Section 1: [Article I, Section 1.1] Definitions, Purpose, and Governing Act

This Declaration of Covenants, Conditions, and Restrictions (or Declaration of Condominium) establishes the governance framework, maintenance obligations, and property covenants for all Lots and Units within the Association in the State of Florida.

Section 2: [Article II, Section 2.1] Membership and Voting Rights

Every record Owner of a fee or undivided fee interest in any Lot or Unit shall be a mandatory Member of the Association and shall be entitled to one (1) vote per Lot or Unit in all Association affairs.

Section 3: [Article IX, Section 9.7] Exterior Alterations and Hurricane Shutter Restrictions

To preserve the uniform architectural facade of JADE BEACH CONDOMINIUM ASSOCIATION, INC. in Sunny Isles Beach, exterior hurricane shutters and storm shutters are prohibited on all balcony and window openings, and the Board of Administration may deny at its sole discretion any application by a Unit Owner to install impact glass or storm protection hardware.

ISSUE #1

Section 4: [Article IV, Section 4.3] Director Qualification and Written Certification

Within one hundred twenty (120) days after being elected or appointed to the Board of Administration of JADE BEACH CONDOMINIUM ASSOCIATION, INC., each newly elected or appointed director shall submit a signed written certification that they have read the Declaration and Bylaws in lieu of completing any educational curriculum administered by the Department.

Section 5: [Article V, Section 5.8] Unit Owner Participation and Recording at Meetings

At meetings of the Board of Administration of JADE BEACH CONDOMINIUM ASSOCIATION, INC., Unit Owners may observe proceedings but shall have a maximum speaking limit of two (2) minutes on agenda items. Audio or video recording of Board or member meetings by Unit Owners is strictly prohibited.

Section 6: [Article XIII, Section 13.5] Retroactive Leasing Cap and Minimum Lease Term

Effective upon recording of this Amendment, a mandatory rental cap of ten percent (10%) of all Units and a minimum lease period of twelve (12) months shall govern JADE BEACH CONDOMINIUM ASSOCIATION, INC.. This leasing restriction applies immediately to all owners with no grandfathering, and all existing leases in excess of the cap shall terminate upon expiration of their current term.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE — BOARD & COUNSEL REVIEW

Sec. Article IX, Section 9.7 (p. 1): 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:

Exterior Alterations and Hurricane Shutter Restrictions - To preserve the uniform architectural facade of JADE BEACH CONDOMINIUM ASSOCIATION, INC. in Sunny Isles Beach, exterior hurricane shutters and storm shutters are prohibited on all balcony and window openings, and the Board of Administration may deny at its sole discretion any application by a Unit Owner to install impact glass or storm protection hardware.

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).