

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 9.6] Hurricane Shutters and Storm Panel Timing

Permanent exterior hurricane shutters are prohibited on front elevations. Temporary storm panels may be installed no more than twenty-four (24) hours before a named hurricane is projected to impact St. Lucie County and must be removed within twenty-four (24) hours after the storm passes.

ISSUE #1

[Article IX, Section 9.11] Trash Receptacle Placement and Automatic Fines

Trash and recycling bins may not be placed at the curb before 7:00 PM on the evening prior to collection and must be stored inside the garage by 6:00 PM on the day of collection. Any bin remaining outside at 6:05 PM on collection day shall be subject to an immediate \$50.00 fine without prior notice or hearing.

Section 5: [Article XI, Section 11.3] Signage and Security Alarm Signs

No signs of any kind, including home security contractor signs near entryways, political signs, or 'Open House' signs, may be displayed on any Lot except one standardized 'For Sale' sign approved by the ARC.

Section 6: [Article XII, Section 12.4] Fining Lien Threshold

Any fine levied by the Association that remains unpaid for thirty (30) days, regardless of whether the aggregate fine is less than \$1,000.00, shall constitute a continuing lien against the Lot enforceable by foreclosure.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article IX, Section 9.6 (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:

Hurricane Shutters and Storm Panel Timing - Permanent exterior hurricane shutters are prohibited on front elevations. Temporary storm panels may be installed no more than twenty-four (24) hours before a named hurricane is projected to impact St. Lucie County and must be removed within twenty-four (24) hours after the storm passes.

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).