

WESTWOOD COMMUNITY THREE ASSOCIATION, INC.
Tape Recording and Video Recording of Meetings Policy
Adopted by the Board of Directors

Definitions

- a. Westwood Community Three Association, Inc. (the "Association").
- b. The Association's board of directors (the "Board").
- c. Any and all forms whatsoever in kind or type of audio, visual, tape, video, analog, digital, and/or electronic recording ("Recording Devices").
- d. Performing, making, creating, or causing any and all forms whatsoever in kind or type of audio, visual, tape, video, analog, digital, and/or electronic recording ("Recording" or "Recordings").
- e. Any meeting of the membership and/or any meeting of the Board ("Meeting")

Underlying Principals

Pursuant to § 720.306(10), Florida Statutes, "[a]ny parcel owner may tape record or videotape meetings of the board of directors and meetings of the members. The board of directors of the association may adopt reasonable rules governing the taping of meetings of the board and the membership." The Association's Board has adopted this policy to govern all Recordings of any Meeting in order to prevent Recording from being unsafe, abused, misused, or disruptive.

Policy Statement

The Association recognizes the need to balance a Meeting environment that encourages open discourse, civility, good order, and productivity against any member's statutory right to tape or record a Meeting and any potential for such right to be unsafe, abused, misused, or disruptive to the Westwood community. Any failure by the Association or the Board to ever enforce this policy does not constitute a waiver of any portion of this policy. The Association reserves any and all rights and remedies under the governing documents of the Association, at law, or in equity.

Scope

This policy applies to all members of the Association, and any Recording that is or will be performed, made, created, or caused by any member of the Association of any Meeting.

Rules for Recording at any Meeting

1. Any member of the Association that is or will be Recording at a Meeting must first deliver by letter or email advanced written notice ("Notice") at least twenty-four hours prior to such Meeting to the Board and the property manager in the form attached hereto as Exhibit "1." Each member of the Association that undertakes or causes Recording at a Meeting must deliver their own Notice even if more than one member are using the same Recording

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Devices or own the same parcel(s) (*i.e.*, more than one member may not deliver the same Notice; each must deliver their own Notice).

2. At the very beginning of any Meeting at which any Recording will occur, the Board must read or cause to be read aloud the corresponding Notice in its entirety and show or display any and all photographs of any Recording Devices (attached to any such Notice) to all those present at such Meeting, regardless of whether such Notice was timely delivered to the Board. The foregoing disclosure of any Notice does not constitute a waiver of any remedy under the governing documents of the Association, at law, or in equity available to the Association against any member who violates this policy.

3. At all times, any and all Recording Devices:
 - a. may not be used, placed, or located within 15 feet (horizontally or vertically) of any and all members of the Board, members of any committee formed by the Board, the Association's property manager, or the Association's attorneys;
 - b. may not be used, placed or located in any manner which obstructs, disrupts, or interferes with any Meeting or anyone present at any Meeting;
 - c. may not emit any form of harmful, hazardous, offensive, distracting or disruptive light, sound, noise, odor, or any other substances;
 - d. may not be used, placed or located in any manner which takes up more floor space than the member's own chair, in order to maximize available seating and standing space for others that may attend any Meeting;
 - e. may not be used, placed or located in any manner which is unlawful, lewd or lascivious, or otherwise inappropriate;
 - f. must be used, placed or located in a manner that is completely unconcealed, conspicuous, open, obvious, and clearly visible to all present at any Meeting; and
 - g. must be used, placed or located in a manner that is safe, that does not cause or create any form of harm, hazard, injury, or damage to people or property, and that does not block, obstruct, or interfere with any form of fire safety devices or systems, or any indoor or outdoor walkway, driveway, or avenue of ingress, egress, or exit.

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4. Any member of the Association, at the member's sole cost and expense, who causes, performs, makes, or creates a Recording at a Meeting, must deliver to the Board and the property manager:
 - a. within forty-eight hours of the particular Meeting that was recorded, a fully functional and complete digital copy of each and every Recording, and
 - b. within fourteen days of the particular Meeting that was recorded, a certified, written and complete transcript of each and every Recording, drafted and certified by a professional stenographer.
5. Each violation of this policy committed by a member of the Association will result in the Association imposing against such member the maximum daily fine allowable for each violation under the law and the governing documents of the Association. Additionally, the Association reserves all rights and all remedies under the governing documents of the Association, at law, or in equity.
6. The Board may create or cause to be created a Recording at any Meeting. The Board is exempt from Rule No. 4, and any delivery requirements or delivery deadlines under Rule No. 1. The Board will maintain a digital copy of any Recording it creates or causes to be created for only a period of sixty days immediately following the Meeting at which the Recording is made.
7. Any member of the Association who causes, performs, makes, or creates and Recording at any Meeting is solely responsible for the content of any such Recording.
8. All members of the Association, and their respective tenants and proxies are hereby placed on notice that all Meetings are subject to Recording in accordance with this policy.

Access to Recordings and Written Transcripts

1. Requests for records must be directed to the Association's management company.
2. If the Board creates a Recording it will be maintained by the Board for only a period of sixty days immediately following the Meeting at which the Recording is made.

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EXHIBIT "1"

NOTICE OF RECORDING A MEETING

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