

and voting at a members' meeting at which a quorum has been established. Such vote must occur prior to the end of the fiscal year and is effective only for the fiscal year in which the vote is taken.

6.9 Fiscal Year. The fiscal year shall be the calendar year, unless modified by the Board of Directors in accordance with IRS regulations.

7. **RULES AND REGULATIONS: USE RESTRICTIONS.** The Board of Directors may, from time to time, adopt and amend administrative Rules and Regulations governing the operation of the Association and the use of the Common Elements and Condominium Property subject to any limits contained in the Declaration of Condominium. Any Rules and Regulations created and imposed by the Board must be rationally related to a legitimate Association purpose. The Rules and Regulations may not conflict with the rights of Owners as provided in the Declaration or the Condominium Act or reasonably inferable therefrom. Rules and Regulations regarding Unit use shall be adopted by the Board of Directors as set forth in Section 4.9 hereof.

8. **COMPLIANCE AND DEFAULT: REMEDIES.** In addition to the remedies provided elsewhere in the Condominium Documents, the following provisions shall apply:

8.1 Suspensions and Fines.

(A) If an Owner is delinquent more than ninety (90) days in paying a monetary obligation due to the Association, the Association may suspend the right of an Owner or a Unit's Occupant, licensee or invitee, to use Common Elements or common facilities, or any other Association Property until the monetary obligation is paid. The foregoing does not apply to Limited Common Elements intended to be used only by that Unit, Common Elements that must be used to access the Unit, utility services provided to the Unit, parking spaces or elevators. The Board of Directors may also levy reasonable fines for the failure of the Owner of the Unit, or its Occupant, licensee or invitee to comply with any provision of the Condominium Documents. The fines shall be in an amount deemed necessary by the Board to deter future violations. A fine may not exceed one hundred dollars (\$100.00) per violation, unless the Condominium Act is amended to permit a higher amount per violation. However, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing. However, the fine may not in the aggregate exceed one thousand dollars (\$1,000.00), unless the Condominium Act is amended to permit a higher amount for a continuing violation. A fine does not become a lien against a Unit. A fine may not be levied and a suspension may not be imposed unless the Association provides at least fourteen (14) days' written notice and an opportunity for hearing to the Owner and, if applicable, its occupant, licensee or invitee. The hearing must be held before a committee of other Owners who are neither

AMENDED AND RESTATED BY-LAWS

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