

BERMUDA BAY BEACH CONDOMINIUM ASSOCIATION, Inc.
Saint Petersburg, Florida

HURRICANE SHUTTER SPECIFICATIONS & INSTALLATION REQUEST FORM

The Florida Condominium Act [718.113(5)] requires all associations to provide specifications for hurricane shutters. Bermuda Bay Beach Condominium Association, Inc. (the Association) requires all owners wishing to install hurricane shutters and/or storm panels to obtain written approval from the Association prior to installation. This policy is necessary to ensure the uniformity of installation and use of the shutters and/or storm panels, to promote the safety and aesthetics of the community.

All installations must meet or exceed any legal requirements and conform with the appearance standards noted below and as set forth in the Specification and Supplemental Agreement adopted by the Association.

Owner Name (Please Print): _____

Unit Number _____ Daytime Phone #: (____) _____

Hurricane Shutter or Panel Installer:

Name: _____ Phone #: (____) _____

Address: _____

Brief description of Installation: _____

Approximate Installation date: _____

The undersigned owner requests approval for the installation of hurricane shutters and/or storm panels and certifies to the Association that such installation will comply with building codes and other legal requirements that may be in place.

Signed: _____ (Owner)

Date: _____

BERMUDA BAY BEACH CONDOMINIUM ASSOCIATION, Inc.
Saint Petersburg, Florida

HURRICANE SHUTTER AND STORM PANEL SPECIFICATIONS

A. Hurricane Shutters or Storm Panels must be of one of three types:

1. Hurricane Panels- Solid corrugated panels made from either aluminum, steel or polycarbonate for added stability. They are affixed to the outside of the building using pre-installed fasteners. When there is no danger these panels will be stored in the owner's unit.

2. Fabric Storm Panels (also referenced as Hurricane Panels) - Also known as wind abatement screens, Fabric Storm Panels, consisting of a strong, lightweight layer of woven fabric that is coated with a geo-synthetic PVC material. They are affixed to the outside of the building using pre-installed fasteners. When there is no danger these panels will be stored in the owner's unit.

3. White aluminum horizontal roll-down, high impact tested interlocking slats to ensure protection from winds of at least 123 MPH. Shutter storage box for roll-down shutters must be made of aluminum, painted white, and be 5-sided. Motorized shutters are permitted.

B. All mounting hardware must be non-corrosive and all penetrations of the building must be sealed. All mounting hardware must be painted to match the masonry. Roll down shutters will be installed and painted to be as unobtrusive as possible and to maintain the aesthetic look of the buildings.

Sample pictures of shutters and storm panels must accompany this Request Form.

C. All work must comply in all respects with the building codes of the State of Florida and Pinellas County in effect on the day of installation.

D. Installation company must be licensed with the State of Florida and the County of Pinellas, Florida carry liability insurance coverage and carry workers compensation coverage (unless the contractor can demonstrate that the contractor is not legally obligated to carry workers compensation insurance), and be bonded and insured. Documentation evidencing all of this must be submitted with this Request Form.

E. E. The Association is not liable to any Owner for damage resulting from the approval process set forth herein.

- F. Construction of the Hurricane Shutter or Hurricane Panels shall be completed within ninety (90) days subsequent to the commencement of construction. Failure to complete construction within the specified time shall be deemed an abandonment of construction/installation and a withdrawal of the request for the proposed installation. A new written request will need to be submitted and approved by the Association.
- G. Any Owner seeking approval for Hurricane Shutters and/or Hurricane Panels shall sign a Request form and the Supplemental Agreement in which he/she agrees to comply with all adopted Rules and Regulations of the Association pertaining to the Hurricane Shutters and/or Hurricane Panels.
- H. Owner agrees to be responsible for all costs and expenses incurred in the installation, maintenance and continued first-class upkeep of the Hurricane Shutters and/or Hurricane Panels.
- I. Owner assumes all responsibility for procuring, buying and/or obtaining a necessary Building or Zoning Permits, variances and adherence to any and all other procedures outlined for the construction and maintenance of the improvements described herein by all City, County, State or other governmental entities, including compliance, if required, with the Southern Standard Building Code.
- J. The Association shall have the right but not the obligation, upon prior notice to Owner, to periodically inspect the Shutters and/or Panels to verify compliance with the Association's Governing Documents and all applicable law. If Owner fails to maintain the Hurricane Shutters and/or Hurricane Panels as required herein, after ten (10) days' written notice from the 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 and/or Hurricane Panels removed and the property restored to its condition prior to the installation of the Hurricane Shutters and/or Hurricane Panels. Owner hereby agrees to be personally responsible for all costs thus incurred and grants Association a lien right against the condominium unit referred to herein in order to secure payment of any such sums. Said lien shall bear interest and be collectable and foreclosable in the same manner as liens granted to the Association under the Declaration and Condominium Act for non-payment of condominium assessments.
- K. 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 the Hurricane Shutters and/or Hurricane Panels described above.

- L. Owner agrees to be responsible for any damage to the Common Elements, Association property or other units within the condominium which is caused as a result of the construction, installation or maintenance of the Hurricane Shutters and/or Panels described herein.
- M. The Association shall not be required to approve or permit any Hurricane Shutter and/or Hurricane Panels, unless and until the person requesting the installation thereof has fully and completely complied with each and every provision of the Governing Documents of the Association, including these Rules and Regulations.
- N. No contractor, subcontractor, laborer or material man shall be permitted entry upon the condominium property, for purposes of actual installation, construction or delivery of materials, unless and until the proposed Hurricane Shutter or Hurricane Panels has been approved by the Association.

4. In the event the Board, in its sole discretion, determines it to be necessary to have the Association's engineer review the documentation supplied for the purposes of determining whether the proposed Hurricane Shutters and/or Hurricane Panels conforms to these Rules and Regulations and/or the applicable building codes, then the person requesting the installation of the Hurricane Shutter and/or Hurricane Panels shall pay to the Association the estimated cost of such engineer's review within five (5) days of receipt of notice from the Board. Failure to pay the cost for the engineer's review within thirty (30) days subsequent to receipt of the Board's notice shall be deemed a withdrawal of the request for the installation of the Hurricane Shutter and/or Hurricane Panels. The Board shall be relieved from the requirement to approve or disapprove the proposed installation if said engineering fees are not paid.

5. Within thirty (30) days subsequent to receipt of the written request and accompanying documentation, the Board shall either approve or disapprove the proposed installation of the Hurricane Shutter and/or Hurricane Panel. For good cause, the Board may extend the time in which to approve or disapprove the proposed installation for a reasonable time, not to exceed an additional thirty (30) days (i.e., 60 days from the date of receipt of written request and accompanying documentation). Good cause may include, but shall not be limited to, the engineer's inability to timely review the documentation. 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. The Board may promulgate, and amend, from time to time, any forms it deems appropriate to convey its approval or disapproval of requests to install hurricane shutters.

Unit owners are welcome to propose alternative products that meet the requirements of the building code and substantially comply with this resolution.

APPROVAL / DISAPPROVAL OF REQUEST

The above request is

APPROVED: _____ or DISAPPROVED: _____
Bermuda Bay Beach Condominium Association, Inc.

By: _____ Date: _____

Title: _____

BERMUDA BAY BEACH CONDOMINIUM ASSOCIATION, Inc.
Saint Petersburg, Florida

HURRICANE SHUTTERS AND/OR HURRICANE PANELS Supplemental Agreement

The Bermuda Bay Beach Condominium Association, Inc. (the Association) requires all owners wishing to install Hurricane Shutters and/or Hurricane Panels to agree to the following regulations governing the use of Hurricane Shutters and/or Hurricane Panels to ensure the uniformity of installations for the safety and aesthetics of the community.

1. Hurricane Shutters or panels may NOT be put up or lowered in front of the windows or doors prior to 5 days of projected landfall of the storm in Saint Petersburg announced by the Pinellas County Emergency Management Office or before a Tropical Storm Watch or Hurricane Watch is issued by the National Weather Service. **

2. Hurricane Panels may NOT remain in place covering any windows or doors longer than 5 days after the "All Clear" announcement by the Pinellas County Emergency Management Office. **

It is the Board's intention that Hurricane Shutters and/or Hurricane Panels NOT be closed or left in position for unnecessary periods in advance of or after the storm threat has passed. In the event successive hurricane warnings are issued by governmental authorities, there is no need to remove the Hurricane Shutters or Hurricane Panels between projected hurricane landfalls in the area.

3. Unit owners and residents who choose to install hurricane shutters and/or Hurricane Panels do so at their own risk and expense and release the Association from liability as a result of the Association approving of the Hurricane shutters or Hurricane Panels.

4. Unit owners and residents are responsible for the storage and maintenance of their Hurricane Shutters and / or Hurricane Panels. Hurricane Panels may not be stored on common elements or on the Unit Lanai.

5. Hurricane Protection. The Board of Directors shall comply with the Condominium Act, as it may be amended from time to time, with respect to Hurricane Shutters and other hurricane protection. Hurricane Shutters, if installed, shall remain open unless and until a storm or storm warning is announced by the National Weather Center or other recognized weather forecaster. An Owner of other Occupant who plans to be absent from a Unit during all or any portion of the hurricane season must prepare the Unit prior to departure, and remove all objects from any Lanai, and relocate them to the interior of the Unit or a secure storage area. The Board may also require Owners who are absent during all or any portion of a hurricane season to designate a responsible firm or individual to care for his Unit should a hurricane threaten, or should the Unit be damaged by a hurricane. No Hurricane Shutter except of the standard model, color and style approved by the Board of Directors shall be used in or upon the condominium. The Board may, and shall if required by the applicable law, adopt an emergency evacuation plan.

The undersigned owner agrees to comply with regulations passed by the Board of Directors regarding the use and storage of hurricane shutters and/or panels

Unit Address: _____

Signed: _____ (Owner)

Date: _____