common/limited common element. Realtors are to use designated lockbox location for unit access keys. Written permission is needed by the Board to affix anything to common areas.
- e. Skateboarding is prohibited.

**SECTION D-UNITS (APARTMENTS)**

**1. USE OF UNITS**

- a. No occupant shall store or bring any hazardous material such as gasoline, kerosene, fireworks, explosives or other articles deemed hazardous by Brevard County or the insurance carrier into the unit or any common area not specifically designated for such use.
- b. Personal property shall be kept within the unit, assigned lockers or the garage as permitted. No personal property may be stored on the walkways, in the rooms behind the elevators, or in any common areas.
- c. Keys must be furnished to the office for access to the unit, air conditioner handler and water heater doors for emergencies, repairs and replacements or for inspection and exterminator services.
- d. Owners or occupants shall not request the staff to perform personal services **during working hours**. Employees are not permitted to enter any unit without prior approval except in an emergency.
- e. Blinds, draperies or curtains on exterior glass doors or windows must be near white or a neutral color or so lined to insure overall uniform appearance from the exterior of the building.
- f. Door decorations are limited to wreaths or sprays and must not cover the unit number.
- g. Any planned structural alteration of a unit requires the advance approval of the Board of Administration. All debris must be removed from the premises. Large items removed from the unit may not be placed in the dumpster or left for pick-up.
- h. Unit owners are responsible for ensuring that any contractor or sub-contractor doing



work in their unit is licensed and insured. Copies of appropriate documentation must be provided to the Board before commencement of work. Electrical and plumbing work must be done by a licensed contractor. Unit owners are responsible for any damage caused by their contractor or sub-contractor.

## **2. MAINTENANCE OF UNITS**

- a. Owners are responsible for all maintenance and repair of items within the unit, including door locks, door handles, patio door painting and any approved owner addition to common or limited common elements (i.e. shutters). Requests for maintenance, repair, or replacement of common or limited common elements in the unit must be cleared through the Board, who will ascertain if it is the responsibility of the owner or the Association.
- b. Units shall be maintained so they do not endanger or affect the value of any other owner's property.
- c. When units are unoccupied for 24 hours or more, the water must be shut off at the main water valve. Failure to do so could make the owner responsible for damages to other units caused by water leaks.
- d. Inspection of units for violations may be made with prior notice and little inconvenience to owner.
- e. If an owner is away for an extended period or if the unit is leased or rented, the Board should be notified of the name of a responsible caretaker of the unit. Such caretaker will notify the Board prior to making any entry to the unit during the owner's absence. No one will be admitted into a unit without owner approval except in emergencies or appropriate notification.
- f. Dryer lint screens should be cleaned each time the dryer is used and make sure the exhaust pipe is free of lint which can cause poor dryer operation and fires.
- g. Keys to vehicles shall be left with the Board or the designated caretaker if the owner is not in residence so the vehicle can be moved in emergency. Vehicles could be towed at the owner's expense. All vehicles left on the premises must be in good operational condition. Storage of vehicles not capable of being driven on the roadway is prohibited.

## **3. USE OF BALCONIES**

- a. No material or object may be swept, thrown, cleaned, shaken, or hung from balcony, window or common walkway.
- b. No feeding of birds or other animals is allowed from the balconies or units.
- c. No storage of personal items. Only appropriate plants and furniture are permitted while the unit is occupied. All items must be removed from the balcony when the occupant is away for an extended period or more than 24 hours during hurricane season unless hurricane shutters enclose the balcony.
- d. No water from washing or plant watering is allowed to run over the edge of the balcony.
- e. Only electric barbecue grills are to be used on the balconies.
- f. No carpeting may be installed on balconies. Tile or hurricane shutters must have prior written approval of the Board and meet specifications. The cost for maintenance, repair, removal and replacement of the additions is solely the responsibility of the owner.

#### 4. PETS

- a. No animals, livestock, or poultry of any kind shall be raised, bred or kept in any unit or in or on the common elements, except that unit owners living in their unit may have not more than one (1) dog, cat or other household pet per unit and subject to the Rules and Regulations adopted from time to time by the Association. No pet shall exceed fifteen (15) pounds in weight. All pets must be carried in arms when in or upon any part of the common elements. No pets are permitted on Ocean Walk's beach. Tenants are prohibited from having pets in their unit.
- b. **Registration of Animals.** All animals must be registered with the Association. Animal Registration Forms are available in the office. Failure to register an animal is a violation of these Rules and will subject an owner, tenant, and/or guest to a fine and other enforcement actions.

#### 5. LEASING OF UNITS

- a. Lessees or renters must have prior written approval by a designated Board member. Applications for approval of a lease or rental must be provided to the Board at least one week (7 days) before the proposed occupation date. No lease may begin, and no tenant may occupy a unit prior to Board approval
- b. A completed copy of the lease or rental agreement of approved persons must be furnished to the office after the application is approved.
- c. Advertising of rentals on sites like Air BnB and VRBO are permitted, however the advertisement must conform to the rules and regulations and governing documents of the community. The advertisement cannot advertise and represent any violations of the rules and regulations and governing documents of the community.
- d. The minimum rental period is for (1) one month.

### SECTION E-COMMON ELEMENTS, GENERAL

1. Parents are responsible for the conduct of their children. Children shall not be permitted to run, play and loiter on the walkways, stairways, elevators, roadways, garage or parking areas. Toys or other articles found in the common areas may be donated to charity if not claimed in 7 days. **No skateboarding on property.**
2. **USE OF ROADWAYS, PARKING LOT AND GARAGE**
  - a. Vehicular speed will not exceed 10 miles per hour.
  - b. Parking is not allowed in roadways except for loading and unloading. Unattended vehicles parked in a roadway or no parking areas for more than 15 minutes will be towed at owner's expense.
  - c. There is only **one** reserved stall per unit in the garage. Use of other garage stalls must have approval of the designated owner in writing. A copy of the agreement is to be given to the office for unit records. Vehicles parked illegally in the garage or parking lot will be towed at the owner's expense. All vehicles must have an Ocean Walk parking tag on display.
  - d. No personal items may be stored openly in the garage except bicycles and grocery carts within the assigned space or directly in front of it.
  - e. All vehicles must be parked properly within marked; 1 spaces.



- f. Any repair or mechanical work on vehicles including, among other things, changing of oil, performing tune-ups and draining radiators is prohibited on any common area.
- g. Ocean Walk residents and guests are welcome. All others will be towed at owner's expense. Vehicles of overnight visitors must be registered with the office and must display an Ocean Walk parking tag.
- h. No vehicle which cannot operate under its own power shall be parked on the premises. This includes personal watercraft, boats, trailers, etc.
- i. Nothing may be hung from the garage ceiling, attached to or placed upon the sprinkler system.
- j. Garage door openers are the unit owner's responsibility.

### **3. LANDSCAPING**

No resident shall landscape any common area without first obtaining approval of the Board. All such planting shall become the property of the Association.

### **4. MODIFICATIONS OF COMMON AREAS**

- a. Nothing shall be altered or constructed in or removed from common areas without prior written approval by the Board.
- b. Plants and furniture in the common areas shall not be removed to other locations.

### **5. GARBAGE, TRASH AND RECYCLING**

- a. Only household trash and garbage must be placed in the dumpster directly or down the trash chutes. Garbage must be in plastic bags. Oversize items must be carried to the dumpster room located on the first floor behind the elevators.
- b. No oversize boxes are to be placed in the chutes.
- c. Oversize rubbish or trash including packing boxes and discarded furniture, furnishings and major appliances must be removed from the premises by the owner/occupant.
- d. All newspapers, metal cans, glass and permitted plastic should be placed in the recycle containers in the parking lot outside the dumpster room. **Place only recycled items in totes, all other trash is to go in the dumpster.**

### **6. BULLETIN BOARD**

South facing bulletin board is for Association business use only. West facing bulletin board is for personal or real estate notices. Notices are to be signed and dated.

### **7. SIGNS**

No signs may be placed on Condominium property or in unit windows, including real estate signs.

### **8. MOVING IN OR OUT OF UNITS**

- a. Notify the office or a Board member at least 48 hours prior to moving in or out of units.
- b. Do not use the elevator unless the protective pads have been installed to prevent damage to the elevator. East elevator is presently designated for movement of personal items.
- c. Moving is not permitted prior to 8:00 AM or after 10:00 **PM**.

- d. Unit owner is responsible for damage to common areas caused by movers or by the occupant.

## **SECTION F-COMMON AREAS, RECREATIONAL**

The lounge, swimming pool, exercise room and tennis court may be used only by current residents of a unit and their guests. Absentee owners and their guests may not use the recreational facilities while their unit is occupied by a tenant or other occupant. The doors to the recreational areas are to remain locked after 9:00 **PM**. Lock doors to recreational areas when used after 9:00 **PM**.

### **1. LOUNGE AND EXERCISE ROOMS: GENERAL USE**

- a. The lounge and exercise rooms are for use at any time except when the lounge is reserved for private functions. Please keep them clean and rearrange any furniture or weights after use. Make sure lights, range and water faucets are turned off.
- b. No children under the age of 18 are allowed in the exercise room without adult supervision. No children under the age of 12 are allowed in the lounge without adult supervision. No pets are allowed to be in either room or to pass through them.
- c. Lounge furniture may not be removed from the lounge.

### **2. LOUNGE-USE FOR PRIVATE FUNCTIONS (USE OF LOUNGE ONLY)**

- a. Written request must be given to the Board at least 7 days in advance of the date requested, along with a \$50.00 non-refundable reservation fee and a \$100.00 deposit against damage and cleaning. Damage deposit will be refunded if the room is cleaned by noon of the following day. Any damage caused by the person(s) using the lounge or cleaning done by the Association will be deducted from the deposit. Excess damage costs may also be billed directly to the unit owner.
- b. Use is allowed only between 8:00 AM and midnight.
- c. Use is limited to owners and tenants living in the unit and invited guests. Owners not living in the unit may also request use if their unit is unoccupied at the time.
- d. The person reserving the room is responsible for the action of all guests on all parts of the Association property. Owners will be assessed for damages.
- e. Decorations must be removed after use of the lounge.
- f. Only personal functions are allowed; no public, commercial, religious or business use.
- g. Alcohol may not be offered for sale.

### **3. SWIMMING POOL AND SPA RULES**

- a. All person's swim at their own risk. No lifeguard is on duty.
- b. Any owner has the authority to enforce pool rules and to ask violators to leave.
- c. Hours of general use are between dawn and dusk.
- d. Children under 12 are NOT permitted to use the spa.
- e. Children under 12 must be accompanied by an adult in the pool.
- f. Maximum use of spa is 15 minutes. Maximum temperature of spa is 104 degrees.

- g. Maximum bathing load for spa is 6 people. Maximum bathing load for pool is 33 people.
- h. Persons who are not competent swimmers must be accompanied by a resident adult who can swim.
- i. Shower before entering pool or spa.
- j. Any person having a contagious skin disease, open sores, nasal or ear discharge or any communicable disease shall not use the pool or spa.
- k. Pregnant women, people with health problems, and people using alcohol, narcotics, or other drugs that because drowsiness should not use spa without first consulting with a doctor.
- l. All attire worn in the pool must be designated for swimming and be colorfast. No cutoffs or frayed garments are allowed.
- m. Babies must wear swimming diapers in the pool.
- n. Diving or jumping in the pool, running, ball playing, horseplay, screaming, etc. is not permitted.
- o. Spitting or spouting and blowing noses are prohibited.
- p. Noodles and small toys are allowed to be used in the pool. No large floats, air mattresses, or inner tubes are permitted.
- q. Only radios, tape players, etc. equipped with headphones are allowed in the pool area.
- r. No food or beverages are not allowed in the pool/spa area or on the wet deck area. The only exception is water in its original plastic bottle.
- s. NO GLASS whatsoever in the pool/ spa area or wet deck.
- t. No more than six (6) guests per unit shall use the pool at any one time.
- u. All personal property must be removed from the pool area when the resident or guests leave.
- v. Turn off the spa timer switch after use. Children under 12 may not touch the timer switch.
- w. Do not adjust the pool controls and thermostats.
- x. The pool may not be reserved for private functions.
- y. No pets or other animals are allowed in or passing through the pool area.
- z. Reserving of poolside chairs is prohibited and unattended items may be removed.
- aa. If you move a chair, please return it to its original location.

#### **4. TENNIS COURT**

- a. Only owners and tenants may use the tennis court.
- b. Courts may only be used for playing tennis with proper tennis equipment.
- c. Use is limited to one hour when others are waiting.
- d. Tennis court cannot be reserved.
- e. Tennis shoes must be worn while on the courts.
- f. Lights are to be turned off when you are finished playing at night.
- g. Hours of use are between 7:00 AM and 10:00 PM
- h. Bicycles and skateboards are not permitted.

#### **5. HOBBY SHOP**

The hobby shop is located on the west side of the utility building and is for the use of all residents of Ocean Walk. The common key can be used for the lock on the hobby shop. When leaving, take all power tools with you, clean up, turn off the lights and lock the door. No personal storage is allowed in the hobby shop. For your safety please do not consume alcohol while using power tools.

## **6. WORK AND MAINTENANCE ROOMS**

**Residents, guests or visitors** are not allowed in these rooms; they are for the use of employees only.

## **SECTION G - FINE POLICY**

### **1. FINES**

In the event a unit owner, tenant, invitee, licensee, guest, or occupant fails to observe and perform all of the provisions of the Declaration, the By-Laws, the Articles of Incorporation of the Association, and the Rules and Regulations, the Association shall have the right to impose a fine against the unit owner and the unit. The amount of any fine shall be determined by the Board of Directors of the Association, but in any event shall not exceed any maximum amount permitted by law. Any fine shall be imposed by written notice to the unit owner or tenant, signed by an officer of the Association, which shall state the amount of the fine, the violation for which the fine is imposed, and shall specifically state that the Unit Owner or tenant has the right to contest the fine by delivering written notice to the Association within fourteen (14) days after receipt of the notice imposing the fine.

### **2. FINE COMMITTEE**

If the unit owner or tenant timely and properly objects to the fine, a Fine Committee appointed by the Board of Directors of the Association for the purpose of conducting these types of hearings shall conduct a hearing within thirty (30) days after receipt of the unit owner's or tenant's objection, and shall give the unit owner or tenant not less than fourteen (14) days written notice of the hearing date. Such notice shall include: (i) A statement of the date, time and place of the hearing; (ii) A statement of the provisions of the Declaration, Association By-Laws, or Association Rules and Regulations which have allegedly been violated; and (iii) A short and plain statement of the matters asserted by the Association.

### **3. HEARING**

At the hearing, the Fine Committee shall conduct a reasonable inquiry to determine whether the alleged violation in fact occurred and that the fine imposed is appropriate. The unit owner or tenant shall have the right to attend the hearing and to respond to any material considered by the Association and to produce evidence on his behalf and to provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge and respond to any material considered by the Association. If the unit owner or tenant fails to attend the hearing, then the hearing will be deemed waived and the Fine Committee may ratify the fine without further proceedings. At the hearing, the Fine Committee shall ratify the fine or if the Fine Committee does not agree with the fine, it may reduce or eliminate the fine and shall give the unit owner or tenant written notice of its decision. Any fine shall be due and payable within fourteen (14) days after written notice of the imposition of the fine, or if a hearing is timely requested within fourteen (14) days after written notice of the Fine Committee's decision at the hearing.

## **SECTIONH-**

### **DUTY TO PROVIDE NOTICE OF VOTE TO FOREGO RETROFITTING**

On November 27, 2010 the unit owners of the Ocean Walk Beach Condominium Association, Inc. voted to forego retrofitting the units and common area of Ocean Walk with a fire sprinkler system. As a result, all unit owners must provide a copy of a Retrofitting Opt-Out Notice to a purchaser of your unit before closing and to any renter of your unit prior to signing a lease. If you need a copy of the Retrofitting Opt-Out Notice, please contact the Association.