

ISSUE #1

MARKUP #1 ->

Section 1: [Design & Construction Guidelines, Section 5.11] Hurricane Shutters and Storm Protection Restrictions

Permanent accordion hurricane shutters and roll-down storm shutters visible from any street or common area are prohibited unless recessed completely inside the structural wall cavity. Temporary storm panels may only be deployed after the National Hurricane Center issues a Hurricane Watch for Collier County and must be removed within forty-eight (48) hours after the Watch or Warning is lifted.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Clause purports to prohibit or arbitrarily deny hurricane protection systems.

Statutory / Legal Reference: Fla. Stat. § 720.3035(6) (HB 293 / HB 1203)

Statutory Comparison: Under Fla. Stat. § 720.3035(6) (HB 293 / HB 1203), 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:

[Design & Construction Guidelines, Section 5.11] Hurricane Shutters and Storm Protection Restrictions Permanent accordion hurricane shutters and roll-down storm shutters visible from any street or common area are prohibited unless recessed completely inside the structural wall cavity. Temporary storm panels may only be deployed after the National Hurricane Center issues a Hurricane Watch for Collier County and must be removed within forty-eight (48) hours after the Watch or Warning is lifted.

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. § 720.3035(6) (HB 293 / HB 1203).