

## Article 9 – Hurricane Shutter Standards

1. Section 718.113(5) of the Florida Statutes requires the Board of Directors to adopt hurricane shutter specifications.
2. Effective January 27, 2025, no unit owner shall install Hurricane Shutters, without first complying with Section 8.2(c) of Article VIII of the Declaration which requires that a unit owner to 1) submit to the Board of Directors a Unit Alteration Form requesting to install Hurricane Shutters and 2) receive Board approval to install the proposed Hurricane Shutters.
3. 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.
4. Hurricane Shutters are prohibited, except as same may be approved by the Board in accordance with this regulation.
5. Specific Hurricane Shutter Requirements:
  - a. Window Hurricane Shutters
    1. Color. All proposed Hurricane Shutters must be white.
    2. Product Style and Placement. All proposed Hurricane Shutters must be one of the following products approved by the State of Florida Department of Business and Professional Regulation: FL# 16123.2, StormSafe Screen – Fixed Impact Screen; FL# 16123.3, Stormsafe Screen – Operable Impact Screen; FL# 46988.1, Atlas Armor Hurricane Screens; FL# 28862.1, Bahama Shutter Screen 1001; FL# 32125.1, Series 28FX Aluminum Framed Impact Screen; or FL# 32125.2, Series 28OP/Egress Operable Aluminum Framed Impact Screen. The proposed Hurricane Shutter product may be fixed or operable and must consist of mesh screens contained within white frames. The white-framed mesh screens must be installed completely inside the existing window frames of the building’s exterior windows. The Board may amend this regulation to specify additional types of State of Florida Department of Business and Professional Regulation approved Hurricane Shutters it determines are also consistent with the community design standards established in the Casa Di Amici Covenants.
  - b. Lanai Slider Hurricane Shutters
    1. Color. All proposed Hurricane Shutters must be white.
    2. Product Style and Placement. All proposed shutters installed to cover and protect the glass sliders located inside a unit’s lanai must be roll down or accordion style shutters approved by the State of Florida Department of Business and Professional Regulation.
6. Installation Requests
  - a. Any unit owner seeking to install Hurricane Shutters shall submit a Unit Alteration Form requesting approval to install Hurricane Shutters. In addition to any information required by the Unit Alteration Form, the unit owners shall submit with the (1) the name, address, and telephone

number of the proposed contractor who will install the Hurricane Shutters (together with the same information for any proposed subcontractors), (2) the proposed windows or slider for installation of the Hurricane Shutters, (3) the proposed type, style, brand, color, material and name and address of the manufacturer of the Hurricane Shutter, (4) the State of Florida Department of Business and Professional Regulation product number for the Hurricane Shutters, (5) the proposed manner of installation of the Hurricane Shutter and (6) copies of applicable County or State building codes permits, and (5) a signed statement that the applicant has reviewed this Hurricane Shutter regulation and agrees to comply with it as a condition of approval for their request to install Hurricane Shutters.

7. Within thirty (30) days subsequent to receipt of a completed Unit Alteration Form, the Board shall either approve or disapprove the proposed installation of the Hurricane Shutters. The Board shall send notice to the person requesting the proposed installation, whether the installation is approved or disapproved. In the event the Board shall disapprove the proposed installation, the notice shall state the basis for the disapproval.
8. Conditions of Approval. Any Unit Owner seeking approval for Hurricane Shutters agrees to comply with this regulation which, in addition to requirements noted above, includes the following:
  - a. The unit owner agrees to be responsible for all costs and expenses incurred in the installation, maintenance and continued upkeep of the Hurricane Shutters.
  - b. The unit owner shall be responsible for the insurance, maintenance, repair and replacement of the Hurricane Shutters.
  - c. Liability. The unit owner whose unit 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 Shutters. The unit 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. Owner further agrees that in the event that noncompliant Hurricane Shutters are removed, such hurricane shutters shall not be reinstalled.
  - d. The unit owner is responsible for obtaining all necessary building or zoning permits to install the shutters.
  - e. Hurricane shutters may only remain closed during the term of any storm warnings issued by the National Weather Service.
  - f. If the unit 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.

- g. Unit owner agrees to indemnify, defend, and hold harmless the Association from any and all claims, actions, costs or expenses of any nature whatsoever, including but not limited to attorney's fees, arising out of or because of the construction, installation or maintenance of their Hurricane Shutters.
- h. The Association shall not be required to approve or permit any Hurricane Shutters, unless and until the unit owner requesting the installation agree to comply with and fully and completely complies with each and every condition of this regulation.