

be painted or repaired, the bid for their service will include as a separate item, the excess cost for masking, preparations and painting the screen enclosed patios by unit. This cost will be assessed to the owner of the unit.

MARKUP #1 ->

ISSUE #1

Shutters

Shutter installation requires a Board approval letter and permit from the City of Cocoa Beach.

Shutters are to conform to the building color. Installation and maintenance are the owner's expense.

All shutters mounted against the building must be roll-up shutters....this includes over the sliding glass doors on balconies and patios.

The Board **strongly** recommends roll-up type shutters, attached to the main wall over slider doors and windows.

Accordion storm shutters may be installed **only** on the patio/balcony inside the safety railing. Accordion storm shutters are not allowed on walkway windows or any other building windows, including over sliders on balconies and patios. If the accordion shutters and attachment hardware is required to be removed to accommodate patio/balcony repairs, the owner will be responsible for the expense. The re-installation is also the Owners responsibility and expense.

THE BOARD DOES NOT RECOMMEND ACCORDIAN STORM SHUTTERS.

It is **strongly** recommended that shutters be closed when the unit is unoccupied.

Screen Enclosures

Screen enclosures may be installed on the ground floor townhouse patios and the ground floor patios of the hi-rise buildings only. **No screen enclosures are permitted above the ground floors of the Hi-rise or Townhouse buildings.**

Owners are responsible for maintenance and repairs of the screen enclosure. If not corrected after notification from the Board, a contractor will repair the damage and the unit Owner(s) will be assessed the amount of the repair.

Should removal of the screen enclosure be necessary for structural repairs, the removal and re-installation will be at the owner's expense.

The frame for a screen enclosure should be 1X2 box aluminum with 2X2 struts for support. Color must be brown to blend in with the railing and color scheme of the building. Ground floor units require a kick-plate of at least 16 inches to prevent damage from the lawn maintenance equipment and intrusion from the sprinkler system. At least one door is required for exit. Stainless steel anchors are recommended due to the salt environment.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 3 (p. 15): Clause purports to prohibit or arbitrarily deny hurricane protection systems.

Statutory / Legal Reference: Fla. Stat. § 718.113(5) (HB 1021)

Statutory Comparison: Under Fla. Stat. § 718.113(5) (HB 1021), association boards are legally required to adopt hurricane protection specifications and cannot prohibit owners from installing hurricane shutters, impact glass, or code-compliant storm mitigation hardware.

CURRENT WORDING IN DOCUMENT:

Shutters Shutter installation requires a Board approval letter and permit from the City of Cocoa Beach. Shutters are to conform to the building color. Installation and maintenance are the owner's expense.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Owners may install hurricane shutters, impact glass, or other hurricane protection products complying with the Florida Building Code and the Association's adopted specifications, pursuant to Fla. Stat. § 718.113(5) (HB 1021).