



Internal Regulations

Association of Owners Wintertuin Chassé Park [VvE]

Approved by the General Members Meeting of June 15, 2021

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General

1. These Internal Regulations [IR] contain internal rules for the owners of the apartment building Wintertuin Chassé Park, Het Bolwerk 5-153, 4811 DR in Breda, known in the cadastral register Municipality of Breda as section B number 8304. When these regulations refer to 'owners', all residents and users are always meant, unless expressly stated otherwise.
2. These regulations are supplementary to the Civil Code, Book 5 (Business Rights) Title 9 (Apartment Rights), Deed of Division in Apartment Rights Wintertuin Homes of 19 January 2001, as well as the division regulations declared applicable therein [Notarissen Linders-Wijnands-Olde Wolbers in Breda] and the Deed to Amend the Demerger Regulations of 14 May 2008 [Notaries C'M'S' Derks Star Busman in Utrecht].
3. A. In urgent cases not provided for in the deed of division, division regulations or these IR, the Board will decide, appealing to a decision of the meeting. If the Board is a (partial) interested party, the meeting always decides.

B. If there is/arises any difference of opinion regarding the English translation of the Dutch Internal Regulations [IR], the Dutch version will prevail.
4. Every owner must observe this IR and enforce that his visitors behave according to these rules.

Link with deed of division and division regulations

5. Each owner has been provided with a copy of the deed of division and division regulations by his notary. Following are references to these documents.
6. Definitions— Chapter I, under G, Article 1.
7. Use, management and maintenance of the communal parts and communal matters - Chapter I, under G, Article 9 et seq
8. Use, management and maintenance of private areas - Chapter I, under G, Article 17 et seq
9. Denial of use of private areas — Chapter I, under G, Article 27 et seq
10. Offenses— Chapter I, under G, Article 29 et seq
11. Establishment and adoption of the articles of association of the owners' association - Chapter I, under G, Article 30 et seq
12. Internal Regulations— Chapter I, under G, Article 44 et seq
13. Participation in the Association of Joint Management Interests Chassé Park - Chapter I, under G, article 44 under N et seq

Definitions

In addition to what is stated in the deed of division:

14. Director - The (legal) person appointed by the meeting of owners to represent the association, within the powers granted to him by the meeting (Chapter I, under G, Article 41 et seq.).¹
15. Courtyard garden - The entirety of the ground floor in the public space (level = 0), enclosed by the two apartment buildings to the east and west and the connections / closure between these two apartment buildings to the north and south.
16. Roof terrace - The entire public space, on top of the apartment building to the west, insofar as equipped with tiles on tile supports.
17. Elevator G — The elevator from the ground floor to the bottom floor (level = -2) on the northeast side of the Wintertuin; This lift is intended for wheelie bins, disabled persons, pedestrians/cyclists and for owners/users of parking spaces in the parking garage who do not own a Wintertuin apartment.
18. Elevator N — The elevator from the bottom floor (level = -2) to the top floor on the north side of the Wintertuin; furthest from the main entrance.
19. Elevator Z — The elevator from the bottom floor (level = -2) to the top floor on the south side of the Wintertuin; closest to the main entrance.
20. Chairman — The chairman of the meeting.
21. Wintertuin — The total complex of (apartment) rights, known in the cadastral municipality of Breda as section B number 8304.

Use, management and maintenance of the communal areas and communal matters

In addition to what is stated in the deed of division:

22. General. The communal areas and communal property must be used in the interests of all owners. Use should therefore only be for the intended purpose and should not cause any nuisance. Smoking is not permitted in the communal areas.
23. The owners are not permitted to enter communal areas and facilities, such as installation rooms and the roof of the building, other than those intended for normal use of the owners.
24. Every owner must ensure that unauthorized persons do not gain access to the Wintertuin.

¹In the absence or failure to appoint a 'director', all tasks are carried out under the responsibility of 'The Board'.

25. Persons who do have a parking space in the garage under the Wintertuin building at parking level -2, but are not the owner or resident of an apartment in the Wintertuin building, must only enter and leave the Wintertuin building via the extension on the northern side of the building. The walking route to be used is indicated by signs. These persons are not permitted to enter parking level -1 and/or the rest of the Wintertuin building.
26. All glass in the partition between communal areas and private areas, as well as all glass in the exterior facades, as well as all glass in private areas that serves to transmit light (with the exception of stained glass, cut glass and or glass treated in another way), is insured through the association against glass damage (insofar as caused by an uncertain incident).
27. Damages that are or could possibly be covered by insurance taken out by the association must at all times be immediately reported to the Board, by means of the Damage Declaration Form, which can be downloaded from the VvE website (www.wintertuin.net).
28. Mounting items in/on communal areas and communal items, with or without any material, temporarily or permanently, other than with the permission of the Board, is not permitted. The meeting may attach conditions to any consent. The installation of equipment for wireless communication, satellite dishes, antennas and the like in and/or on the building is therefore only permitted with the permission of the meeting. After submitting a proposal to beautify (parts of) the building, which proposal has been approved by the Board, the above does not apply.
29. It is not permitted to post or hang notices in/on communal areas and communal matters other than with the permission of the Board. The Board may attach conditions to any permission.
30. Advertising material, newspapers, and the like should not be left on the mailbox cabinets but should be taken directly to the owner's apartment by the owner.
31. It is not permitted to hold private and/or public auctions.
32. Household waste must be deposited in the appropriate containers (Vierwindenstraat). It is not permitted to place or leave household waste outside the private area in the Wintertuin building.
33. It is not permitted to place bicycles, mopeds or the like in or on the facilities in the hall or against the facades and frames of the building, other than in those places designated for this purpose by or on behalf of the Board. These will be removed on behalf of or by the Board, if possible at the owner's expense. The Board has no retention obligation in this regard. Bicycles are never allowed in Lift N and Lift Z, on galleries and in the courtyard.
34. In the garage under the Wintertuin building, the provisions of the traffic legislation apply mutatis mutandis, with the understanding that the maximum speed for motor vehicles is five kilometres per hour. Parking outside the indicated parking spaces is prohibited.

35. The Wintertuin Chassé Park Owners Association, and/or its Board, cannot be held liable for any damage incurred by using the garage under the Wintertuin building.
36. It is not permitted to clean or maintain (motor) vehicles in the garages or outside in the immediate vicinity of the building.
37. It is not permitted to obtain energy and/or water for private purposes from connections available in the communal areas. It is therefore not permitted to connect appliances, including freezers, refrigerators, tumble dryers, tools and the like, to the communal energy supply without the approval of the meeting. The meeting may attach conditions to any approval, including a financial, recurring compensation.
38. Pets. Keeping pets is conditionally permitted provided they do not cause any nuisance, at the discretion of the Board, subject to a decision by the meeting. Owners of pets, including those in whose care the animal has been entrusted, must ensure that they do not cause any nuisance in any way. Pets are not allowed to be walked in the communal areas. The owner must clean up any contamination caused by the pet immediately. In case of negligence, the Board will have the area in question cleaned at the expense of the pet owner. Damage caused by the pet will be repaired on behalf of or by the Board at the owner's expense. Animals may not be kept on balconies and conservatories. Keeping exotic and/or exotic (domestic) animals permitted by law is only permitted after written permission has been received from the Board. It is not permitted to feed animals and/or to set up feeding places for this purpose in communal areas (this also applies to private areas).
39. Nameplates etc. Name plates and/or signs are placed on the doorbells at the mailboxes and at the home entrance doors in a uniform manner, on behalf of or by the Board. The installation of other nameplates and/or signs on the tableau and at the location of the home entrance doors is therefore not permitted. In addition, it is not permitted to install other ornaments, decorations, flagpole holders or otherwise without permission from the Board. Deviations / violations of the provisions here will be corrected at the expense of the owner on behalf of or by the Board.
40. Sun protection. The meeting decides on the type and/or colour of sun protection that will be permitted. It is therefore not permitted to install sunshades/screens, roller shutters or other forms of sun protection other than with the permission of the meeting. Any approval from the meeting will be subject to regulations regarding colour, construction and method of application. Any permission is subject to the condition that the installation takes place at the expense, maintenance and risk of the relevant applicant, with indemnification against claims by third parties.
41. Maintenance. Maintenance of communal areas and communal matters is carried out on behalf of or by the Board. Owners are therefore not permitted to change/apply colour schemes, including on the outer facade of the private area, on the existing window cleaning balcony, fall protection in the conservatories / loggias / courtyard / roof terrace. Furthermore, it is not permitted to paint the following items: including the prefabricated concrete elements, the underside of the upper balcony floor, the parapet of the terrace, the underside of the roof construction, the dividing walls of the balconies and terraces, as well as the eaves.

42. The cleaning of the communal areas and communal matters is outsourced by the Board.
43. Safety. Access and connecting doors in the communal areas must always be closed, but not locked, for (fire) safety. It is not permitted to block these doors in any way. All access doors marked as “emergency exits” may only be used in emergency situations.
44. Due to the fact that galleries, stairwells, halls and corridors to the storage room are part of escape routes in the event of an emergency, it is not permitted to place or install floor mats, floor grilles, planters or other objects in those places.
45. Elevators. Blocking elevators is not permitted. The use of the emergency brake and/or alarm of the elevators is only permitted in emergency situations.
46. When moving or transporting materials, communal areas and communal matters must be protected against damage. Damages incurred during the transport of materials and/or the incorporation of goods will be recovered from the responsible owners on behalf of or by the Board.
47. It is only permitted to use Lift N and Lift Z in the hall for transport or housing of materials after protective materials have been installed. Owners are responsible for ensuring that suppliers use protective materials.

Use, management and maintenance of the private areas

In addition to what is stated in the deed of division:

48. General. The private areas must be used for residential purposes, storage or parking of motor vehicles (garage). Use should only be for the intended purpose and may not cause any nuisance.
49. It is not permitted
 - a. to keep in stock chemical, explosive and/or highly flammable substances in quantities greater than those required for normal household use;
 - b. to make an open fire, other than with the prior written permission of the Board;
 - c. to place and/or hang any object that is disruptive to the appearance of the building, all this to be assessed in advance by the meeting;
 - d. tapping or otherwise cleaning rugs and/or mats outside the balustrades;
 - e. otherwise than entirely at the risk and expense of the owner, to drill, nail and/or cut into the floors and ceilings, because of pipes and tubes contained therein.
50. Every owner is obliged to ensure peace and quiet in the building. Between 8:00 PM and 8:00 AM, as well as on Sundays and public holidays, it is not permitted to carry out work that could cause nuisance due to noise or vibration.
51. Every owner is advised to report to the Board or to a co-owner in the event of a longer absence, stating the address where the key to the apartment is available in case of

emergency. In emergency situations, the director and/or a Board member, in the presence of at least one witness, is entitled to immediately gain access to an apartment right, possibly using forced entry, in order to take measures to end the emergency situation and/or limit its consequences.

52. Every owner is obliged to maintain the temperature in his apartment at at least such a temperature that frost damage is prevented.
53. To prevent malfunctions in the CAI cable system, only approved cables and connection materials may be used.
54. To prevent pressure drops and other disruptions in the water supply, changes to the water pipes in private areas may only be carried out by a certified installer. All communal drains and valves are only accessible to assurance bodies appointed by the meeting. The latter also applies if parts thereof are located in private areas. Any damage caused by failure to comply with this provision will be borne by the owner of the apartment right in question.
55. Appearance of the building. It is not permitted to throw items outside, including food, cigarette butts and the like. Planters are only permitted on the inside of the balustrade of the private areas. Installing planters on the outer facade of individual balconies is permitted, provided that this does not mar the appearance of the building and does not inconvenience residents. The Board may revoke this permission at any time if this becomes excessive and damages the appearance of the building. The repair of any damage to the wooden paneling of the building caused by this will be fully borne by the owner/occupant in question. Neither the Board nor the VvE can under any circumstances be held liable for matters arising from the above. Burning torches, lighting fireworks and lighting open fires on balconies and terraces is not permitted. It is also not permitted to visibly hang laundry, bedding, clothing and the like outside and/or on the balconies and conservatories, nor in the communal areas. It is not permitted to place cabinets of any form or content on balconies and/or terraces.

Explanation of Article 59. Article 59 therefore does not allow planters to be placed on the window-washing balcony and/or to hang planters on the balustrade, neither on the inside nor on the outside, because these are considered to be communal areas and communal matters.

56. Floor finishing. Floor coverings that cause noise pollution when walked on with footwear are not permitted. The owner must be able to demonstrate that the composition of the floor covering and underlay is such that the impact sound insulation index (ICO) of the floor results in a noise reduction of at least 10 dB. Contact with all walls and subfloor should also be avoided with this category of floor covering. For the same reasons, the connection of skirting Boards must be insulating and sealed with elastic sealant. The implementation of the entire floor construction must be carried out with a TNO certificate and can be checked by or on behalf of the Board. The foregoing does not apply to floors of sanitary facilities.
57. Central air extraction system. It is not permitted to connect extractors, drying cabinets and the like with a motor to the central air extraction system, nor to shut down and/or disrupt the system. It is also not permitted to remove and/or replace the control system

that has already been installed without written permission from the Board. Cleaning the extraction nozzles is part of the owner's maintenance.

58. Keeping it clean. Every owner is obliged to ensure that the windows and paintwork on the gallery side are regularly kept clean, including the framework on the inside of the gallery. With the exception of the owners on the ground floor (the ground floor floor is covered by the cleaning service), owners must keep the gallery floor in front of the apartment dust-free and clean. If, in the opinion of the Board, the owner fails to do so, the owner will be informed of this in writing and - after receipt of the written reminder - will still be given the opportunity to fulfill his obligations within seven days. If this obligation is not met, the Board will have this framework and paintwork cleaned at the owner's expense.
59. Every owner is obliged to ensure that his parking space is regularly cleaned of street waste. The owner must also ensure that his parking space is free of oil stains and that any measures are taken to prevent oil stains. If this obligation is not met, the Board will have the parking lot cleaned at the owner's expense.
60. To prevent blockages in the drains and sewers, every owner is obliged to ensure that no materials such as hygienic bandages, face masks, toilet wipes, toilet fresheners, frying fat, food and the like are flushed through the drain and sewer. In the event of blockages that are a demonstrable consequence of the above causes and/or as a result of the improper use of the drain and sewer, the Board is entitled, if possible, to recover unblocking costs from owners.

Violations

In addition to what is stated in the deed of division:

61. In the event of violation or non-compliance with one of the provisions of the law or of the division regulations, the Board may impose a fine, as long as the violation or non-compliance continues, of a maximum of two hundred and fifty euros per day for each violation or non-compliance, without prejudice to the obligation of the person concerned to compensation, if there are grounds for this, and without prejudice to other measures that the meeting may take under the law or the division regulations.
62. In the event of violation or non-compliance with one of the provisions of the IR, the Board may impose a fine, as long as the violation or non-compliance continues, of a maximum of two hundred and fifty euros per day for each violation or non-compliance, without prejudice to the obligation of the person concerned to pay compensation, if there are grounds for this, and without prejudice to other measures that the meeting may take pursuant to the IR.

Establishment and adoption of the articles of association of the owners' association

In addition to what is stated in the deed of division:

63. Periodic financial contributions by the owners, due in accordance with the provisions of the deed or by a decision of the meeting of owners, and the amount of which has

been determined in a meeting of owners, must be paid into the account of the association before the seventh day of the month in which the contribution is due.

64. The amount to comply with the provisions of the deed Chapter I, under G, Article 38, paragraph 2 (maximum amount for maintenance work), has been determined by the Association and is stated in Appendix A to this IR.
65. The amount to satisfy the provisions of the deed Chapter I, under G, Article 38, paragraph 5 (maximum amount of expenses not covered by maintenance), has been determined by the Association and is stated in Appendix A to this IR.
66. Governance. The Board consists of five people who are members of the VvE and are elected by a General Meeting. All Board members within the Board are equal. To ensure that the VvE can meet its financial and legal obligations at all times, the Board is separated into an administrative service and executive services.
67. The chairman and treasurer are elected in office and together form the Administrative Department. Both replace each other in the absence of the other and have the same powers. The positions of chairman and treasurer cannot be combined in one person. The Administrative Department must be staffed by two Board members at all times. The tasks and powers of the Administrative Department, namely Chairman and Treasurer, are included in the Management Manual.
68. The other three elected persons together form the executive services of Secretariat, Technology and Facilities. Ideally, each executive service is chaired/carried out by a Board member. If there are not enough elected persons, the tasks of the executive services are divided by mutual agreement. The tasks and powers of the (chairmen) executive services are included in the Management Manual. Members/non-members can be added to executive services who are appointed or dismissed by the Board. They are not members of the Board.
69. The meeting and the Board are authorized to appoint (ad hoc) committees. The work of these committees falls under the responsibility of the meeting or the Board. The activities of these committees are reported at the meeting.

Instruction to the Board / Order of the meeting

70. Expense claims from the Board or persons otherwise appointed by the meeting will be submitted to the Board and paid by the director. These declarations must fit within the framework of the budget.
71. Every year, during a meeting of owners, a Financial Audit Committee is appointed from among the owners, consisting of at least three people, who resign in rotation but are immediately eligible for re-election. One of the three members of the audit committee acts as chairman. To the extent authorized by the meeting, the Financial Audit Committee may be assisted by an external expert. The tasks and powers of the Financial Audit Committee are stated in Appendix B to this IR.

72. Owners are not free, without approval from the Board, to give orders and/or instructions on behalf of the association with regard to work that falls under the responsibility of the association.
73. All complaints, requests and/or questions regarding the association must be submitted in writing/by email to the Board.

Participation in the Association of Joint Management Interests Chassé Park

74. In the Association of Joint Management Interests Chassé Park [VGBCP], the Association of Owners of Wintertuin Chassé Park will be represented by a Board member to be appointed by the meeting.

Obligations when selling the apartment

75. The owner is obliged to report to the Board immediately if he intends to sell the apartment. All necessary activities related to this (changes in the apartment rights administration, provision of information to the notary, any real estate agent, seller and buyer) are carried out by the director. For this purpose, the director stipulates a fee for both buyer and seller, which is settled by the notary.

Determination

Thus established (amended) during the meeting of owners in Breda on
June 15, 2021

was signed,
Chairman,

Appendix A, belonging to the Internal Regulations [IR] of the Wintertuin Chassé Park Owners Association, as approved in amended form by the General Members' Meeting of June 15, 2021.

Determination of financial amounts, Articles 64 and 65

1. With regard to Article 64, the amount has been set at the amount included for this purpose in the current approved budget.
2. With regard to Article 65, the amount has been set at the amount included for this purpose in the current approved budget.

Appendix B, belonging to the Internal Regulations [IR] of the Wintertuin Chassé Park Owners Association, as approved in amended form by the General Members' Meeting of June 15, 2021.

Tasks and Powers of the Financial Audit Committee

Explanation

The Financial Audit Committee checks the treasurer's administration and reports thereon to the Board and the General Members' Meeting. This check takes place at least once a year, before the General Members' Meeting.

Members of the Financial Audit Committee must have sufficient knowledge of the subject matter to be able to assess the financial situation and state of affairs. The treasurer guides (the) members of the Financial Audit Committee, but he does not tell them what exactly to do. The Financial Audit Committee will need to have some basic knowledge of accounting; its members should be full interlocutors of the treasurer.

If necessary, the committee may be assisted by an expert. The law requires that the committee consists of at least two members appointed by the General Members' Meeting who do not belong to the Board. In addition, it is possible to impose requirements in the areas of independence and expertise. These requirements can possibly be laid down in the articles of association.

Continuity is an important condition for an Financial Audit Committee to function properly. It is therefore advisable that at least one member of the outgoing committee also sits on the new committee. The advantage is that it can be checked whether advice from the committee is followed by actions of the Board.

The most important task of the Financial Audit Committee is to assess the financial report as presented by the Board during the General Members' Meeting. This may be done under the supervision of the treasurer. It may be useful to draw up regulations for the Financial Audit Committee. Not to limit the Financial Audit Committee in its functioning, but mainly to provide a “guideline” so that it benefits the conduct of the investigation. This is certainly worth considering, especially given the regularly changing staffing of the Financial Audit Committee. The regulations should not be seen as a maximum assignment; the research is conducted in accordance with the need and the situation.

Membership of the Financial Audit Committee involves more than “counting the money in the cash register and recalculating counts made by the treasurer”. The committee conducts an investigation in such a way that it has a full view of the balance sheet and the operating account.

The tasks of the committee are therefore:

Control of the financial administration of the association;

Report to the General Members Meeting;

Provide advice regarding the determination of the balance sheet and operating account;

Provide advice to the Board and General Members' Meeting on financial issues.

The Financial Audit Committee has access to all books, documents and minutes of the association. The Financial Audit Committee cannot make changes to the annual accounts, but at most it can issue advice.

If the Financial Audit Committee finds the books in order, it is advised to discharge the treasurer / Board for the policy pursued. If no discharge advice is given, this will have to be explained in detail. Ultimately, the members' meeting decides whether it can agree with the advice of the audit committee.

Financial Audit Committee Regulations

1. Every year, the General Members' Meeting of the Wintertuin Chassé Park Owners' Association appoints a Financial Audit Committee of at least three and a maximum of five people who may not be members of the Board or any other committee. The Financial Audit Committee does not resign in its entirety at the same time. The Financial Audit Committee appoints one of its members as chairman and spokesperson.
2. The Board is obliged to provide the Financial Audit Committee with all information it requires.
3. If the examination of the annual accounts requires special accounting knowledge that the Financial Audit Committee itself does not have, it can seek advice from an expert.
4. The Financial Audit Committee ensures responsible and healthy financial management of the Wintertuin Chassé Park Owners Association. It is therefore responsible for monitoring the management of the Association's funds. The audit committee may meet for this purpose as often as it deems necessary.
5. The Financial Audit Committee examines the balance sheet and the statement of expenses and income of the Association, after which it reports in writing on its findings. This report is part of the Association's annual accounts. This report must include the advice to the General Members Meeting whether the Board / treasurer is granted discharge for the financial year under review.
6. The Financial Audit Committee must be kept informed of and consulted in special financial transactions.
7. The Financial Audit Committee is entitled to give advice regarding the financial management of the Association.

Appendix C, belonging to the Internal Regulations [IR] of the Wintertuin Chassé Park Owners Association, as approved in amended form by the General Members' Meeting of June 15, 2021.

House Rules Use Roof Terrace

The roof terrace is for everyone. All residents of the Wintertuin can therefore use the seating furniture and tables placed on the roof terrace.

Furniture roof terrace

The furniture (natural stone tables and benches) may not be moved. The location of the heavy furniture has been determined, taking into account the permitted roof load.

To prevent damage to the surface of the natural stone tables, we request that you cover them with (plastic) tablecloths.

Clean after use

Users must always leave the roof terrace tidy and clean. Waste must be removed immediately.

Noise pollution

To avoid noise nuisance for non-participating residents as much as possible, music in any form is not permitted on the roof terrace.

Preparing food

For fire safety reasons, it is not permitted to use an open fire. This applies to the entire building. Charcoal in barbecues, spirit burners, etc. is an open fire and therefore not permitted. It is permitted to use electrical appliances to prepare food and keep it warm.

Torches and fireworks

Also in the context of "no open fire", the use of torches, lighting of fireworks, etc. is not permitted on the roof terrace.

Organize private parties

The roof terrace is for everyone and so everyone can use the entire terrace. If the central square is used to organize a registered party, we ask for the understanding of the other residents who want to use the roof terrace at the same time, and then use the spaces to the left and right of the large columns.

Days and times

You can only book private parties for Friday and Saturday afternoons/evenings. You can then have a party on the roof terrace until 11 p.m. You can then continue celebrating your party in your own apartment. No exceptions can be made to the established closing time. There are residents who also have to work on Saturdays or Sundays.

Registering parties

To avoid overbooking, you must register/reserve your party at least one week in advance by email to the secretariat (info@wintertuin.net). It is recommended that the person who will use the terrace and receive guests informs the fellow residents of this in advance via a notice on the notice Board in the courtyard.

Check

In order to serve the interests of all residents, or on behalf of the Board, regular checks are made to determine whether the users of the roof terrace comply with the Internal Regulations and these House Rules.

Injury

If damage occurs to the terrace or furniture, you must report this to the secretariat (info@wintertuin.net) the next working day. Damages will be recovered from the person who made the reservation for the party.

Exception

Music may be used at any annual residents' party. If the party takes place on the roof terrace, the Board will apply for a permit for music and closing time from the municipality.