

RESOLUTION OF THE BOARD OF DIRECTORS

**INSTALLATION AND APPROVALS FOR
ELECTRONIC VEHICLE SERVICE EQUIPMENT ("EVSE")**

WHEREAS the Board of Directors (the "Board") of Tarpon Landings Condominium Association, Inc. (the "Association") is responsible for the operation and maintenance of the Tarpon Landings Condominium Property (the "Property"), and

WHEREAS Tarpon Landings is a luxury waterfront planned unit development ("PUD") community constructed in 2006 and completed in 2007 that is situated on 148 acres in Cape Coral, Florida. Tarpon Landings consists of three (3) high rise condominiums, with seventy (70) units in each building, for a total of two-hundred ten (210) units in the Tarpon Landings community. Each private unit has an appurtenant limited common element garage assigned to it, that can accommodate two (2) or three (3) vehicles, and each two-car garage is equipped with a 110-volt, Level 1 charging capacity outlet, and each the three-car garage is equipped with two (2) 110-volt, Level 1 charging capacity outlets.

WHEREAS Section 718.113(8)(a) of the Florida Statutes provides that owners have the right to install an electric vehicle charging station and/or electric vehicle supply equipment (hereinafter referred to as "EVSE") within the boundaries of his or her limited common element parking area, and

WHEREAS Section 718.113(8)(b)-(f) , of the Florida Statutes allows the Board to adopt EVSE specifications that include power, safety, aesthetics, liability and other factors deemed relevant by the Board, and

WHEREAS the Board wants to allow all unit owners who wish to install an EVSE system at their own risk and expense to do so as long as such installations have no negative impact on the appearance or safety of the Property,

NOW THEREFORE be it resolved by the Board that the installation of EVSE systems shall be governed by the following specifications.

**ARTICLE I.
General Rule**

The installation of such EVSE systems will only be permitted in strict conformity to the plans and specifications submitted to Tarpon Landings' Property Manager (or Architectural Review Committee) for approval. No work may commence until the application process has been completed and an installation permit has been granted by the Board (or Architectural Review Committee) and issued by the Property Manager. EVSE systems which have been installed without approval will be removed by the Association at the unit owner's expense.

No unit owner is required by the Association install an EVSE system. However, if a unit owner desires to install such a system, he/she is bound by these specifications.

If a situation arises that is not specifically covered by this policy, then the provisions in the state statute will apply. If problems persist due to interpretation of these policies, the Association has the full right to make any final decisions.

EVSE systems can only be installed within the owner's limited common element garage appurtenant to his or her unit.

ARTICLE II. Acceptable Devices

1. **Level 1 system** - a small unit that requires only 120 volts AC and may be plugged in to any standard duplex receptacle located within the owner's limited common element garage that is appurtenant to said owner's unit.
2. **Level 2 system** - larger in size and preferred due to shorter recharge times; requires a specially installed 220 volt 2-pole 40 amp AC circuit wired to a properly rated receptacle or hard-wired directly to the EVSE device, having the ability to deliver 7.6kw of electric power to the EVSE. *There is a limit of one Level 2 system per garage, regardless of whether the garage accommodates two (2) or three (3) vehicles.*

ARTICLE III. Approval Process

1. Any unit owner desiring to install a Level 1 or Level 2 EVSE device shall apply to the Board (or Architectural Review Committee) via the Property Manager, in writing, utilizing the proper application form.
2. The request shall be accompanied by the following items regarding the installer:
 - a. A copy of the Occupation License;
 - b. Certificate of General Liability Insurance;
 - c. Certificate of Worker's Compensation Insurance; and
 - d. Certificate of Competency or Contractors License valid in the State of Florida, Lee County.
3. The request shall include (if applicable) the following items:
 - a. A copy of the device blueprint prepared by a licensed engineer and approved by the state of Florida;
 - b. Documentation that provides style, color, design and material specifications; and
 - c. Site-specific drawings.
4. Within twenty (20) days after receipt of the written request and accompanying documentation, the Board (or Architectural Review Committee) shall either approve or disapprove the installation request. The unit owner shall be notified of the action taken and a copy of the approved or disapproved request shall be placed in the unit owner's file.

5. No work may commence on the property until a permit (if applicable) issued by Lee County is posted at the door of the unit.
6. No work may commence on the property until any outstanding violations for which the Association has put the owner on notice of have been corrected. In addition, no approval shall be granted until all outstanding monetary obligations owing to the Association, including any assessments, fines or fees, are paid in full.
7. No contractor will be allowed on the property until the application process has been properly completed.
8. Each unit must go through its own application process. A contractor may not use an approval of one unit to perform work on another unit.

**ARTICLE IV.
Insurance Requirements**

No contractor shall begin work or install material unless the contractor carries General Liability Insurance, including complete operations, in an amount not less than \$1,000,000.00 per occurrence, Worker's Compensation Insurance in an amount not less than \$500,000.00 and Automobile Insurance in an amount not less than \$1,000,000.00. Notwithstanding any minimum amount required herein, no insurance coverage shall be less than the minimum amount required by law.

**ARTICLE V.
Unit Owner Responsibilities**

1. The owner and his/her agents, contractors, vendors, employees or representatives shall comply with bona fide safety requirements, consistent with applicable building codes or recognized safety standards as well as all federal, state or local laws and regulations related to installation, maintenance or removal of EVSE.
2. In the event the Association is required to obtain any permitting for owner's EVSE installation or connection from/to the nearest and/or most suitable electrical room, the owner shall be responsible for any actual costs or expenses associated with same.
3. The owner, at his/her own expense, must engage the services of the Association's designated electrician, which may change from time to time at the Association's sole discretion, for the purposes of providing the electrical supply from the Association's secure, main panel in the nearest and/or most suitable electrical room to owner's garage. Owner shall reimburse the Association for any and all actual engineering and/or installation costs incurred for the connection from/to the nearest and/or most suitable electrical room to owner's garage. Owner, at his/her own expense, may use his/her own licensed electrical contractor or engineer (license number and insurance information to be provided to

Association in accordance with Article III above) to perform the EVSE installation within owner's garage.

4. The owner shall provide the Association with a certificate of insurance naming the Association as an additional insured on the Owner's insurance policy for any claim related to the installation, maintenance, or use of the EVSE within fourteen (14) days of Association approval that includes general liability policy limits in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate. Owner shall also provide copies of the declarations page from any and all insurance policies owner carries related owner's unit, owner's garage, and the electric vehicle.
5. The owner shall reimburse Association for the cost of any increase in the Association's insurance premium related to the EVSE installation within fourteen (14) days after the Association provides its insurance premium invoice.
6. The owner is responsible for all costs and expense related to the installation, operation, maintenance, repair, hazard and liability insurance, connection, upkeep and removal of the EVSE and any appurtenant equipment. The owner shall permit the Association to inspect the device as necessary to ensure compliance with the Association's specifications. Any owner desiring to remove any EVSE must submit EVSE removal plans and obtain prior written approval from the Association and/or Architectural Review Committee before removing any EVSE and appurtenant equipment.
7. The unit owner is responsible to ensure that the installing contractor has obtained all of the necessary Lee County permits and does comply with all applicable Lee County building codes, including any State of Florida guidelines.
8. The owner, at his/her sole expense, shall install a separate meter, embedded meter or submeter, to be provided by Lee County Electric Cooperative ("LCEC"), and such meter shall be installed on the interior of the garage (if installation must be on exterior of garage, owner must submit specifications as to size, appearance, location of proposed installation). The electricity must be separately metered and payable by the owner or by his/its successor.
9. The owner must maintain the EVSE device in a first-class manner. If the unit owner fails to maintain the device as required herein after fifteen (15) days written notice from the Association to the owner, the Association shall have the right to perform, or have performed any required maintenance or repair work or installation, at the expense of the owner, and said expense shall be an individual assessment and shall become a lien against such owner's unit which may be foreclosed or otherwise collected as provided herein to the extent authorized by law. If any device must be partially or wholly dismantled or moved in order to allow the Association access to other parts of the unit from which the Association is responsible, the cost of such dismantling or removal shall be borne by the owner.

10. The unit owner is responsible for any damage to the common elements (including landscaping) or limited common elements or other property or units within the property which is caused as a result of the installation or maintenance of the device described herein.
11. The owner or his/her successor shall be responsible for cost of removal of the EVSE, including any meter, embedded meter or submeter, if the EVSE no longer needed. If the device is removed for whatever reason, the owner is responsible for restoring the area to its original condition, including any costs associated with same.
12. The owner will indemnify hold the Association harmless for any costs or liability involved in the installation, operation, maintenance, repair or removal of any of the device as well as any other liability or irreparable damage or harm caused by the EVSE to persons or property.
13. If an owner fails to meet any of his obligations delineated herein, he and his successors in title agree to allow the Association access to the unit for maintenance, operation, repair, removal and/or restoration, and to pay for the cost of such work, including attorney fees, should the Association be required to bring legal action to enforce the provisions of this document. Any expense so incurred, including the costs to compel an owner's compliance with the provisions contained herein, shall be an individual assessment and shall become a lien against such owner's unit which may be foreclosed or otherwise collected as provided herein to the extent authorized by law

ARTICLE VI.

Technical Specifications

1. **Common Requirements for all permitted device types:**
 - a. Each individual condominium unit may have only one EVSE system installed within his or her limited common element garage.
 - b. A GFCI (Ground Fault Circuit Interrupter) device must be installed on any circuit, including a high power 220V circuit, which can only be set at a maximum 40 amperage, that is wired to potentially damp locations, unless 'hard-wired' directly to the EVSE device.
 - c. Some form of power limiting device must be installed to control when the EVSE is active. This may be as simple as a timer set to be "on" from 9pm to 6am (when rates are lowest). Alternatively, a more complex device may be installed that will enable the EVSE only when total other power needs are less than 60% of capacity.
 - d. Any work that penetrates through the exterior wall of the building or alters the exterior appearance of the building must be approved in advance and, whenever possible, not visible from outside the garage.
 - e. Any conduit or cable installed on the exterior of the building must be enclosed in a Mitsubishi Model CD-60 or equivalent line-set cover and painted the same color as the wall (the Association will supply the paint to ensure consistency of color).
 - f. Any portion of conduit or cable to be installed underground or within the common elements must be approved in advance, in order to determine there are no conflicts

with other underground utilities and services and/or to ensure connection to the Association's secure main panel.

- g. The owner must notify their condominium insurance provider that an EVSE has been installed.
- h. Commercial EVSE systems are not permitted anywhere on Association property.

2. Requirements for Level 1 Systems:

- a. Requires only 120 volt AC and may be plugged into any standard duplex receptacle within the owner's garage. As such, this system generally needs no special wiring and no special power considerations. However, to assist the Association in determining future electrical consumption needs, an application must be submitted for approval.
- b. As stated herein, owners must install the EVSE device in the garage appurtenant to his or her unit.
- c. When not in use, the cable and device must be stored in such a fashion as to not be visible from outside the garage.
- d. The Association further reserves the right to charge a flat fee and/or approximated amount based on the following formula: $(\text{mileage} / 3) \times \text{kilowatt hours charged by LCEC}$ for any owners charging an electric vehicle on an L1 System, and that amount shall be an individual assessment charged to the respective owner.

3. Requirements for Level 2 systems:

- a. Requires the ability to deliver 7.6kw of electric power to the EVSE. Therefore, each system must have the following components:
 - i. Circuit breaker: 220 volt 2-pole 40 amp (maximum amperage cannot exceed 40 amps) AC car charger circuit
 - ii. Cable size: #8 AWG or larger to suit voltage drop
 - iii. Receptacle: GFI 250 volt AC 2-pole NEMA 6-50 (unless wired directly to the EVSE)
- b. Adequate ventilation inside the garage may have to be approved and installed if specified by the automobile manufacturer.
- c. Adequate sizing of conduit and wiring (measured based on the AWG system) to properly match the current-carrying capacity and amperage of the circuits they serve.

**Tarpon Landings Condominium Association, Inc.
Electric Vehicle Supply Equipment (EVSE) Application**

Instructions: Please use dark ink and be sure to print clearly. This Application and all requested information must be submitted at least twenty (20) days prior to commencement of the project to [INSERT HERE WHERE YOU WANT APPLICATION TO GO]. If you have any questions, please call [INSERT] at Resort Management at 239-541-8710 or via email at tarponlandings@resortgroupinc.com.

OWNER DATA:

Owner Name: _____

Address: _____

Telephone: _____

MODIFICATION SPECIFICATIONS:

Describe modification requested: _____

Location: _____

Expected date of commencement: _____ Expected date of completion: _____
(must be 6 weeks or less from expected commencement date)

CONTRACTOR DATA:

Contractor Name: _____

Address: _____

Telephone: _____

Contractor Signature: _____

(Contractor has read and agrees to comply with the enclosed specifications and guidelines, and with Tarpon Landings Rules & Regulations)

APPLICATION REQUIREMENTS CHECKLIST:

- _____ One copy of plans
- _____ Product/manufacture specifications
- _____ Copies of all contractor licenses
- _____ Copies of contractor insurance certificates (general liability, worker's compensation and automobile)

ACKNOWLEDGEMENT:

Approval is hereby requested to make the alteration as described above. I have read and agree to comply with the enclosed specifications and guidelines. In requesting approval of these alterations, I acknowledge full responsibility for the contractor's performance and compliance with Tarpon Landing's Rules & Regulations and accept responsibility for any damage resulting from the work done at my unit.

Signature of Owner

Signature of Owner

Date: _____

Date: _____

For Association Use Only

Approved _____ Disapproved _____

Date: _____ By: _____