

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF CAPITOL PARK IV CONDOMINIUM ASSOCIATION, INC.**

**(RULES AND REGULATIONS FOR OUTDOOR FUEL BURNING DEVICES)**

WHEREAS, Capitol Park IV Condominium Association, Inc., (the "Condominium") is a duly created Condominium Association by virtue of the recordation of its Declaration of Condominium in the Official Records of the Recorder of Deeds for Washington, DC, at Document #197320262, in accordance with the Horizontal Property Act of the District of Columbia, which has been superseded by the District of Columbia Condominium Act of 1976, as amended; and,

WHEREAS, the Condominium has validly adopted its Amended and Restated Bylaws, and validly recorded those same Amended and Restated Bylaws in the Official Records of the Recorder of Deeds for Washington, DC, at Document #2006156574 (hereinafter the "Bylaws"); and,

WHEREAS, Article I, Section D of the Bylaws provides that all present and future Unit Owners and their tenants, occupants, invitees, agents, employees, and other person or persons who are permitted to use the Condominium shall be subject to the Bylaws, other Condominium instruments, and the Rules and Regulations; and,

WHEREAS, Article I, Section E of the Bylaws provides that except as to those matters that the Condominium Act of the District of Columbia specifically requires to be performed by the Unit Owners, the administration of management responsibilities over the Condominium shall be performed by the Board of Directors; and,

WHEREAS, Article II, Section B of the Bylaws provides that the Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Condominium and may do all such acts and things as are not prohibited by the Condominium Act, the Declaration, or the Bylaws; and,

WHEREAS, Article II, Section B of the Bylaws further provides that the Board of Directors shall have the power to adopt any Rules or Regulations deemed necessary or desirable at the time, provided such Rules and Regulations shall not be in conflict with the Condominium Act, the Declaration, or the Bylaws; and,

WHEREAS, Article IX, Section D(1)(a) of the Bylaws provides that no activity shall be conducted or maintained in any Unit or upon any of the Common Elements that is not in conformity with the Zoning Regulations of the District of Columbia; and,

WHEREAS, Article IX, Section D(1)(b) of the Bylaws provides that no owner shall permit any nuisance to occur, or permit any use or practice which is a source of annoyance to other Unit owners, within his or her Unit or on Condominium property; and,

WHEREAS, Article IX, Section D(1)(i) of the Bylaws provides that no activity shall be done or maintained in any Unit or upon any Common Element which will increase the rate of insurance or result in the cancelation of insurance for the Condominium; and,

WHEREAS, Article IX, Section D(1)(j) of the Bylaws provides that Unit Owners shall abide by all valid laws, ordinances, zoning regulations, governmental regulations, and Rules and Regulations adopted by the Board of Directors; and,

WHEREAS, Article II, Section C(9) of the Bylaws provides that the Board of Directors shall have the power to enforce by legal means the provisions of the Declaration, the Bylaws, and the Rules and Regulations adopted by the Board of Directors; and,

WHEREAS, Article II, Section C(23) of the Bylaws provides that the Board of Directors shall have the power to do such other things and acts not inconsistent with the Condominium Act, the Declaration, and the Bylaws; and,

WHEREAS, Article XII, Section A(1) of the Bylaws provides that the failure to comply with any of the terms of the Declaration, Bylaws, or Rules and Regulations shall be grounds for legal action to include damages, injunction, fines, sanctions, foreclosure, and any other relief provided for within the Bylaws; and,

WHEREAS, Article XII, Section A(2) of the Bylaws provides that Unit Owners shall be responsible for the expense of any maintenance, repair, or replacement necessitated by his or her act, if such amount is not covered by the insurance carried by the Condominium; and,

WHEREAS, Article XII, Section A(3) of the Bylaws provides that in any proceeding arising out of any alleged default or violation by any Unit Owner, the prevailing party shall be entitled to recover costs and reasonable attorneys' fees; and,

WHEREAS, Article XII, Section C of the Bylaws provides that the violation of any Rule or Regulations shall give the Board of Directors the right, after notice and opportunity to be heard, to

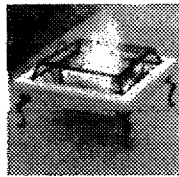
enter the offending Unit and remove at the expense of the offending owner the violation, or to enjoin or abate such remedy by law or equity; and,

WHEREAS, in conformity with the Declaration, the Bylaws, and as otherwise provided by law, the Board of Directors desires to establish Rules and Regulations governing outdoor fire safety within the Condominium;

NOW THEREFORE, BE IT RESOLVED, THAT the Board of Directors of Capitol Park IV Condominium Association, Inc., on behalf of Capitol Park IV Condominium Association, Inc., duly adopts the following Rules and Regulations for Outdoor Fuel Burning Devices:

1. **PROHIBITED:** For the safety of owners and Capitol Park IV Units, Common, and Limited Common Elements, use of the following is prohibited on Capitol Park IV balconies:

- Gas, open-flame, charcoal, and wood-burning grills, hibachis and similar devices
- Pellet stoves
- Portable outdoor fireplaces
- Meat smokers
- Turkey fryers
- Corn burners
- Charcoal lighter fluid, gasoline, and kerosene
- Free-standing candles without base trays, luau torches, and similar items



A. With the exception of meat smokers and portable outdoor fireplaces, the devices listed above shall be used ONLY in the ground-level Common Element patio-areas a safe and reasonable distance from other flammable objects and materials. Meat Smokers, portable fireplaces and fire pits are strictly prohibited. In addition, the open burning of logs, wood or wood chips is prohibited.

B. When using any of the permitted devices listed above, Unit Owners and their families, guests, tenants, lessees, and assigns are required to turn off the device and allow it to become cool to the touch before storing the same near any Unit, trees, fences, etc.

C. When preparing to store any of the permitted devices listed above inside the Unit, Unit Owners and their families, guests, tenants, lessees, and assigns are required to turn off the device and allow it to become cool to the touch before attempting to move or store it.

D. No propane cylinder for gas grills shall be stored inside of any unit at any time.

E. Used charcoal and ashes, though no longer appearing to be hot, can retain heat for several hours. Unit Owners and their families, guests, tenants, lessees, and assigns are required to close all vents on devices after use, break up hot-spots, and check periodically for cool down. Cold water may be added to the ashes to speed up the cooling down process.

F. Cooled ashes may be placed in the regular trash for disposal on trash day. Warm ashes are never to be placed in plastic, cardboard, or other combustible containers or bags. Do not store warm ashes in an open container, as dry leaves and other debris may drop into unattended hot ashes, and float away and ignite other combustible items.



2. **PENALTY:** Owners found to be in violation of this rule will be fined \$100 per occurrence. Owners must exercise due discretion when using these devices and show consideration for their neighbors.

3. **RIGHT TO REVOKE:** The Board of Directors reserves the right to modify or revoke this Resolution at any time.

Aug. 18, 2015  
DATE

Robert W. Hall  
PRESIDENT

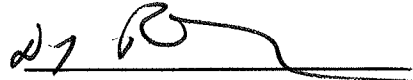
I hereby certify this Policy Resolution was duly adopted by the Board of Directors on June 16, 2015 and that I caused this Resolution to be mailed or hand delivered to the Unit Owners of Capitol Park IV Condominium Association, Inc. on this 25 day of June, 2015.

This policy resolution shall become effective on August 18 2015.

ATTEST:

18 AUG 2015

DATE

A handwritten signature in black ink, consisting of a stylized 'D' followed by a circular flourish and a horizontal line extending to the right.

SECRETARY