

EDGEWATER CONDOMINIUM ASSOCIATION
RESOLUTION NUMBER: 04-2015

WHEREAS, Article IV Section 1 of the By-Laws states that the affairs of the Edgewater Condominium Association (hereinafter "Association"), shall be managed by a Board of Managers (hereinafter "Board"); and

WHEREAS, Article IV, Section 12 of the By-Laws of the Association states that "the Board shall have all powers, and may exercise those powers, granted to it under the Condominium documents. The Board of Managers shall exercise its powers and duties in accordance with the provisions of the Declaration." and specifically Section 12-g states that the Board can "make or amend the rules and regulations respecting the use and operation of the property, but not inconsistent with the Declaration."; and

WHEREAS, Article XVI of the Declaration states that "Each unit owner shall be governed by and shall comply with the terms of the Condominium documents, regulations, resolutions, and decisions adopted pursuant thereto as they may be amended from time to time." Section 1 states that "Failure to comply with any of the same shall be grounds for an action to recover sums due, for damages or injunctive relief or both maintainable by the Board of Managers on behalf of the unit owners, or in a proper case, by an aggrieved unit owner. In any case of flagrant or repeated violation by a unit owner, he may be required by the Board of Managers to give surety or sureties for this future compliance with the By-laws, rules, resolutions, and decisions."; and

WHEREAS, the Edgewater Condominium Association, having chimneys and

fireplaces which are for the exclusive use and enjoyment of the homeowner.;
and

WHEREAS, it would be in the best interest of the homeowner of each unit in which a chimney and fireplace is installed, as well as the entire community, if the fireplace and chimneys were inspected and cleaned on a regular basis; and

WHEREAS, the Board has determined that in order to promote the safety and general welfare of the entire community, homeowners shall be required to have the fireplaces and chimneys inspected once every two (2) years.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby adopts the following rule and regulation to enhance the safety and general welfare of the members of the Association and to protect the Common Elements and property within Edgewater Condominium Association, development:

- A. The owners of each unit in the Association that is equipped with a fireplace and chimney shall be required to have their fireplaces and chimneys cleaned and inspected once every two (2) years (i.e., October 1, 2016, October 1, 2018, October 1, 2020, etc.).
- B. Contractors must file with the Association an original and current copy of a certificate of insurance in form acceptable to the Association.
- C. The fireplace and chimney shall be cleaned and inspected by a quantified chimney inspection firm. The Homeowners shall submit to the Association an original certification of the inspection from the contractor, stating that the fireplace and chimney have been cleaned and inspected and serviced and/or repaired as needed. Said certification shall be submitted every other year prior to November 1, 2016 effective December 1, 2015.
- D. Homeowners found in violation of this Resolution shall be subject to all rights and remedies available to the Association in accordance with the rules and regulations titled "Enforcement" relating to a System of Fines; which stipulates that violators will be given a specified number of calendar days from the date of warning to correct the rule violation,

after which a nominal fine will be assessed weekly up to a maximum amount until the fireplace and chimney are inspected, cleaned and/or repaired, if necessary, and the report filed with the Association.

This resolution, Number 04-2015 is adopted this 24th day of October, 2015 by the Board of Managers of the Edgewater Condominium Association.

Secretary

President

CERTIFICATION

I hereby certify that the forgoing resolution was duly adopted at a regular meeting of the Board of Managers of the Edgewater Condominium Association held on October 24th, 2015 and that it became effective as of said date.

Secretary