

ASSOCIATION POLICY FOR PARTICIPATION AT UNIT OWNER MEETINGS ADOPTED JULY 22, 2008

In accordance with section 718.112(2)(d)(6) of the Florida Statutes, "Unit owners shall have the right to participate in meetings of unit owners with reference to all designated agenda items. However, the association may adopt reasonable rules governing the frequency, duration, and manner of unit owner participation." Florida Statute 718.112(2)(d)(7) states, "Any unit owner may tape record or videotape a meeting of the unit owners subject to reasonable rules adopted by the division."¹

The following are rules adopted by the Board of Directors governing the use of recording equipment and the frequency, duration, and manner of unit owner participation at owner meetings.

A. Recording Equipment

1. All recording equipment used shall be battery operated; however, cord and plug connected electrical equipment may be used provided that no more than one electrical receptacle will be used for all the equipment.
2. Extension cords shall not be used in any area where pedestrian traffic occurs unless securely taped to the floor to prevent a hazard to anyone. Extension cords shall not be run over room furnishings and shall be located out of the way of pedestrian traffic to the greatest extent possible.
3. All recording equipment shall be silent so as not to distract participants of the meeting.
4. No audible playback shall be allowed during the meeting.
5. All video equipment shall be stationary and placed so as not to distract the participants of the meeting.
6. No lighting for video equipment shall be allowed other than lighting to illuminate the meeting room.
7. Any owner who will be using recording equipment at any meeting shall send written notice to the board no later than 48 hours before the meeting at which the equipment will be used.

B. Owner Participation

1. The right to attend and speak only extends to unit owners and does not extend to non-unit owners holding the proxy of a unit owner. The right extends to those holding a power of attorney to speak on behalf of the unit owner.
2. Participation at the owners' meeting can occur when the chairperson asks for discussion regarding motions on agenda items.²
3. Unit owner participation shall be in accordance with the bylaws which state, Robert's Rules of Order (latest edition) shall govern the conduct of the Association meetings when not in conflict with the Declaration of Condominium, Articles of Incorporation, or these bylaws."

4. The chairperson has the right to restrict any redundancy during the owner participation portion of the meeting.
5. Speakers shall refrain from obscenity, vulgarity, or any breach of respect. Improper or disrespectful conduct shall result in the immediate expiration of the speaker's allotted time and may result in the speaker's expulsion from the meeting.
6. All members shall refrain from statements or conduct reasonably likely to disrupt or delay the orderly transaction of business. Such conduct may result in the member's expulsion from the meeting.

¹ Florida Administrative Code 61B-23.002(10)

(10) Any unit owner may tape record or videotape meetings of the board of administration, committee meetings, or unit owner meetings, subject to the following restrictions:

(a) The only audio and video equipment and devices which unit owners are authorized to utilize at any such meeting is equipment which does not produce distracting sound or light emissions.

(b) If adopted in advance by the board or unit owners as a written rule, audio and video equipment shall be assembled and placed in position in advance of the commencement of the meeting.

(c) If adopted in advance by the board or unit owners as a written rule, anyone videotaping or recording a meeting shall not be permitted to move about the meeting room in order to facilitate the recording.

(d) If adopted in advance by the board or unit owners as a written rule, advance notice shall be given to the board by any unit owner desiring to utilize any audio or video equipment.

(e) Unit owners are entitled to tape record or videotape board meetings and committee meetings occurring on or after April 1, 1992.

² The published agenda for owner meetings is set by the board president. Owners may request that an item be placed on the agenda by sending a written request to the Association prior to the mailing of the first notice of the annual meeting. The first mailing is sent no less than 60 days prior to the annual meeting. Submitting such request does not guarantee that the item will be placed on the agenda. However, if there is enough unit owner support for an item that is not on the agenda, a special meeting may be called by the president, by the board of directors, or by written request of unit owners representing at least 1/3 of the voting interests of the Association (305 votes) (bylaws 2.2). When a special meeting of the unit owners is called upon written request of the unit owners, the agenda will be dictated by the requested action, but the Association is responsible for conducting the meeting and providing the requisite notices.