


Return to and Prepared



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**This Resolution Shall Govern And Remain In The Chain Of Title To That Real**

**Property Subject To And Governed By The Sonata Bay Club  
Homeowners' Association, Inc. Declaration Of Restrictive And  
Protective Covenants And By-Laws Recorded Originally At The  
Ocean County Clerk's Office On August 24, 1989 In Deed Book 4779,  
At Page 0626 And Following And Thereafter Amended, Along With  
Rules And Regulations By An Amendment Dated March 9, 2020  
Recorded At The Ocean County Clerk's Office On July 22, 2020 In Deed  
Book 17977, At Page 409 And Following And Otherwise Referred To As  
Instrument 20200077167**

**RESOLUTION OF SONATA BAY CLUB HOMEOWNERS' ASSOCIATION, INC. FOR RULES  
AND REGULATIONS REGARDING ALCOHOLIC BEVERAGES AND LIQUOR ON COMMON  
PROPERTY**

**WHEREAS**, this Resolution was duly introduced and was thereafter adopted by  
the Sonata Bay Club Homeowners' Association, Inc. (hereinafter "Association") Board  
of Trustees at a regular scheduled Homeowner meeting on this 12th day of  
November 2024, at which a quorum was present, by a majority vote of the  
Association Board of Trustees present and eligible to vote on this matter.

**WHEREAS**, Article II, Section 1. Of the Association Declaration Of Restrictive  
And Protective Covenants states, in pertinent part that, "All present and future owners,  
tenants, their guests, licensees, servants, agents, employees and any other person or  
persons who shall be permitted to use the facilities of the Association, shall be subject  
to this Declaration, the Bylaws and to such Rules and Regulations as may be issued by  
the Board of Trustees of the Association, from time to time, to govern the conduct of its  
members in the use and occupancy of the Property";

**WHEREAS**, Article V, Section 1 (f) of the Association By-Laws authorizes the Board of Trustees to "Adopt, amend and publish Rules and Regulations covering the details of the operation and use of the Property including, but not limited to pet controls".

**WHEREAS**, Article V, Section 1 (i) of the Association By-Laws authorizes the Board of Trustees to "Enforce obligations of the Members and do anything and everything necessary and proper for the sound management of the Property, including the right to bring or defend lawsuits to enforce the terms, conditions and restrictions contained in the Declaration, By-Laws and Rules and Regulations governing the Property or Members. The Board shall also have the power to levy fines against any member(s) for violations of any of the Rules and Regulations. Collections of fines may be enforced against any member(s) and such fines shall constitute a lien upon the member's Lot."

**WHEREAS**, Article V, Section 1 (q) of the Association By-Laws authorizes the Board of Trustees to "Bring and defend actions by or against one or more Homeowners pertinent to the health, safety or general welfare of the members, and to enforce compliance with the Restrictive Covenants, Bylaws, Directives, and Rules and Regulations or any other cause of action within its powers."

**NOW, IT IS THEREFORE RESOLVED** on this 12th day day of November 2024, that the Section 14 of the Association Rules and Regulations is deleted in its entirety and replaced with the following:

#### **SECTION 14. Alcoholic Beverages And Liquor On**

**Common Property.** Any person that brings alcoholic beverages or liquor, in any form or mixed or joined with any liquid, solid or gas, **onto** the Association Common Property is subject to and bound by the entirety of this Section 14 of the Association Rules And Regulations regardless of their designation, including but not limited to whether or not they are a Homeowner, Member, Lot owner, tenant, guest, resident, visitor, occupant, invitee, contractor, subcontractor, employee, Board member or trespasser.

(a) No person shall bring, handle, transport, cool, chill, heat, discard, provide, place, store, serve, sell, distribute, furnish, give, donate, gift, share, transfer, trade or use any alcoholic beverages or liquor, in any form or mixed or joined with any liquid, solid or gas, on the Association Common Property on behalf of or in the name of the Association at any time;

(b) The Association shall have no liability arising from any person that brings, handles, transports, cools, chills, heats, discards, provides, places, stores, serves, sells, distributes, furnishes, gives, donates, gifts, shares, transfers, trades or uses any alcoholic beverages or liquor, in any form

or mixed or joined with any liquid, solid or gas, on the

Association Common Property;

(c) Any person that brings, handles, transports, cools, chills, heats, discards, provides, places, stores, serves, sells, distributes, furnishes, gives, donates, gifts, shares, transfers, trades or uses any alcoholic beverages or liquor, in any form or mixed or joined with any liquid, solid or gas, on the Association Common Property shall defend, indemnify and hold the Association harmless relative to any and all claims, including bodily injury, death or property damage, which arise from or relate to their causing the presence of alcohol on the Association Common Property, regardless of where such damages may be caused, and, regardless of who or what is injured or damaged or alleged to be injured or damaged;

(d) The Association has exclusive authority to either permit or prohibit when or at which events any alcoholic beverages or liquor, in any form or mixed or joined with any liquid, solid or gas, can be brought on the Association Common Property;

e) The Association has exclusive authority to prohibit any person who is visibly intoxicated to remain on the Association Common Property. As used in this

subparagraph visibly intoxicated means a state of intoxication accompanied by a perceptual act or series of actions which present clear signs of intoxication such as but not limited to, sleepiness, slurring of speech, **loss** of balance, or loud, rowdy behavior.

(f) No person under twenty-one (21) years of age shall be permitted to drink and/or ingest any alcoholic beverages or liquor, in any form or mixed or joined with any liquid, solid or gas, on the Association Common Property;

(g) Any promotional material, whether written, electronic or otherwise, of an event on the Association Common Property in which the Association Board has first approved, in writing, the allowance of any alcoholic beverages or liquor, in any form or mixed or joined with any liquid, solid or gas, on the Association Common Property shall prominently display on each page: "THIS IS A BRING YOUR OWN/DRINK YOUR OWN EVENT - UNDER NO CIRCUMSTANCES IS **SONATA BAY** RESPONSIBLE FOR THE CONSEQUENCES ARISING FROM THE CONSUMPTION OF ALCOHOLIC BEVERAGES OR LIQUOR AT THIS EVENT"; and

(h) Any person who violates the terms and conditions of this Section 14 shall be subject to the Board imposing a

fine not greater than **\$500.** suspension from using Association Common Property for not more than ninety (90) days, reimbursing the Association for all attorneys' fees and costs incurred by the Association to address such violations, including the collection of any fine and/or attorneys' fees and costs. To the extent any fine or request for reimbursement of attorneys' fees and costs is not made within thirty (30) days of written notice from the Association or a representative of the Association such amount, until paid in full to the Association, shall remain a lien upon the Lot of the Homeowner(s) in violation or such Homeowner's guest, tenant, occupant or visitor, and, such Homeowner's and all of their guests, tenants, occupants and visitors shall be prohibited from using the Association Common Property, and, such Homeowners shall otherwise be prohibited from nominating anyone to run as a candidate for the Association Board, be prohibited from running for the Association Board and voting in any election for candidates to serve on the Association Board.

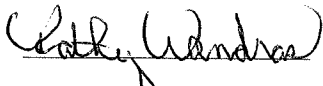
**NOTICE AND RECORDING.** The Association is authorized and directed to circulate a copy of this Resolution to all Association Homeowners. The Association Board also authorizes and directs its legal counsel to arrange for recordation of a copy of this Resolution with the Ocean County Register's Office in order to establish the

recording of this Resolution in the chain of title of each Lot and the entire Property and Common Property governed by the Association Board.

**THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK**

ATTEST:

SONATA BAY HOMEOWNERS'  
ASSOCIATION, INC



Kathy Wandras, Secretary



H. David Trethaway, President

State of New Jersey

County of Ocean :ss

I certify that on this 12th day of November, 2024, the Sonata Bay Club Homeowners' Association, Inc. Secretary personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of the Sonata Bay Club Homeowners' Association, Inc. (the "Corporation"), a corporation of the State of New Jersey, named in this document;
- (b) this person signed this document as attesting witness for the proper corporate officer who is the President of the Corporation;
- (c) this document was signed and delivered by the Corporation as its voluntary act and deed by virtue of authority from its Board of Trustees (the "Board");
- (d) this person signed this acknowledgment to attest to the truth of these facts; and
- (e) this Resolution was duly introduced and was thereafter adopted at a regular scheduled meeting of the Board at which a quorum was present, by a majority vote of the members of the Board eligible to vote on this matter. )

  
Secretary

Sworn and subscribed to before

me this 12th day of November, 2024

  
Paul Leodori

Attorney At Law

Record and Return to:

Paul Leodori, Esq.  
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