

**MORRIS PLACE CONDOMINIUM ASSOCIATION, INC.**  
**POLICY RESOLUTION NO. 6**  
**RELATING TO A SYSTEM OF FINES**

WHEREAS, Morris Place Condominium Association, Inc. (the "Association") was created and exists by virtue of, among other things, a "Master Deed for the Morris Place Condominium" which was recorded in the **Morris County Clerk's Office, on May 8, 2003 in Deed Book 0583, Page 001**; and

WHEREAS, Section 1.01 of the Association's By-Laws states that "the Association may do all things that it is legally entitled to do under the laws applicable to its form of organization; must discharge its powers in a manner that protects and furthers the health, safety and general welfare of community residents"; and

WHEREAS, Section 4.01 of the By-Laws provides that the Association's Board of Directors "at its own discretion may adopt Rules and Regulations that are in addition to and supplement on restrictions on the Owners' use of the Common Elements and Units"; and

WHEREAS, Master Deed Section 17.03 and By-law Section 5.11 (P) provides the Association with the power to impose fines and other forms of penalties for violations; and

WHEREAS, By-law Sections 3.08, 4.01 and 4.02 address "Good Standing," "Compliance with Rules" and "Suspension of Rights" respectively and provide for suspension of membership rights and other sanctions for failure to comply with the Association's Rules, Regulations, Master Deed and/or the Bylaws; and

**WHEREAS**, the Association finds that it is in its best interest to establish a system of fines for failure to comply with Association Rules, Regulations, the Master Deed and/or the Bylaws;

**NOW, THEREFORE, BE IT RESOLVED** that the following system of fines is hereby adopted:

1. Notwithstanding anything else herein, pursuant to N.J.S.A. 46:8B-14(k), prior to any fine becoming payable, the accused shall have the opportunity to participate in an alternative dispute resolution process as described in By-Law Section 19.00 and/or as provided in the Association's ADR resolution.
2. Violations of the Rules and Regulations, By-Laws or Master Deed, shall be treated as separate violations for each day after the complaint is served upon the responsible Unit Owner. For example, if a car is illegally parked and the applicable fine is \$25, a \$25 fine will accrue for the initial violation and for each day that the car is illegally parked after the complaint is served. The Unit Owner remains primarily liable for all violations relating to his or her unit or individuals or entities that come into the Association because of his unit. For example if a tenant or a contractor commits a violation, the Unit Owner is responsible for the fine and any other consequences.
3. If the Unit Owner or offending party has been found not to have committed a violation involving similar conduct within the previous twelve (12) months, the Unit Owner shall be fined twenty-five (\$25.00) dollars for each violation.
4. If the Unit Owner or offending party has been found to have committed a violation involving similar conduct within the previous twelve (12) months, the Unit Owner shall be fined fifty (\$50.00) dollars for each violation.
5. If the Unit Owner or offending party has been found to have committed two violations involving similar conduct within the previous twelve (12) months, the Unit Owner shall be fined seventy-five (\$75.00) dollars for each violation.

This is an unofficial copy of the resolution for your reference. Official copies have been distributed to the community. Additional official copies can be obtained from Community Management.

6. If the Unit Owner or offending party has been found to have committed three or more violations involving similar conduct within the previous twelve (12) months, the Unit Owner shall be fined one hundred (\$100.00) dollars for each violation.
7. Unit Owner's Association membership rights shall be suspended during any period when there is an outstanding violation and/or sum due to be paid to the Association.
8. Fines shall accrue from the date of the first complaint but shall not be payable until there has been an opportunity to participate in alternative dispute resolution.
9. This resolution shall not circumscribe or limit any other rights and/or powers that the Association may have by law and/or the Association's governing documents. For example, in addition to the fines outlined in this resolution, the Association may immediately file suit for injunction, damages or otherwise etc. Further, if necessary, the Association may resort to "self help" to avoid and/or mitigate its damages.
10. The fine amounts specified in this resolution are the Association's "default" fine amounts. Such amounts shall apply in the absence of a fine amount specified in another Association resolution which states the violation and applicable fine amount with particularity.
11. Unpaid fine amounts shall be payable in accordance with the Association's collection resolution for example, among other things, late fees and interest will accrue on fines that are not paid on time.