

COMPASS POINT SOUTH HURRICANE PROTECTION STANDARD

A RESOLUTION OF THE BOARD OF DIRECTORS ESTABLISHING SPECIFICATIONS AND PROCEDURES FOR INSTALLING HURRICANE SHUTTERS, WIND MITIGATION SCREENS, HURRICANE GLASS AND HURRICANE GLASS ASSEMBLIES

WHEREAS, the Board of Directors of Compass Point South at Windstar (hereinafter the “Board”) is responsible for the operation and maintenance of Compass Point at Windstar (hereinafter the “Condominium”);

and

WHEREAS, Section 718.113(5) of Florida Statutes requires the Board to adopt hurricane shutter AND OTHER TYPES OF CODE COMPLIANT HURRICANE PROTECTION specifications that include, color, style and other factors deemed relevant by the Board, and to allow unit owners who wish to install such shutters AND OTHER TYPES OF CODE COMPLIANT HURRICANE PROTECTION at their own risk and expense to do so;

and

WHEREAS, Section 718.113(5) of Florida Statutes recognizes that hurricane glass AND OTHER TYPES OF CODE COMPLIANT HURRICANE PROTECTION may serve the same WIND MITIGATION action function as hurricane shutters;

NOW THEREFORE BE IT RESOLVED by the Board as follows:

1. General Rule:

The installation of hurricane shutters hurricane glass and/or hurricane glass assemblies AND/OR OTHER TYPES OF CODE-COMPLIANT HURRICANE PROTECTION is prohibited except in strict conformity to plans and specifications approved by the Board.

2. Definitions:

“Hurricane shutter” means a device, installation, equipment or appliance, affixed or attached to the exterior of a building or any portion of a building so as to be visible from the exterior of the building, with its function being to provide protection to the unit and the property within the unit against storm damage, water penetration by driven rain, wind damage or damage from physical objects or projectiles carried by wind or storm.

“Hurricane glass” means a device, assembly, installation or equipment, composed of laminated glass designed to function as hurricane protection, that is affixed or attached to the exterior of a building or any portion of a building so as to be visible from the exterior of the building, with its function being to provide protection to the unit and the property within against storm damage, water penetration by driven rain, wind damage or damage from physical objects or projectiles carried by wind or storm.

“WIND MITIGATION SCREENS” MEANS SCREENS THAT ARE ARCHITECTURALLY DESIGNED TO FUNCTION AS HURRICANE PROTECTION

“OTHER TYPES OF CODE-COMPLIANT HURRICANE PROTECTION “INCLUDES WINDOW FILM,

COMPASS POINT SOUTH

HURRICANE PROTECTION STANDARD

LAMINATED GLASS AND DOORS THAT ARE CODE-COMPLIANT AND ARCHITECTURALLY DESIGNED TO FUNCTION AS HURRICANE PROTECTION”.

3. Technical Specifications:

The materials, equipment, installation and construction used shall conform in all respects to the requirements of construction AND WIND MITIGATION REQUIREMENTS established by the local government agency having jurisdiction over construction in the Condominium related to the hurricane shutter, hurricane glass and hurricane glass assembly and wind mitigation screens.

No hurricane shutter, hurricane glass or hurricane glass assembly, wind mitigation screens OR OTHER TYPES OF HURRICANE PROTECTION shall be permitted or approved, unless it is determined that the product and materials have to meet local wind load requirements of construction established by the local government agency having jurisdiction over construction. Currently must meet Florida Building Code (FL#11291-R3) and Miami-Dade approved (NOA #14-0207-01)

No hurricane shutter or wind mitigation screens OR OTHER TYPES OF HURRICANE PROTECTION shall be permitted or approved, unless the materials used, incorporated into, or a part of the hurricane shutter OR screen shall be, at a minimum, as follows: the type of shutter OR screen shall be roll down, **white** in color (factory finished), of aluminum material or wind abatement fabric (polypropylene, Kevlar or like fabrics) and installed only over apertures to the unit or **INSIDE THE INSECT SCREENS AND RAILINGS** on the **outside** perimeter of lanais or patios. No hurricane glass or hurricane glass assembly shall be permitted or approved, unless the materials used, incorporated into or a part of the glass or glass assembly shall be, at a minimum, as follows: the glass shall be clear (un-tinted) and the frame shall be **white** in color (factory finished), of aluminum **AND OR PVC** material and installed only over apertures to the unit or **INSIDE THE (INSECT) SCREENS AND RAILINGS** on outside perimeter of lanais or patios.

No INSTALLATION OF hurricane shutter, wind mitigation screens, hurricane glass or hurricane glass assembly OR OTHER TYPES OF HURRICANE PROTECTION shall be permitted or approved unless the installation is to be performed by a contractor who has an Occupational License, INSURANCE and a Certificate of Competency or a Contractor’s license valid in Collier County.

4. Installation request:

Any unit owner desiring to install hurricane shutters OR screens, hurricane glass or hurricane glass assembly OR OTHER HURRICANE PROTECTION shall apply to the Board by completing an “Application for Approval to Install Hurricane Shutters, wind mitigation screens, Hurricane Glass or Hurricane Glass Assemblies OR OTHER HURRICANE PROTECTION”, attached hereto.

The application shall be accompanied by the following items regarding the installing contractor: a copy of an Occupational License and a Certificate of Competency or the Contractor’s license valid in Collier County, PROOF OF INSURANCE, and a written certification that the product(s) to be installed and the installation method comply with applicable building codes.

Within twenty (20) days after receipt of the written request and accompanying documentation, the Board shall either approve or disapprove the proposed installation, SUBJECT TO RECEIPT OF APPROVAL BY THE WINDSTAR MASTER ASSOCIATION.

5. Insurance Requirements:

File: HURRICANE SHUTTERS SCREENS AND GLASS Standard Revision #4 March 30 2018 Approved

COMPASS POINT SOUTH HURRICANE PROTECTION STANDARD

No contractor shall begin work or install material unless the contractor carries Public Liability Insurance, including completed operations, in an amount not less than \$1,000,000.00, Workers' Compensation insurance in an amount not less than \$500,000.00, and Automobile Liability Insurance (including non-owned automobiles) in an amount not less than \$500,000.00. Notwithstanding any minimum amount required herein, no insurance coverage shall be less than the minimum required by law. Each such insurance policy shall, for the duration of the construction, name the Board as an additional insured.

All insurance policies shall contain a clause requiring a minimum of ten (10) days prior notification to the Board in the event such policy is to be cancelled, terminated or modified in any manner. No contractor or proposed hurricane shutter or wind mitigation screens, hurricane glass or hurricane glass assembly installation OR OTHER TYPES OF HURRICANE PROTECTION shall be approved unless and until appropriate certificates of insurance are received by the Board from the insurance agent of the installing contractor.

6. Unit Owner Responsibilities:

The unit owner is responsible for all costs of installation, maintenance and continued first class upkeep of hurricane shutters, wind mitigation screens, hurricane glass and/or hurricane glass assemblies OR OTHER TYPES HURRICANE PROTECTION, and for insuring them against property damage. The unit owner shall permit the Board to inspect the hurricane shutters, wind mitigation screens, hurricane glass and hurricane glass assemblies AND OTHER TYPES OF HURRICANE PROTECTION, as necessary, to ensure compliance with the Board's specifications and rules.

If an owner encloses their liana with hurricane glass assembly, they may paint the walls and ceiling with the building's terracotta or off-white color. Any other colors must have Board approval. The cost to maintain the enclosed areas is the responsibility of the owner. (Approved 4/30/2018 by Board)

The unit owner is responsible for obtaining all necessary building permits, and for adherence to and compliance with all applicable building codes.

The unit owner must install and maintain the hurricane shutters, wind mitigation screens, hurricane glass and/or hurricane glass assemblies AND OTHER TYPES OF HURRICANE PROTECTION referred to herein in a first-class manner. If the unit owner fails to maintain the hurricane shutter, wind mitigation screens, hurricane glass or hurricane glass assemblies OR OTHER HURRICANE PROTECTION as required herein, after fifteen (15) days written notice from the Board to the unit owner, the Board shall have the right to perform, or have performed, any required maintenance or repair work or to have the hurricane shutters, wind mitigation screens, hurricane glass or hurricane glass assembly OR OTHER TYPES OF HURRICANE PROTECTION removed and the property restored to its condition prior to their installation, at the expense of the unit owner. If any hurricane shutters, wind mitigation screens, hurricane glass or hurricane glass assembly OR OTHER TYPES OF HURRICANE PROTECTION must be partially or wholly dismantled or moved in order to allow the Board access to other parts of the Condominium for which the Board is responsible, the cost of such dismantling or removal shall be borne by the unit owner.

The unit owner must indemnify, defend and hold harmless the Board for 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 or maintenance of the hurricane shutters, hurricane glass and/or hurricane glass assemblies.

The unit owner is responsible for any damage to the common elements or other property or units within the Condominium which is caused as a result of the installation or maintenance of the hurricane shutters, wind

**COMPASS POINT SOUTH
HURRICANE PROTECTION STANDARD**

mitigation screens, hurricane glass and/or hurricane glass assemblies OR OTHER TYPES OF HURRICANE PROTECTION described herein.

7. This resolution does not apply to any hurricane shutters, wind mitigation screens, hurricane glass and/or hurricane glass assemblies installed according to the original plans and specifications, or like-kind replacements thereof, or to any hurricane shutters, wind mitigation screens, hurricane glass and/or hurricane glass assembly installations that have previously been approved by the Board and have been properly permitted and installed in compliance with Collier County codes at the time they were installed. The insurance, maintenance, repair and replacement of all shutters, wind mitigation screens, hurricane glass and hurricane glass assemblies OR OTHER TYPES OF HURRICANE PROTECTION shall be as provided in the Declaration of Condominium.

REVISION # 3

ADOPTED by the Board of Directors this Friday, February 12, 2016.

By: _____
Name Title

COMPASS POINT SOUTH HURRICANE PROTECTION STANDARD

APPLICATION FOR APPROVAL TO PROCEED WITH INSTALLATION OF HURRICANE SHUTTERS, WIND MITIGATION SCREENS, HURRICANE GLASS OR HURRICANE GLASS ASSEMBLY

TO: Compass Point South Board of Directors

FROM: Name _____

Address _____
(including Unit Number)

It is requested that I/We be permitted to proceed to install:

_____ Hurricane Shutters

_____ Wind Mitigation screens

_____ Hurricane Glass

_____ Hurricane Glass assembly

for the subject unit, according to the Board of Directors' Resolution "Specifications and Procedures Installing Hurricane Shutters, Wind Mitigation Screens, Hurricane Glass and Hurricane Glass Assemblies
AMENDMENT TUESDAY, FRIDAY, FEBRUARY 16, 2016.

I/(We) acknowledge, understand and agree to abide by the "TERMS AND CONDITIONS FOR APPROVAL AND INSTALLATION OF HURRICANE SHUTTERS, WIND MITIGATION SCREENS, HURRICANE GLASS AND HURRICANE GLASS ASSEMBLIES" to which this application is attached, and will make the installing contractors aware of same. I (we) understand and agree that I (we) am (are) responsible for maintenance, repair, and replacement of the installed hurricane shutters, hurricane glass or hurricane glass assembly as well as for any expense of removing and reinstalling the shutters, glass or assembly if removal becomes necessary for any reason.

Unit Owner Signature _____ Date: _____

Unit Owner Signature _____ Date: _____

Unit Address and Number _____

*To be considered, application must be completed and submitted with the required exhibits.

Date received: _____

**COMPASS POINT SOUTH
HURRICANE PROTECTION STANDARD**

**COMPASS POINT SOUTH CONDOMINIUM ASSOCIATION
APPROVAL TO PROCEED WITH INSTALLATION
OF HURRICANE SHUTTERS**

To: _____

Subject: Approval to Proceed with Installation of Hurricane Shutters, Wind Mitigation screens, Hurricane Glass or Hurricane Glass Assembly for Unit # _____ located at _____

THE ATTACHED APPLICATION WAS

APPROVED _____ DISAPPROVED _____

On the _____ day of _____.

Compass Point South Condominium Association

By: _____ Title _____