

**TOP OF THE HILL CONDOMINIUM
RULES AND REGULATIONS**

Minimum Heat rule updated Jan. 14, 2014 pg. 3

Hours of Operation for Commercial Units rule added July 8, 2014 pg. 1

PREFACE

The Rules and Regulations of the Top of the Hill Condominium Owners' Association have been established in order to maximize the profitable and pleasant use of the units while providing the least possible limitation of the rights of unit owners and tenants. Cooperation by all owners and tenants is necessary for the smooth operation of the condominium.

1. METHODS OF ENFORCING AND MODIFYING RULES AND REGULATIONS

Infractions should be reported to the Managing Agent in writing who shall investigate the complaint and report to the Board of Directors.

Upon a first infraction of the Rules, the Board shall send a "Notice of Rule Infraction" in writing to the offending owner or tenant warning that continuing infractions will lead to Association sanctions. Should an owner or tenant continue violating a rule, the Board may take any appropriate action necessary, including levying a fine, to settle the matter and gain cooperation from the owner or tenant. In the event complaints involve a tenant, the owner shall be informed of all Board of Directors' action.

Rules and Regulations may be modified by the Board of Directors on behalf of the Association or by the members of the Association at their annual meeting. Owners wishing to propose a change should notify the Board of Directors in writing.

2. RESIDENTIAL UNITS

No clothing, towels, or other items may be hung from or placed on deck railings. No charcoal or LP gas barbecuing shall be conducted on residential unit decks or anywhere on the common area.

The maximum occupancy of residential units shall be two persons per bedroom.

Residential units shall not be used for commercial purposes.

3. COMMERCIAL UNITS

Business operation hours in commercial units shall be limited to 7 a.m. to 10 p.m.

Hours of Operation: *All commercial units must be open at least 35 hours per week for retail operations between the hours of 7 a.m. and 10 p.m. from May 1 to October 31 each year – effective May 1, 2015.*

There shall be no outdoor display or sales of goods except for events specifically authorized by Board of Directors.

No business shall post or display any "Closed" sign or sign bearing a similar message at any time.

No business shall operate any audio device directed at the common areas to attract patrons.

Commercial units shall not be used for residential purposes.

Owners or tenants of commercial units shall cause all delivery vehicles to park and load or unload in designated delivery areas to the rear of the buildings.

Public restrooms shall remain open during business hours. Restrooms will be open minimal hours during the weekdays in the off-season.

4. GENERAL

Unit owners shall abide by all of the provisions of the condominium Declaration and By-laws.

Unit owners are required to participate in the Town of Gibraltar lock box program by providing the Managing Agent with a key to their unit. The key will be duplicated with one key placed in the lock box for fire department personnel and the other key kept at the Managing Agent's office for emergency use.

All residential unit owners shall keep door window grills and window muntins in place at all times and shall maintain their exterior facing in white color.

Unit owners shall not create, cause, or allow any nuisance that interferes with the business of a commercial unit owner or tenant or the quiet enjoyment of any unit owner or tenant.

One cat or dog may be maintained on the premises by any unit owner or tenant. Animals must be on a leash at all times when in the common areas. Owners must clean up after their pet.

No flammable, combustible or hazardous materials may be maintained on the premises by any unit owner or tenant.

Unit owners must notify the Managing Agent in writing of the identity of tenants prior to occupancy by the tenant. It is the responsibility of unit owners to pay all Association dues, accordingly dues statements will be sent to unit owners, not tenants. Owners must require that tenants abide by all of the rules and regulations of the Owners Association and shall provide tenants with a current copy of the legal documents.

No "For Sale" or "For Rent" signs or signs indicating an open house shall be posted on or in any unit or anywhere on the premises except for one standard template window sign, not to exceed 8.5" by 11". The approved Top of the Hill template can be obtained from On-Time Printing in Sister Bay T: 920-854-4332. The Board of Directors may establish a site for posting all rental and sale information.

Only personnel authorized by the Board of Directors may make connections to the master TV antenna. Small satellite dishes may be installed for use by residential units at their cost. Prior to installation, the Board of Directors and unit owner must agree to the location of the dish.

No owner may make any external modifications to the buildings or lighting systems except that residential unit owners may install in-wall air conditioning units, subject to Board of Directors approval.

All unit owners, tenants, and employees shall comply with the recycling requirements as per Wisconsin State law. All trash and recyclables shall be placed in containers provided by the Association. All cardboard boxes and large objects must be cut or folded in order to lie flat in the container. All loose packing materials (Styrofoam, etc.) shall be securely packed in boxes or plastic garbage bags before disposal. In the event of exceptionally heavy usage resulting in full containers, owners or tenants shall inform the Managing Agent so that additional pick up arrangements may be made.

Unit owners and tenants are responsible for washing windows in their own unit.

Unit owners and tenants may not store boats, trailers, mobile homes, or other large vehicles in the common areas.

Unit owners and tenants may not change, add or remove plant materials in the common areas without the prior approval of the Board of Directors. Furthermore, no decorative items may be added to the common areas.

The Association shall be responsible for maintaining and replacing all exterior light bulbs.

***** Effective October 1, 2014, a minimum heat of 50 degrees shall be maintained in all units at all times. *****

All shop signs shall be made of wood and shall not exceed 6 square feet in area. Furthermore, all signs must comply with applicable Door County, Town of Gibraltar and the Fish Creek Sanitary District sign regulations. The Board of directors may designate locations for directional signs on the common area and prescribe the size and type of sign which may be posted in said locations.

During the months of June, July, August, September and October, unit owners, tenants and employees of commercial units shall park in those portions of the parking lot lying to the west of the building sites.

Unit owners and tenants may not add plumbing fixtures within units without the approval of the Board of Directors. (See Declaration for details).

Unit owners and tenants shall not give instructions or otherwise direct the activities of Association employees.

Unit owners and tenants shall not individually compensate Association employees.

**MINUTES OF ACTION OF
DIRECTORS WITHOUT MEETING OF
TOP OF THE HILL CONDOMINIUM
OWNER'S ASSOCIATION, INC.**

The undersigned, being all of the directors of TOP OF THE HILL CONDOMINIUM OWNER'S ASSOCIATION, INC., a Wisconsin corporation, (the "Association") acting as such pursuant to the provisions of Wisconsin Statutes, Section 181.0821 and the Bylaws of the Association, do hereby agree to the adoption of and do hereby adopt the following resolution:

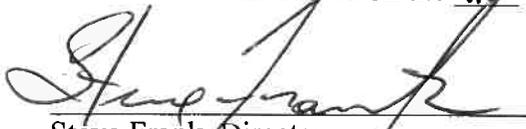
IT IS HEREBY RESOLVED, that the Association amends the following Rule concerning making exterior improvements to the buildings:

"No owner may make any external modifications to the buildings or lighting systems except that residential unit owners may install in-wall air conditioning units, subject to Board of Directors approval."

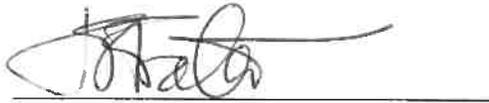
to read as follows:

"No owner may make any external modifications to the buildings or lighting systems without the consent of the Board of Directors."

Executed on the 25th day of June, 2009.


Steve Frank, Director


Mary Stephens, Director


Julia Frater, Director


Richard Klotz, Director


Katie Eyrise, Director

Top of the Hill Condominium Owner's Association, Inc.
9347 Spring Road
Fish Creek, WI 54212
Office Telephone (920) 868-3935

RULES FOR ENFORCEMENT OF CONDOMINIUM DOCUMENTS
EFFECTIVE October 12 OF 2009

Pursuant to the rule-making authority vested in the Board of Directors of the Top of the Hill Condominium Owner's Association, Inc. by the Condominium Declaration of Conditions, Covenants, Restrictions and Easements for Top of the Hill Condominium, the Bylaws of the Association and Chapter 703 of the Wisconsin Statutes, the Board of Directors of the Association hereby promulgates the following rules and procedures regarding the reporting of violations of the terms of the Condominium Documents.

1. It is the responsibility of each unit owner to see that the unit owner, the occupants and tenants of the unit owned by such unit owner, and the employees, agents, representatives, invitees, and guests of such unit owner or tenants abide by the provisions of the Declaration, Bylaws, Chapter 703 of the Wisconsin Statutes, all Rules and Regulations of the Association (the "Condominium Documents"), and any decisions made by the Association.

2. Unit owners should report infractions of the terms of the Condominium Documents to the Board of Directors in writing and the Board of Directors shall reply to the reporting unit owner within 15 days concerning the action taken. In the event of a violation of any provision of the Condominium Documents or any authorized decision of the Association, the Board of Directors shall notify in writing the owner of the unit for which the infraction is alleged. Said notice shall be sent to the address of the unit owner on file with the Association. If the alleged violation is by a tenant, occupant or person other than the unit owner, the notice of violation shall also be sent to the tenant or other occupant at the address of the unit.

3. If the violation is not corrected within a reasonable time, the Association will take such action as it deems appropriate to correct the violation, including legal action against the offending unit owners or the unit owners of the unit in which the offender is a tenant, occupant, employee, agent, representative, invitee, or guest.

The reasonable time standard will depend on the nature of the violation. The Board will set a deadline in the notice of violation that is sent to the unit owner.

4. In any such action brought against any unit owner in which the Association is the prevailing party, the unit owner defendant shall pay the Association's costs and actual attorney's fees.

5. If the Association fails to take appropriate enforcement action within 15 days of the Association's receipt of the report of the infraction, any unit owner may take appropriate

legal action to enforce the provisions of the Declaration, the Bylaws, Chapter 703 of the Wisconsin Statutes, the Rules and Regulations of the Association and any authorized decision of the Association.

6. In addition to all other remedies available to the Association, the Association shall have the right, following delivery of notice of violation and expiration of any cure period, to impose a fine against such unit owner according to the following schedule:

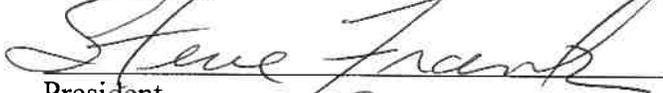
- A. For the first offense in a given 12-month period: \$100.00;
- B. For the second offense in a given 12-month period: \$250.00;
- C. For the third offense in a given 12-month period: \$500.00.

Second and third offenses, etc. are subsequent violations of the same or any other rule. These are not "per day" violations like zoning regulations are. If there is a violation of the signage rules and then a subsequent violation of the same or another rule, that is a second violation. A violation that is not timely remedied is a continuing violation and not a subsequent one.

7. Fines are to be paid immediately to the Association. Any fine not paid within 10 days after billing therefore by the Association shall accrue a late charge in the amount of \$50.00 for every month the fine is not paid. The Association shall have the right, following imposition of any fine, to collect the same and file a lien therefore in accordance with Chapter 703 of the Wisconsin Statutes.

8. A unit owner may contest the imposition of a fine by making a written request for a hearing before the Board of Directors within 10 days after receipt of the billing for the fine. The Board of Directors shall hold a hearing within 30 days of receipt of the written request for the hearing. The hearing may be conducted by telephone.

BY RESOLUTION OF THE BOARD OF DIRECTORS



President

10-12-09
Date



Secretary

10-13-09
Date

RESOLUTION #1
ADDING COLLECTION POLICY TO RULES
Top of the Hill Condominium Owners Association Inc.

RESOLUTION OF THE BOARD OF DIRECTORS

September 9, 2014

WHEREAS, it is the objective of the Association to add to its Rules and Regulations to address its collection policy:

XVII. COLLECTION POLICY

1. Payment terms of quarterly assessments are net 20 days.
2. Pursuant to Bylaws Article V, Section 4, interest of 1.5% per month is charged from due date on accounts 30 days in arrears. The interest shall be calculated from the date when the assessment or installment was first due until the date it is paid.
3. It is the owner's responsibility to contact the office of the Managing Agent to submit a payment plan that will get the account paid in full by the next quarterly billing date.
4. In the event of a failure on the part of a Unit owner to pay the assessment within the time herein specified, such failure shall constitute a default hereunder and the Board of Directors shall take appropriate measures as may be allowable by law, the condominium Declaration or the condominium Bylaws.
5. If the account becomes 60 days overdue, the Association will refer the account to an attorney for collection. Collection methods may include filing a lien on the condominium unit and foreclosure. All costs and attorney's fees associated with this action will be the owner's responsibility.
6. If, at any time a unit owner makes a partial payment of the total amount due the association, the payment shall be applied to oldest to newest assessments.
7. Pursuant to Bylaws Article III, Section 7, no Unit owner shall be entitled to cast a vote for a Unit at any meeting of the Association if the Association has recorded a statement of condominium lien on the Unit and the amount necessary to release the lien has not been paid at the time of the meeting.

Addition considered by Board of Directors

At Meeting ___ Sept. 9, 2014 _____ (date)

Motion made by __ Steve Ziolkowski _____.

Seconded by __ Mary Stephens _____.

In Favor: ___ 5 _____

Opposed: ___ 0 _____

Signed: Julia Frater _____
(Secretary)