

## RULES AND REGULATIONS HURRICANE SHUTTER INSTALLATIONS

WHEREAS, Section 718.113(5), Florida Statutes specifically authorizes the Board of Directors to adopt hurricane shutter specifications for each building within each condominium operated by the Association which shall include color, style, and other factors deemed relevant by the Board. NOW THEREFORE, the Board of Directors of Lemon Bay Breezes Condominium Association, Inc. hereby establishes the following rules governing the installation of Hurricane Shutters:

Definition "Hurricane Shutter" shall mean any device, installation, equipment, or appliance, whether permanently or temporarily affixed or attached in any manner to any portion of the exterior of the building or any portion of the building so as to be visible from the exterior of the building, used, either directly or indirectly, as its main purpose or incidental to its main purpose, as protection against storm damage, water penetration by driven rain or rising water, wind damage or damage from physical objects or projectiles carried by wind or storm.

### Installation Requests

1. Any person desiring a Hurricane Shutter shall submit a written request to the Board (or Manager) by completing an "Application for Approval to Install Hurricane Shutters" (attached as Exhibit "A") not less than ninety (90) days prior to the proposed commencement of installation. The written request shall contain (1) the name and address of the person desiring the Hurricane Shutter, (2) the unit number to which the Hurricane Shutter will be installed, (3) the name, address, and telephone number of the proposed contractor who will install the Hurricane Shutter (4) the proposed location for installation of the Hurricane Shutter, (5) the proposed type, style, brand, color, material and name and address of the manufacturer of the Hurricane Shutter. (6) The written request required by paragraph 1 above shall be accompanied by a copy of (1) the occupational license of the proposed contractor who will install the Hurricane Shutter, and (2) the insurance certificate of the proposed contractor, (3) one set of design and installation drawings for the Hurricane Shutters certified that the product complies with all applicable building codes;.
2. The Board of Directors shall either approve or disapprove the Application for Approval of Hurricane Shutters at the next regularly scheduled meeting of the Board following the delivery of the complete Application with all accompanying documentation, provided such documents are delivered at least 48 hours prior to such meeting.

### Maintenance and Owner Obligations

As a condition of approval, the owner of a unit requesting installation of Hurricane Shutters shall be responsible for the insurance, maintenance, repair and replacement of the Hurricane Shutters.

### Construction Lien Law

The requesting owner shall be fully responsible for compliance with lien laws and, as a condition of approval, specifically agrees to indemnify the Association against any liens or other encumbrances occasioned by the installation.

### Operation of Hurricane Shutter

The Hurricane Shutter shall, at all times, whether open or closed, be fastened securely in place in accordance with manufacturer, building code and installation requirements. Hurricane Shutters may only be closed installed when a hurricane watch has been issued for a storm forecast to impact the location of Lemon Bay Breezes Condominiums and must be re-opened/removed within ten 10 days of the storm's passage.

### Liability

Owner agrees to be responsible for all costs and expenses incurred in the installation, maintenance and continued first-class upkeep of the hurricane shutters. 2. Owner assumes all responsibility for procuring, buying and/or obtaining a necessary Building or Zoning Permits, variances and adherence to any and all other procedures outlined for the construction and maintenance of the improvements described herein by all City, County, State or other governmental entities. 3. Owner agrees to construct and maintain the Hurricane Shutters referred to herein in a first class manner, and Association shall have the right, upon prior notice to Owner, to periodically inspect the shutters to verify compliance with this requirement. If Owner fails to maintain the hurricane shutters as required herein, after ten (10) days' written notice from Association to Owner, Association shall have the right to perform, or have performed, any required maintenance or repair work or to have the hurricane shutters removed and the property restored to its condition prior to the installation of the hurricane shutters. Owner hereby agrees to be personally responsible for all costs thus incurred and subject to collection per the Declaration and Condominium Act for non-payment of condominium assessments.

The owner of the unit to which the Hurricane Shutter is installed shall be liable for any and all damage to the common elements, Association property or the property of other owners arising out of or concerning the construction, installation or maintenance of the Hurricane Shutter.

### Removal of Shutters

Owner agrees to be responsible for all costs of removal and reinstallation of the Hurricane Shutters, or any portion thereof, if necessary, to allow the Association to fulfill its maintenance, repair and replacement duties as set forth under the Declaration of Condominium and Chapter 718, Florida Statutes.

### Subsequent owners

All liability, insurance , maintenance and other responsibilities noted herein pass to subsequent owners of the unit upon sale of the unit.

## Technical Specifications

1. The Hurricane Shutter and the installation thereof, shall conform, in all respects, to the State and Local Minimum Building Codes and the Building Codes of the governmental agencies having jurisdiction over the Hurricane Shutter installation in the condominium.
2. The minimal and general specifications adopted by the Association:

Shutters permanently attached to the exterior of the building shall be of the Roll Down Type and white in color.

Shutters attached on a temporary basis may be ; polycarbonate/glass (clear) ; fabrics (white ) and other materials such as plywood must be painted white.

Any portion of such shutters attached to the interior of the building shall have all surfaces viewable from the exterior of the building comply with these specifications.

Under no circumstance when installing any Hurricane Protection on the lanai may the current slider be removed from the living space which separates it from the lanai

If a Unit Owner elects to install impact glass, windows or doors such items will be of the same size, style and color of the existing windows or doors.

EXHIBIT A

Application for Approval to Install Hurricane Shutters

The Florida Condominium Act [718.113(5)] requires all associations to provide specifications for hurricane shutters. Lemon Bay Breezes Condominium Association, Inc. (the "Association") requires all owners wishing to install Hurricane Shutters and/or Storm Panels to obtain written approval from the Association prior to installation. This policy is necessary to ensure the uniformity of installation and use of the Hurricane Shutters and/or Storm Panels, to promote the safety and aesthetics of the community. All installations must meet or exceed any legal requirements and conform with the appearance standards noted in the RULES AND REGULATIONS HURRICANE SHUTTER INSTALLATIONS adopted by the Association.

Owner Name (Please Print): \_\_\_\_\_

Unit Number: \_\_\_\_\_ Daytime Phone #: (\_\_\_\_) \_\_\_\_\_

Hurricane Shutter or Panel Installer: Name: \_\_\_\_\_

Phone #: (\_\_\_\_) \_\_\_\_\_ Address: \_\_\_\_\_

Brief description of Installation:

\_\_\_\_\_  
\_\_\_\_\_

Approximate Installation date: \_\_\_\_\_

The undersigned owner requests approval for the installation of Hurricane Shutters and/or Storm Panels, certifies to the Association that such installation will comply with building codes and other legal requirements that may be in place and accepts and agrees to abide by the Association's RULES AND REGULATIONS HURRICANE SHUTTER INSTALLATIONS .

Signed: \_\_\_\_\_ (Owner)

Date: \_\_\_\_\_

| Requirements:                            | <u>Yes</u> | <u>No</u> |
|------------------------------------------|------------|-----------|
| Permanent Exterior:                      |            |           |
| Exterior type is Roll down               | _____      | _____     |
| Exterior color is white                  | _____      | _____     |
| Temporary Protection:                    |            |           |
| White or clear                           | _____      | _____     |
| Interior Installations:                  |            |           |
| Only clear or white visible from outside | _____      | _____     |
| Code compliant:                          |            |           |
| Contractor certified                     | _____      | _____     |
| Contractor requirements:                 |            |           |
| License provided                         | _____      | _____     |
| Insurance certificate provided           | _____      | _____     |
| Certification will obtain all permits    | _____      | _____     |

APPROVAL / DISAPPROVAL OF REQUEST The above request is

APPROVED: \_\_\_\_\_ or DISAPPROVED: \_\_\_\_\_

Lemon Bay Breezes Condominium Association By: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_