



HURRICANE SHUTTERS: TERMS AND CONDITIONS OF APPROVAL

The following policy establishes the minimum requirements for the approval process and installation of Hurricane Shutters. In addition to technical requirements, the following shall apply to all such requests and approval thereof:

- a. The shutter shall be installed as per the requirements of this document and approved technical specifications as adopted by the Architectural Review Committee and the Tarpon Landings Board of Directors. The shutter material and installation shall conform to said specifications “Hurricane Shutter Specifications”.
- b. All costs in connection with the subject installation of materials shall be borne solely by the Owner, NOT the Association.
- c. The unit owner will be responsible to maintain the Hurricane Shutters, indemnify and hold the Association harmless from any costs or liability involved in the installation, maintenance or restoring the area to its original condition if the shutters are ever removed for any reason.
- d. The Association has the right to demand that the owners maintain and repair the Hurricane Shutters and mechanism for operating the same and restore the area to its original condition if the shutters are ever removed for any reason.
- e. If the owner fails to undertake any of his/her obligations under these terms and conditions, the owner and his/her successors in title agree to allow the Association access to the unit for maintenance, repair, removal, or restoration, to pay the cost of that work, including attorney fees should the Association be required to bring legal action to enforce the provisions of the documents.
- f. The application for approval to proceed with installation shall be completed by the Homeowner. The completed applications shall, together with the required exhibits, be submitted to the Architectural Review Committee or the Tarpon Landings Board of Directors. The Homeowner shall be notified of actions taken and a copy of the approved request shall be placed in the Homeowners’ file. Shutters may not be installed until the application for installation has been submitted and approved by the Architectural Review Committee or the Tarpon Landings Board of Directors. If the Owner proceeds with the installation of Shutters without the written approval of the Architectural Review Committee or Tarpon Landings Board of Directors, the Shutters may be removed at the full discretion of the Board based upon recommendations of Architectural Review Committee or the Tarpon Landings Board of Directors with the Owner bearing the full cost of the removal and restoration of the building to its prior state.

Resolution of the Board of Directors

Whereas, Section 718.113(5), of the Florida Statute requires the Association to adopt hurricane shutter specifications that include color, style and other factors deemed relevant by the board and to allow all unit owners who wish to install such shutters at their own risk and expense to do so, now therefore be it resolved by the Board as follows:

1. GENERAL RULE

- a. The installation of Hurricane Shutters is prohibited, except in strict conformity to plans and specifications submitted to, and approved by, the Tarpon Landings Board of Directors.
- b. No work may commence until the application process is completed and approved by the Architectural Review Committee or the Tarpon Landings Board of Directors.
- c. The requirements provided herein are the minimum requirements for all Hurricane Shutter installations.

2. Definition

“Hurricane Shutters” 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 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, wind damage or damage from physical object or projectiles carried by the wind.

3. INSTALLATION REQUEST PROCESS

- a. Any Owner desiring to install Hurricane Shutters shall apply to the Architectural Review Committee or Tarpon Landings Board of Directors in writing.
- b. The request shall be accompanied by the following items regarding the installation:
 - i. Hurricane shutter installation application.
 - ii. A copy of contractors Occupational/Contractors License valid in the State of Florida, for Lee County.
 - iii. Current Certificate of Contractors General Liability and Workers Compensation Insurance meeting the conditions below. (Public Liability Insurance including complete operations, in an amount not less than \$1,000,000.00 and worker’s Compensation in amount not less than \$500,000.00. Notwithstanding any minimum amount required herein, no insurance shall be less than the minimum amount required by law).
 - iv. Copy of Hurricane Shutter engineered specifications complying with the applicable Florida Building Code.
 - v. A full description including photo of shutter type, materials and color of all materials used in the installation along with the details of installation location and manner of affixing to the building.

c. Within thirty (30) days after Management's receipt of the completed application with accompanying documentation, the Architectural Review Committee or Tarpon Landings Board of Directors shall either approve, request additional documentation, provide additional requirements, or disapprove the proposed installation.

d. No work may commence on property until an approved permit by Lee County is provided to the manager and posted at the unit.

e. No contractor will be permitted on the property until final approval has been provided to the manager and all conditions outlined herein have been satisfied.

f. Each unit must go through the Tarpon Landings Condominium Association Contractor Approval Rules and Procedures process. Contractor may not use approval of (1) unit to perform work on another.

4. TECHNICAL SPECIFICATIONS, MATERIALS, AND INSTALLATION REQUIREMENTS

a. Submittals

i. Product Data: Submit Manufacturer's complete product data for all specified components including specifications, State of Florida product approval documents, finish information and installation instructions.

ii. Provide engineered signed and sealed wind load design pressures for each opening size.

iii. Shop Drawings: Submit shop drawings showing layout, sizes and types, product materials, components and accessories, fabrication data, finishes, rough-in dimensions, anchorage and installation requirements and details.

iv. Samples/Colors: Submit minimum six-inch length of blade and track section. Include manufacturer's standard white color finishes for selection by Architectural Review Committee or Tarpon Landings Board of Directors.

vi. Certificates: Manufacturer's certification that design criteria meets specified requirements.

vii. Operating and maintenance instructions: Submit detailed maintenance requirements and operating instructions.

b. Quality Assurance

i. Installer Qualifications

1. Use only the manufacturer's factory trained installers or qualified licensed installers approved by the shutter manufacturer.

ii. Regulatory Requirements

1. Comply with all current local and governing code requirements.
2. Unless required otherwise, fabricate to withstand the wind load requirements per the Florida Building Code.
3. Pre-Installation Conference with the Architectural Review Committee:
Conduct a pre-installation meeting to verify project installation and coordination requirements, field conditions and manufacturer instructions.

c. Project Conditions

i. Field Measurements: Verify actual measurements of openings by field measurements before fabrication. Show recorded measurements on detailed engineering and general shop drawings.

d. The materials, equipment, installation, and construction used shall conform in all respects with the requirements of construction established by the local government agency having jurisdiction over the construction in the development related to the Hurricane Shutter wind load requirements.

e. No Hurricane Shutter shall be permitted or approved unless it is determined that the product has been tested by a licensed Florida engineer to meet local window load requirements of construction established by the local / state government agencies.

f. Hurricane Shutters must be in full compliance with the Florida Building Code which incorporated the American Society of Civil Engineers (A.S.C.E. 7) wind load pressurization requirements.

g. No Hurricane Shutter shall be permitted or approved, unless the materials used, incorporated into, or a part of the Hurricane Shutters shall be at a minimum as outlined herein.

h. Products: Rolling Shutter and Security Shutter.

i. The Homeowner may only install the following shutter type: The preferred option is Roll Down Shutters. In circumstances where Roll Down Shutters are not possible, the Homeowner must consult the Architectural Review Committee for what options are permissible.

ii. The shutters may be installed on the outside of sliding doors on lanai or on open balconies with an inside locking and manual deployment device.

iii. Approved color – white.

iv. The aesthetic appearance must be approved by the Tarpon Landings Condominium Association during the submittal process and before shutters are ordered. The purpose of this requirement is to maintain building's aesthetic appearance continuity.

Specifications for Rolldown Shutters:

Specifications must comply with the Florida Building Code 2023 8th edition.
(HVHZ & non-HVHZ TAS201, TAS202, TAS203, (Large Missile) ASCE 7-2, ADM -20)

i. Roll-downs

- i. Extruded Aluminum is to be manufactured with extruded aluminum 6063-T6 or equivalent with a factory finish baked on paint or powder coated system with UV inhibitors to prevent fading. Only 50 mm extruded aluminum slats are permitted, PVC and aluminum foam filled slats are not acceptable. Slats shall be white in color.
- ii. Sidetracks are to be manufactured with extruded aluminum alloy 6063-T6 or equivalent and must be white.
- iii. Manual Operation to be gear type, sealed enclosed casing, permanently lubricated. Detachable handle and universal assembly to be stainless steel or equivalent non-corrosive material.
- iv. Motorized Operation must use only UL listed motors and switches. Motors must be tubular with protected non-corrosive casing and have thermal cut-off protection.
- v. Reel to be octagonal galvanized steel or aluminum roller tube 6063-T6 or equivalent for strength and durability.
- vi. Housing Box must be four or five –sided in shape using the end cap/modular system. Six-sided housing is not allowed. Bracket system roll downs are also not allowed. The housing cover is made from smooth aluminum coil and the end cap is made from cast aluminum. Housing size for lanais must be either 10” or 12”. All housing must be baked on finish of a color to match the building to which they are attached.
- vii. Build out /Framing if necessary is to be extended aluminum 6063-T6 or equivalent and white in color.
- viii. Fasteners used for attaching the components of any shutter system to be corrosion resistant. Proper spacing combined with allowable stress and shear factors of fasteners will comply with the applicable building code. All building penetrations must be caulked with a waterproof caulking before installing any mechanical fasteners.

j. Execution

i. Examination

- 1. Verify conditions or substrates to determine if acceptable for shutter installation in accordance with manufacturer's instructions. Correct all unsatisfactory conditions prior to commencing shutter installations.

k. Installation

- i. Install track and all shutter components to comply with manufacturer’s written installation requirements.
- ii. Where metal surfaces are in contact with masonry, concrete or dissimilar metals protect with manufacturers recommended isolation coatings or tape.
- iii. Track installation must be placed outside of the door frame and decorative frame directly on the face of the building and may not be mounted directly to the floor.
- iv. All electrical wiring must be installed inside of the condo. Under no circumstances can any electrical conduit, cables, or connections be visible from the outside of the building.
- v. All penetrations on side walls shall be urethane sealed to ensure no water intrusion can occur.
- vi. The installation process cannot interfere with or alter in any way the existing systems of the building, specifically the safety features including fire detection or fire prevention systems.
- vii. As part of the approval process the Architectural Review Committee, or the Tarpon Landings Board of Directors will approve the method of delivery of the shutters to the Owners installation location.

l. Cleaning

- i. Clean installed components in accordance with the manufacturer’s instructions prior to Owner’s acceptance. Properly remove from the site all debris remaining from the installation.
- ii. Inadequate surface cleaning will result in corrosion formation and potential structural integrity damage.

5. OWNER RESPONSIBILITY

- a. The Homeowner bears full responsibility for any damage which may occur to the common elements, limited common elements, any Association property, or other unit(s) because of the hurricane shutter installation.
- b. The Homeowner is responsible for all costs of installation, maintenance and continued first class upkeep of the Hurricane Shutters. The homeowner shall permit the Association to inspect the Hurricane Shutters as necessary to ensure compliance with the Association’s specifications.
- c. The Homeowner is responsible for ensuring that the installation contractor has obtained all the required Lee County building permits in accordance with the Florida Building Code.

d. The Homeowner must maintain the Hurricane Shutters as required herein fifteen days after written notice sent 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 Homeowner. If any Hurricane Shutters must be partially or wholly dismantled or removed to allow the Association access to other parts of the Unit for which the Association is responsible, the cost of such dismantling, removal and reinstallation shall be borne solely by the Homeowner.

e. The Association reserves all its rights under the condominium documents regarding installation, maintenance, damages, related to such Hurricane Shutters. The Homeowner shall hold the Association harmless from all costs, legal costs and liability associated with such matters, including restoration of any areas affected by removal of the Hurricane Shutters.

f. Operation of the Hurricane Shutters shall be in strict conformity with the Rules and Regulations as outlined in the condominium documents of the Association.

g. Usage: All shutters shall remain open unless a storm advisory, i.e., hurricane, or named tropical storm, is issued by the National Weather Center for Lee County and the surrounding areas.. All shutters shall remain open two days prior to a storm and within two days after a storm has passed. All unit owners will be responsible for preparing their unit for a storm, including removal of all furniture. When storm shutters are closed, they must be completely closed and locked.

h. When selling or otherwise transferring the unit in question, the applicant specifically agrees that any entity to whom the unit will be transferred will, prior to closing, sign and furnish to the Association an agreement to be bound by all Tarpon Landings Condo Association's rules including shutter maintenance and operation. If the purchasing entity fails to sign this agreement prior to the closing of the real estate transaction, TLCA shall have the right to remove all existing shutters on the premises and the selling owner will be responsible for all costs associated therewith.

Approved by TLCA Board of Directors 3/12/24