

# ORA at Melbourne Beach, Inc

## Continuing Resolutions of the Board of Directors

From time to Time the board of Directors may adopt a resolution establishing the duties of a particular committee, procedures for carrying out the duties of the Board, etc. These resolutions exist only for the period of time as the Board chooses to adopt them. Each year the Board reviews each continuing resolution and either vote to continue its use, modifies the resolution to suit present needs or abandons a previously adopted resolution if the Board decides it is unsuitable for present conditions. From these resolutions comes Board policy.

### BOARD OF DIRECTORS - RESOLUTIONS IN EFFECT

Page #	Resolution Name	Original Approval	Updated Approval Date
3.	Banking procedures (revised)	January 20, 2004	March 11, 2017
4.	Budget Adoption	Rev December 10, 2016	March 11, 2017
5.	Reserves for Deferred Maintenance And Capital expenditures	December 2, 2006	March 11, 2017
6.	Collection of Assessments and Other accounts receivable	January 14, 2003	March 11, 2017
7.	Reporting Responsibilities of Committee Chairpersons Resolutions for Committees	March 20, 2001	March 11, 2017
8. a.	Buildings	Rev. March 15, 2008	March 11, 2017
9. b.	Document Review Committee	Rein. April 21, 2012	March 11, 2017
10. c.	PI/LR Planning	Rev. March 15, 2008	March 11, 2017
11. d.	Ombudsman	April 3, 1993	March 11, 2017
12. e.	Recreation	April 3, 1993	March 11, 2017
13. f.	Safety and Security	April 3, 1993	March 11, 2017
14. g.	Election/Ballot Process	March 31, 2007	March 11, 2017
15. h.	Beautification	March 31, 2007	March 11, 2017
16. i.	Covenants Enforcement Officer	March 15, 2008	March 11, 2017
17. j.	Collection and handling of Money by committees	Nov 15, 2008	March 11, 2017
18. k.	Park Directory	Nov 15, 2008	March 11, 2017
19.	Contracting for services	March 31, 2001	March 11, 2017
20.	Handling of Owners' Petitions	March 11, 1995	March 11, 2017
22.	Inspection of corporate books And Records	March 11, 1995	March 11, 2017
24.	Current List of Lot Owners	Rev. 3/15/2008	March 11, 2017
25.	Seawall Maintenance	April 1, 1993	March 11, 2017

Board of Directors Resolutions in Effect

26. Meetings of BOD and Committees	April 1, 1993	March 11, 2017
28. Replacement of palm tree	Rev. April 21, 2012	March 11, 2017
29. Use of River Club	Rev January 17, 2015	March 11, 2017
30. Frequently Asked Questions	Rev December 10, 2016	March 11, 2017
32. Procedure for Enforcement Of Violations Construction, Repair,	January 17, 2004	March 11, 2017
34. Maintenance of Electrical Supply System	January 16, 2010	March 11, 2017
35. Maintenance of Water Supply System	January 16, 2010	March 11, 2017
36. Maintenance of Lawn Irrigation Water Supply System	March 13, 2010	March 11, 2017
37. Maintenance of ORA Pagoda Light System	March 13, 2010	March 11, 2017
38. Spending Procedures for ORA Recreation Committee	Rev April 16, 2016	March 11, 2017
39. Establishing Trailer Placement Guidelines	November 12, 2011	March 11, 2017

**ORA at Melbourne Beach, Inc.**

**A Resolution of the Board of Directors Establishing Procedures for Banking**

**BE IT RESOLVED:**

That the Bank be advised-by the Secretary the names *and* signature capacities of the Association Officers: any two of the BOD Officers (if and when appointed) are empowered to sign checks and other orders for payment of money. **Other signees may be designated from time to time by the President, Vice President or Treasurer**

**WITH RESPECT TO THE OPERATING ACCOUNT:** any two of the President, Vice-President and Treasurer (If and when appointed) may issue instructions to the Bank authorizing the transfer of funds from this account to the Restricted Savings Account to meet budgeted allocations in the Reserve for Capital Expenditures and Deferred Maintenance Schedule forming part of The Annual Budget.

**WITH RESPECT TO THE RESTRICTED SAVINGS ACCOUNT:** any two of the President, Vice-President and Treasurer may transfer funds from this account into the Association Operating Account. All transfers and disbursements are to be made by withdrawal and deposited to the operating account and a check written under the signing authority stated above.

**WITH RESPECT TO THE LEASING OF A SAFE DEPOSIT BOX:** any two of the President, Vice-President, Treasurer or Secretary are empowered to sign the Bank standard form of lease agreement when the need for a safe deposit box by the Association arises. Access to the Association Safe Deposit Box on behalf of the Association is authorized by any two of the following: President, Vice-President, Secretary or Treasurer.

BE IT further RESOLVED: that in respect to the investment of surplus funds which the Association may wish to place in instruments of deposit from time to time to generate a higher return whether with the Bank or with another institution covered by adequate investor protection such as FDIC (Federal Deposit Insurance Corporation) or SIPC (Securities Investor Protection Corp.) Be the responsibility of the President, Vice President, Treasurer and Assistant Treasurer and that any two of the foregoing be empowered to sign any documents or deposit instruments pertaining thereto.

That the Secretary conveys the content of this resolution to the Bank on their standard forms over his/her signature with the corporate seal of the Association affixed.

Adopted by the Board of Directors this 20<sup>th</sup> day of April, 2013

By: Ronald True Secretary

From this Resolution, Board policy is established

**ORA AT MELBOURNE BEACH, INC.**

**A RESOLUTION FOR BUDGET ADOPTION**

The revised budget dated December 10, 2016 for the fiscal year of the Association beginning January 1, 2017, calling for the Unit Owner support in the monthly amount of \$200.00 to be adopted as presented.

1. The adoption of this Budget shall constitute authority for the Resort Manager to carry through the maintenance and upkeep of the Common Elements forming part of this Resort and the maintenance services for individual owner units as detailed by the various budget expense line items, without further Board authority except as hereinafter provided..

2. Any expenditure from the Association Restricted Funds, other than capital expenditures, must be approved by the Treasurer and the President or Vice-President and they will, in turn be responsible to the Board of Directors.

3. Any capital expenditure from the Association Restricted Funds over \$2,000.00 must have documentation and must have the express consent of the majority of the Board of Directors by Board Motion.

Adopted by the Board of Directors this 10th day of December, 2016

By: Jay Hopay, Treasurer Board of Directors

From this resolution, Board policy is established.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING POLICIES  
AND PROCEDURES FOR BUDGETING RESERVES FOR DEFERRED  
MAINTENANCE AND CAPITAL EXPENDITURES**

**WHEREAS** there have been various methods utilized in funding and purchase of Capital Assets by the Association since 1983. And

WHEREAS it is now necessary to implement a consistent accounting procedure,

**BE IT RESOLVED:**

That the yearly maintenance budget continue to provide sufficient monies in a Reserve Account to fund replacement of certain condominium property and provide for the long term maintenance of certain condominium property, when the cost of any individual items exceeds \$10,000.00 in accordance with Florida Statutes 718.112(2)(£)2. With respect to this particular Condominium the Common Elements for which funding is to be provided are:

Roof Replacement (all structures) Building Paint (all structures)  
Building Replacement  
Pavement resurfacing (roadways and parking area) Fishing Pier  
Pools  
Boardwalk (Ocean and River)  
Sea wall (Abutting River Club and River Pool) Swimming pools (resurfacing, heating and filter systems) Tennis and Shuffleboard courts (resurfacing)  
Electrical Box inspection  
Air conditioning and heating units  
Gate System  
Major appliances  
Plumbing Fixtures  
Golf Carts  
Fences  
Plus other specific items which the Board of Directors may deem necessary from time to time.

Adopted by the Board of Directors, this 20<sup>nd</sup> day of April, 2013.

By: Ronald True, Secretary

From this Resolution, Board policy is established

**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING POLICIES  
AND PROCEDURES FOR COLLECTION OF ASSESSMENTS AND  
OTHER ACCOUNTS RECEIVABLE**

Lot owner share of common expenses will be calculated on a monthly basis in accordance with Article VII, Fiscal Management, Section 4 of the By-Laws and paragraph 12.9 of the Declaration of Condominium, but billed quarterly in advance to enable the Association to meet anticipated current operating expenses. Metered water consumption, special assessments and other amounts due the Association will be included in the quarterly billing.

Billing will be processed and mailed the 10<sup>th</sup> of the month prior to the start of the Billing quarter. If the 10<sup>th</sup> should fall on Saturday, billing will be mailed on the 9<sup>th</sup>.

Although billed quarterly as noted in 1, above, each monthly assessment for Common expenses is considered due and payable on the first day of each month in the respective three- month billing period and considered to be delinquent on the 11<sup>th</sup> day of that particular month in accordance with paragraph 9.2 of the Declaration of Condominium. All other amounts included in the account rendered are due on the first day of the first month in the quarter billed and become delinquent on the 11<sup>th</sup> day of that month.

1. There will be no discount for prepayment of maintenance fees.

2. A late fee of Twenty-Five Dollars (\$25) will be assessed from the date of the Delinquency plus interest on the total balance in arrears will be at the highest rate provided by law, calculated from the date of the delinquency.

3. If any installment of an assessment remains unpaid **90 days** after the same shall become due, the Board of Directors may declare the entire annual assessment as to delinquent Lot Owner due and payable in full as if the entire payment was originally assessed. The Association, through the Board of Directors, shall then instruct the Association Attorney to file a lien against the delinquent Lot Owner, in accordance with paragraph 9.3 of the Declaration of Condominium.

Adopted by the Board of Directors this 20<sup>th</sup> day of April, 2013 .

By: Ronald True, Secretary

From this resolution, Board policy is established

ORA at Melbourne Beach, Inc.

**A Resolution of the Board of Directors Hereby Establishing the Reporting Responsibilities of Committee Chairpersons**

WHEREAS, in the interest of efficiency, the Committee Chairpersons Minutes are distributed in writing in lieu of being read: and

BE IT RESOLVED: Advisory and Standing Committee reports will be written and become part of the official records. Committee Chairpersons must submit these reports to the Board Secretary no less than five (5) days prior to the Board Meeting. The Board Secretary will duplicate and distribute copies to all Board members.

In addition, Committee Chairperson may also read their reports orally at the meeting.

Adopted by the Board of Directors: April 20th, 2013

By: Ronald True, Secretary

From this Resolution, Board policy is established

ORA AT MELBOURNE BEACH, INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEARBY ESTABLISHING THE DUTIES  
OF BUILDINGS COMMITTEE**

BE IT RESOLVED:

The Buildings Committee will be guided in the performance of its duties as follows:

**COMPOSITION AND TERM OF OFFICE:** The Buildings Committee shall consist of a Chairperson, appointed by the President, and two or more members, appointed by the Chairperson, to serve from the close of the Annual Meeting until the close of the next Annual Meeting. The Buildings Committee is permitted to form subcommittees as necessary.

**MEETING REQUIREMENTS:** The Chairperson, upon appointment, is to establish meeting dates. Posting of meetings must conform with F.S. 718. Typed minutes of each meeting will be furnished to the Board of Directors, through the Board Liaison. The minutes will be maintained in the Official Records Book and a copy maintained by the Chairperson to be turned over to each succeeding Chairperson.

Duties:

- a. Yearly inspect all buildings, swimming pools, (also decks, tennis courts, shuffleboard courts, docks and tiki sun structures.
- b. Prepare a list of recommendations for improvement and or repair and submit this report to the Board of directors each year prior to the annual owners meeting in February.

**GENERAL:** Committee actions are subject to approval by the Board of Directors and are subject to all requirements of F.S. 718.

**ADOPTED BY THE BOARD OF DIRECTORS April 20th, 2013.**

By: Ronald True, Secretary

From this resolution, Board policy is established.



**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING DUTIES OF A DOCUMENT REVIEW COMMITTEE**

The Document Review committee will be guided in the performance of its duties as follows:

**COMPOSITION AND TERM OF OFFICE:** The Document Review committee shall consist of a Chairperson, appointed by the President, and two or more members, appointed by the Chairperson, to serve from the close of the Annual Meeting until the close of the next annual Meeting.

**MEETING REQUIREMENTS:** The Chairperson, upon appointment, to establish meeting dates. Posting of meetings must conform with FS.718. Typed minutes of each meeting will be furnished to the Board of Directors, through the Board liaison. The minutes will be maintained in the official records book and a copy maintained by the Chairperson to be turned over to each succeeding Chairperson.

Functions:

- a. Review the Association's articles of Incorporation, Declaration of condominium, By-Laws, and Rules and Regulations annually or at any time when specifically directed by the Board of Directors.
- b. Review all Florida Statutes, Administrative codes, Brevard County codes applicable to our operation and recommend necessary changes to our Declaration and By-Lawsto ensure compliance with all applicable regulations.
- c. This committee responds only to the Board of Directors and will recommend any proposed changes to the Board of Director for review, through the Board liaison.

**GENERAL:** Committee actions are subject to approval by the Board of Directors and are subject to all requirements of FS.718.

Adopted by the Board of Directors this 20th day of April, 2013

By: Ronald True, Secretary

From this resolution, Board policy is established.

ORA AT MELBOURNE BEACH, INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING THE DUTIES OF THE  
PARK IMPROVEMENT/ LONG RANGE PLANNING COMMITTEE**

That in as much as it is in the interest of Unit Owners of ORA at Melbourne Beach, Inc., to be concerned for the long term future of ORA at Melbourne Beach, Inc., as it pertains to the maintenance, improvement and increase in the quality and value of their investment therein; and

That, therefore, it is incumbent upon the Board of Directors, ORA at Melbourne Beach, Inc., to provide the means by which studies can be conducted and actions recommended to Unit Owners to achieve the desired goals; and

Therefore, the Board of Directors does hereby establish a committee to be known as the **Park Improvement/ Long-Range Planning Committee**, to be organized and charged as follows:

The **Park Improvement/ Long Range Planning Committee** will be guided in the performance of its duties as follows:

1. **COMPOSITION AND TERM OF OFFICE:** The Long Range Planning Committee shall be a permanent committee, which shall consist of four (4) members; to include the Vice-President, the Treasurer, one (1) other Member of the Board of Directors and one (1) member selected by the President from among the owners. The Vice-President will be the Chairperson. Committee members should be selected so that at least one member is carried over to the new committee, when appointed annually, for purposes of continuity.
2. **MEETING REQUIREMENTS:** The Chairperson, upon appointment, to establish meeting dates. Posting of meetings must conform with F.S. 718. Typed minutes of each meeting will be furnished to the Board of Directors, through the Chairperson. The minutes will be maintained in the Official Records Book and a copy of all minutes and copies of any studies produced by Working Groups on its behalf shall be maintained by the Chairperson to be turned over to each succeeding Chairperson.
3. As the nature of its investigations may require, the Chairperson shall select Working Groups, composed of volunteer Unit Owners, to study problems and questions that the Committee might pose. The working groups will pass the results of their studies to the Committee.

**One such working group shall be the Document Review Group whose duties shall be to:**

Recommend changes to the Association's Articles of Incorporation, Declaration of condominium, By-Laws, Rules and Regulations, and Continuing Resolutions at any time when specifically directed by the Board of Directors; ensuring that we are in compliance with all Florida Statutes, Administrative codes, and Brevard County codes applicable to our operation.

4. The Committee shall formulate recommendations with respect to matters under its charge, and pass such recommendations to the Board of Directors for consideration and or action. One purpose of this multi-tiered process is to ensure the broadest possible representation in these deliberations.

Adopted by the Board of directors this 20th day of April, 2013

By: Ronald True, Secretary

From this resolution, Board policy is established.

ORA AT MELBOURNE BEACH, INC.

A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING DUTIES  
OF  
OMBUDSMAN COMMITTEE

The Ombudsman committee will be guided in the performance of its duties as follows:

1. **COMPOSITION AND TERM OF OFFICE:** The Ombudsman committee shall consist of a Chairperson, appointed by the President, and two or more members, appointed by the Chairperson, to serve from the close of the Annual Meeting until the close of the next annual Meeting.
2. **MEETING REQUIREMENTS:** The Chairperson, upon appointment, to establish meeting dates. Posting of meetings must conform to FS. 718. Typed minutes of each meeting will be furnished to the Board of Directors through the Board liaison. The minutes will be maintained in the official records book and a copy maintained by the Chairperson to be turned over to each succeeding Chairperson.
3. **FUNCTIONS:** Act in an advisory capacity to the Board of Directors in matter concerning the residents of the Resort and to communicate in writing with the liaison to the manager.
  - a. Reporting grievances of the residents.
  - b. Reporting ideas for improvement of the Park and its facilities presented by the residents.
  - c. To communicate in writing thru the Board liaison items concerning maintenance, rules, grounds and any other matter affecting the residents of the Resort.

**GENERAL:** Committee actions are subject to approval by the Board of Directors and are subject to all requirements of FS.718.

Adopted by the Board of Directors this 20th day of April, 2013

By: Ronald True, Secretary

From this resolution, Board policy is established.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING DUTIES OF A RECREATION COMMITTEE**

The Recreation committee will be guided in the performance of its duties as follows:

**COMPOSITION AND TERM OF OFFICE:** The Recreation committee shall consist of a Chairperson, appointed by the President, and two or more members, appointed by the Chairperson, to serve from the close of the Annual Meeting until the close of the next annual Meeting. Membership of the committee shall be ratified by the Board of Directors.

**MEETING REQUIREMENTS:** The Chairperson, upon appointment, is to establish meeting dates. Posting of meetings must conform to FS.718. Typed minutes of each meeting will be furnished to the Board of Directors, through the Board liaison. The minutes will be maintained in the official records book and a copy maintained by the Chairperson to be turned over to each succeeding Chairperson.

Functions:

- a. Propose recreational programs
- b. Review Recreational equipment and submit all requests for additional equipment to the Treasurer with a copy to the Resort Manager for inclusion in Annual Budget.
- c. Prepare Recreation Budget for activities income and expense.
- d. Recommend pricing structure with respect to user-pay recreational activities.

**GENERAL:** Committee actions are subject to approval by the Board of Directors and are subject to all requirements of S. 718.

Adopted by the Board of Directors this 20th day of April, 2013

By: Ronald True, Secretary

From this resolution, Board policy is established.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING DUTIES OF SAFETY AND SECURITY COMMITTEE**

The Safety and Security committee will be guided in the performance of its duties as follows:

**COMPOSITION AND TERM OF OFFICE:** The Safety and Security committee shall consist of a Chairperson, appointed by the President, and two or more members, appointed by the Chairperson, to serve from the close of the Annual Meeting until the close of the next Annual Meeting.

**MEETING REQUIREMENTS:** The Chairperson upon appointment, to establish meeting dates. Posting of meetings must conform to FS.718. Typed minutes of each meeting will be furnished to the Board of Directors, through the Board liaison. The minutes will be maintained by the Chairperson to be turned over to each succeeding Chairperson.

**FUNCTIONS:** Act in an advisory capacity to the Board of Directors in matters concerning the residents of the Resort and to communicate in writing with the liaison to the manager.

a. Develop a program to provide for the safety and security of all members of the association, tenants, guests and all properties both common and privately owned.

b. Review and recommend to the Board of Directors ways and means to secure all of our front entrances, river front, ocean pool, beach and all amenities and equipment, etc. and any concerns of safety or security as may from time to time come before the committee.

c. Shall keep regular minutes of meetings and report on all such proceedings to the Board of Directors when required.

**GENERAL:** Committee actions are subject to approval by the Board of Directors and are subject to all requirements of FS. 718.

Adopted by the Board of Directors this 20th day of April, 2013.

By: Ronald True, Secretary

From this resolution, Board policy is established.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEARBY ESTABLISHING THE DUTIES  
OF ELECTION/BALLOT PROCESS COMMITTEE**

BE IT RESOLVED:

The ELECTION/BALLOT PROCESS Committee will be guided in the performance of its duties as follows:

**COMPOSITION AND TERM OF OFFICE:** The ELECTION/BALLOT PROCESS Committee shall consist of a Chairperson, appointed by the Board of Directors and any number of members as the Chairperson may deem necessary to complete the task of preparing for elections and counting ballots, appointed by the Chairperson, to serve from the close of the Annual Meeting until the close of the next Annual Meeting. The Committee is permitted to form subcommittees as necessary.

**MEETING REQUIREMENTS:** The Chairperson, upon appointment, may call meetings of the Committee as needed. Posting of meetings must conform to F.S. 718. Typed minutes of each meeting will be furnished to the Board of Directors, through the Board Liaison who shall be the Secretary of the Board. The minutes will be maintained in the Official Records Book and a copy maintained by the Chairperson to be turned over to each succeeding Chairperson.

**Functions**

- a. Ballot / Election Committee advises the Board of Directors as to proper procedures for conducting an election as required by Florida Statutes.
- b. Ballot/Election Committee assists the Secretary of the Board in implementing ballot proper procedures to assure elections conform to our documents and Florida statutes.
- c. Ballot/Election Committee verifies that names on outer ballot envelopes conform to our latest notarized list of owners maintained in the condo office.
- d. Ballot /Election Committee conducts ballot count at the date and time selected and properly posted by Secretary of the Board. Counting of ballots for election of Board Members must be done during the annual owners meeting.
- e. Chair of the Ballot/Election Committee informs Board Secretary of Ballot results. All Ballots are turned over to the Secretary for safekeeping.

Adopted by the Board of Directors April 20th, 2013

By: Ronald True, Secretary

From the Resolution, Board policy is established.

**ORA @ Melbourne Beach Inc.**

**A RESOLUTION OF THE BOARD OF DIRECTORS HEARBY ESTABLISHING THE  
DUTIES OF ORA PARK BEAUTIFICATION COMMITTEE**

BE IT RESOLVED:

The ORA Beautification Committee will be guided in the performance of its duties as follows:

**COMPOSITION AND TERM OF OFFICE:** The Committee shall consist of a Chairperson or Co-Chairpersons, appointed by the President of Board of Directors and any number of members and sub committees as the Chairperson(s) may deem necessary to beautify our park and to maintain that condition.

**MEETING REQUIREMENTS:** The Chairperson(s), upon appointment, may call meetings of the Committee as needed. Posting of meetings must conform to F.S. 718. Typed minutes of each meeting will be furnished to the Board of Directors, through the Board Liaison who shall be the Treasurer of the Board. The minutes will be maintained in the Official Records Book and a copy maintained by the Chairperson(s) to be turned over to each succeeding Chairperson(s).

Functions:

- a. Work with existing master plan for Park beautification involving as many owners as possible in the planning stages.
- b. Organize volunteers into a set of working committees to plan for park beautification.
- c. Carry out a plan of park beautification to include but not limited to:
  1. Arranging for selection, purchase and planting of appropriate bushes, shrubs, flowers and trees. Items selected will be on the approved listing of plants as identified by the Brevard County Cooperative Extension Service.
  2. Arranging for continuing care of the above items. These efforts are to be coordinated with our Park Manager who shall oversee maintenance and care with our work crew, volunteers and or professional landscape companies as needed.
  3. Work with the manager, treasurer and Board to ensure that sufficient monies are made available in the ORA budget for proper plant replacement and maintenance.

Adopted by the Board of Directors April 20th, 2013

By: Ronald True, Secretary

From this Resolution, Board policy is established.

ORA AT MELBOURNE BEACH, INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING  
PROCEDURES FOR  
A COVENANTS ENFORCEMENT OFFICER**

A Covenants Enforcement Officer will be guided in the performance of its duties as follows:

**TERM OF OFFICE:** The Covenants Enforcement Officer shall be appointed by the President of the Board of Directors to serve from the close of the Organizational meeting until the close of the next Organizational Meeting.

**FUNCTIONS:**

A. Violations shall be enforced as per ORA at Melbourne Beach, Inc. Administrative Rules and Regulations. If after receiving a notice of violation, the individual receiving the violation, the person issuing the violation or any other ORA Unit Owner disagrees, the violation can be appealed to the Board of Directors who in turn will submit it to the Covenants Enforcement Officer for investigation and recommendations.

B. To be charged with determining through an investigation whether there is probable cause that any of the provisions of the Declaration of Condominium, the Articles of Incorporation, the By-Laws or the Rules and the By-Laws or the Rules and Regulations of the Association are being or have been violated. In the event of an instance of such probable cause it shall be reported to the Board of Directors. The Board of Directors shall there upon provide written notice to the alleged violator as well as written notification to the owner of the unit occupied by the alleged violation, or the ORA Rental Office if the alleged violator is a renter through the Rental Office as an agent for the lot owner, the specific nature of the alleged violation and the opportunity for a hearing before the Board of Directors upon request made within (14) days of the sending of the notice. The notice shall also specify, and it is hereby provided, that each recurrence of the alleged violation of each day during which it continues shall be deemed a separate offense, subject to a separate fine, all fines not to exceed fifty dollars each. Pursuant to this notice, the procedures set forth by our documents, Article VI. Section 2. (a), (b), (c), (d), and (e) and the Florida Statute 718.303 (3).

C. Renters found to be in violation must be reported to the Rental Office for action.

Adopted by the Board of Directors this 20<sup>th</sup> day of April, 2013.

By: Ronald True, Secretary

From this resolution, Board policy is established.



**ORA@ MELBOURNE BEACH INC.**

**A RESOLUTION OF THE BOARD OF DIRECTORS HEARBY ESTABLISHING  
COLLECTION AND DISTRIBUTION OF MONEY BY ORA COMMITTEES**

WHEREAS there have been various methods utilized in collection and distribution of money by sanctioned ORA committees and

WHEREAS it is now necessary to implement a consistent accounting procedure to ensure our compliance with Florida accounting procedures and sound money management,

All monies collected by ORA Committees be collected, secured and disbursed in the following manner:

- a. All monies shall be turned into the ORA Condo Office no later than the next business day following receipt of said funds.
- b. These funds will be recorded in the ORA Operating Budget and maintained under lock and key until they can be deposited into the ORA Operating Checking Account
- c. After said funds are recorded and deposited they may then be disbursed by approved check to an authorized individual for an approved purpose.

Adopted by the Board of Directors this 20<sup>th</sup> day of April 2013.

By: Ronald True, Secretary

From this resolution Board Policy is established.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEARBY ESTABLISHING  
THE DUTIES OF PARK DIRECTORY COMMITTEE**

The PARK DIRECTORY Committee will be guided in the performance of its duties as follows:

1. **COMPOSITION AND TERM OF OFFICE:** The PARK DIRECTORY Committee shall consist of a Chairperson, appointed by the President, and two or more members, appointed by the Chairperson, to serve from the close of the Annual Meeting until the close of the next Annual Meeting. The PARK DIRECTORY Committee is permitted to form subcommittees as necessary.
2. **MEETING REQUIREMENTS:** The Chairperson, upon appointment, is to establish meeting dates. Posting of meetings must conform with F.S. 718. Typed minutes of each meeting will be furnished to the Board of Directors, through the Board Liaison. The minutes will be maintained in the Official Records Book and a copy maintained by the Chairperson to be turned over to each succeeding Chairperson.
3. **DUTIES-** Yearly organize the creation and distribution of a new Park Directory and to solicit local companies doing business with ORA for advertising space in the directory.
4. **GENERAL:** Committee actions are subject to approval by the Board of Directors and are subject to all requirements of F.S. 718.

Adopted by the Board of directors this 20<sup>th</sup> day of April, 2013

By: Ronald True, secretary

From this resolution board policy is established.

## Ora at Melbourne Beach, Inc

### **A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING POLICIES AND PROCEDURES FOR CONTRACTING FOR PRODUCTS AND SERVICES**

All contracts for the purchases, lease or renting of materials or equipment to be used by the Association must be in writing.

Contracts with employees of the Association for Attorneys, Accountants, Architect, Engineering and Landscape Architect services are exempt, as are the obtaining of products and services in an emergency or where there is only one source of supply within Brevard County.

A worker is considered an employee of the Association, and thus exempt from the above provisions of services, where the Association pays or deducts, for on behalf of the worker, Social Security tax, Unemployment Compensation taxes and Federal Withholding taxes.

If contract is for the purchase, lease, or renting of materials or equipment, or for the provision of services, or which the association will pay more than \$500.00 including reserves, a minimum of three (3) competitive bids must be obtained when available. However, the Association need not accept the lowest bid.

All written contracts for operational, maintenance, or management services of the Association for which the Association pay compensation must:

- a. Specify the services, obligations and responsibilities of the party contracting to provide maintenance or management services to the lot owners.
- b. Specify those cost incurred in the performance of those services, obligations or responsibilities which are to be reimbursed by the Association to the party contracting to provide maintenance or management services.
- c. Provide an indication of how often each service obligation or responsibility is to be performed.
- d. Specify a minimum number of personnel to be employed by the party contracting to provide maintenance services to the Association.

Special care needs to be taken with regard to leases of conveyance property and services, especially laundry equipment. Florida Statute 718.36 states "an association should never sign a contract unless it has been thoroughly read and understood and the association's counsel has been involved".

Adopted by the Board of Directors this 20<sup>th</sup> day of April, 2013.

By: Ronald True, Secretary

From this resolution, Board policy is established.

## **ORA at Melbourne Beach, Inc**

### **A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING THE POLICIES AND PROCEDURES FOR HANDLING OF OWNER PETITIONS**

Be It Resolved:

That whereas the Declaration of Condominium and By-Laws of ORA at Melbourne Beach, Inc. do not provide policies and procedures for the preparation, submission and action by the Board of Directors on owner petitions;

And, whereas, petitioning of the Board of Directors by owners is a right to be fully respected by the Board of Directors;

Therefore, the Board of Directors does hereby adopt the following procedures:

1. Owners have the right to petition the Board of Directors at any time for any reason. All petitions must have 25% (144) signatures of the 576 designated voters of record to be accepted for action by the Board of Directors.
2. If a petition proposes a change to the Declaration of Condominium or By-Laws, the petition must contain the specific reference to those section(s) of the Document(s) to which the change is proposed and must contain the specific wording of the proposed change. The petition is required to conform to Florida statute 718.110 1 (a), 1 (b), and 1 (c). If the matter being petitioned does not require change to the Declaration of Condominium or By-Laws, the wording of the petition must be specific and sufficiently clear to stand without further amplification
3. In accordance with paragraph 18 of the Declaration of Condominium of ORA at Melbourne Beach, Inc. and Article IX of the By-Laws of aforesaid Condominium:
  - a. If a petition requiring change to section 8.1 of the Declaration of Condominium (Common Elements) receives a majority approval by the Board of Directors in a regularly scheduled meeting, the petition will be presented to all voting interests by ballot, and will require a two thirds vote of all owners in the affirmative for approval. If the petition proposes to offer amendments to the Declaration not affecting common elements, and receives a majority approval of the Board of Directors in a regularly scheduled meeting, the petition will be presented to all voting interests by ballot, and

will require a majority vote of all owners in the affirmative for approval.

(Section 18 of Declaration of Condominium, number 18.)

- b. A petition requiring a change to the By-Laws, approved unanimously by the Board of Directors, will require a majority vote (289) of Lot Owners for approval. If approval by the Board of Directors is less than unanimous, an affirmative vote by two thirds vote (384) of the Lot Owners will be required for approval.
  - c. This balloting will occur one (1) time for each petition, and no more than once annually for the same issue.
4. If a petition does not require change to the Declaration of Condominium or By-Laws, the petition may be approved by majority vote of the Board of Directors at the next BOD Meeting, while meeting all requirements of Florida Statute 718.
  5. In the event that a petition fails to receive approval by the Board of Directors, the petition will be returned to its initiators under cover of an appropriate letter.

ADOPTED BY THE BOARD OF DIRECTORS this 20th day of April , 2013

By: Ronald True, Secretary

From the resolution, Board policy is established.

## **ORA at Melbourne Beach, Inc**

### **A Resolution of the Board of directors Hereby Establishing Policies and Procedures for Inspection of Corporate Books and Records**

Be It Resolved:

1. That inspection of corporate books and records will be conducted in accordance with Florida Statute 718.
2. That the purpose of this Resolution is to outline the procedures by which unit owners or their representatives may request permission to inspect, review, make extracts, and procure copies of the corporate records of ORA at Melbourne Beach, Inc.
3. That the following shall constitute the official Records of the Association.
  - a. Plans, permits, warranties and other items provided by Outdoor Resorts at Melbourne Beach, Inc. a Florida corporation
  - b. Recorded Articles of Incorporation
  - c. Recorded By-Laws
  - d. Recorded Declaration of Condominium
  - e. Current Rules and Regulations of the Association.
  - f. Minutes Book
  - g. Current roster of all unit owners and their mailing addresses and if known telephone numbers
  - h. Accounting records for the Association
  - i. Bill(s) of sale or transfer(s) for any Association property
  - j. ballots and all paperwork relating to an election for a period of one year from the date of the meeting
  - k. A copy of the current Question and Answer Sheet
  - l. All other records of the Association not specifically included in the foregoing which are related to the operation of the Association
4. That upon written request, using the form or similar form as attachment (A), unit owners shall have the right to examine in person or by agent or attorney, at any reasonable time or times, for any proper purpose, the relevant books and records of accounts, minutes and records of units and to make extracts there from. The unit owner requesting to inspect the records will comply with the following:

- a. The request must be stated in writing
  - b. Indicate what procedure is to be used in inspecting the records and inspection date and time.
  - c. Include a statement that requestor will not sell or offer for sale, any list of unit owners obtained as a result of the inspection.
5. That the right to inspect the records includes the privilege to make or obtain copies at the “current rate” per copy.
  6. That inspection of the books and records of the Association will be requested from, and inspected in the company of the Resort designee responsible for those records
  7. That inspection of the books and records will be done in the appropriate office of the Association
  8. That reasonable time as used herein will be considered a time mutually agreed upon by the requestor, within five (5) working days after the receipt of written request, and the Resort designee responsible for the records between the hours of 9:00 A.M. and 3 P.M., Monday thru Fridays.
  9. That official records available for inspection do not include access to professional staff for in depth answers. This will be done at the expense of the owner who desires further explanations.
  10. That following records shall not be accessible to unit owners in accordance with F.S. 718.111 (15) c.
    - a. A record which was prepared by an Association attorney or prepared at the attorney’s express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the Association and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of imminent civil or criminal litigation or immanent adversarial administrative proceedings until the conclusion of the litigation or adversarial administrative proceedings.
    - b. Information obtained by an association in connection with the approval of the lease, sale or other transfer of a unit
    - c. Medical records of unit owners

Adopted by the Board of directors this 20<sup>th</sup> day of April, 2013

By: Ronald True, Secretary

From this resolution, Board policy is established

## Attachment ( A )

### DEMAND FOR INSPECTION OF CORPORATE BOOKS AND RECORDS

The undersigned, \_\_\_\_\_, does hereby state that he/she is the Owner of tot # \_\_\_\_\_ of ORA at Melbourne Beach, Inc. The undersigned does hereby demand the opportunity to inspect the books and records of the corporation, its stock ledger and the list of Its property owners: The undersigned does further state that the inspection is sought for a proper purpose, to wit:

Purpose:

Items to inspect:

The undersigned also states that he/she has never sold nor offered for sale any list of property owners of any corporation, nor aided, abetted, or assisted any person in obtaining such a list for such purpose.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_



ORA AT MELBOURNE BEACH, INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING  
POLICIES AND PROCEDURES FOR MAINTAINING  
A CURRENT OWNERS LIST**

**WHEREAS,**

Florida Statute 718 requires that a condominium association shall maintain “A current roster of all unit owners and their mailing addresses, unit identifications, voting certifications and if known, telephone numbers. The association shall also maintain the electronic mailing addresses and the numbers designated by unit owners for receiving notice sent by electronic transmission of those unit owners consenting to receive notice by electronic transmission. The electronic mailing addresses and numbers provided by unit owners to receive notice by electronic transmission shall be removed from association records when consent to receive notice by electronic transmission is revoked. However, the association is not liable for erroneous disclosure of the electronic mail address or the number for receiving electronic transmission of notices.”

WHEREAS, it is necessary to implement a consistent procedure to create, maintain and update a current owners list:

Be it resolved:

1. That annually the Secretary of the Board of Directors or designee shall insure that the current owners file be updated no more than seventy (70) days and no less than sixty (60) days preceding the Annual Owners Meeting. Said list shall be reviewed by a licensed Florida notary and attested to as being accurate.
2. The list is to be maintained in the Office of the Condominium Association.
3. If, after the list is created for the purpose of mailing the first (1<sup>st</sup>) notice of the Annual Owners’ Meeting, a unit changes ownership, it shall be updated only upon showing (and copying) of a duly recorded original record of filing with the appropriate department of Brevard County and showing appropriate seal (s) and recording information.
4. It shall be the responsibility of each and every owner to notify the Condominium association in writing of change of ownership, change of address or change of telephone number to keep the list accurate and up to date.

Adopted by the Board of Directors this 20th day of April, 2013.

By: Ronald True, Secretary

From this Resolution, Board policy is established

ORA AT MELBOURNE BEACH INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS ESTABLISHING POLICY  
FOR THE MAINTENANCE OF SEAWALLS**

The following policy will establish ownership and responsibility for maintenance of seawalls on that part of ORA at Melbourne Beach, Inc. which is contiguous to the Indian River:

1. OWNERSHIP OF SEAWALL" That part of the seawall which abuts the River Club, River Pool and 947 Pier Lane, measuring 471 feet, more or less, is common property of ORA at Melbourne Beach, Inc. That part of the seawall which abuts 857 Pier Lane through 947 Pier Lane and 2902 Dockside through 3122 Dockside , measuring 1,142 feet more or less, is the individual property of the Unit Owners of the above listed private lots, each owner owning that part of the seawall abutting his/her Unit.
2. RESPONSIBILITY FOR MAINTENANCE. Maintenance and repair of that part of the seawall described above as common property of ORA at Melbourne Beach, Inc. will be the responsibility of the Condominium Association. That part of the seawall described above as being part of individually owned units will be repaired and maintained by the owners' of those Units, each his/her own portion of the seawall.
3. INSPECTION. The Manager will conduct an annual inspection of the entire seawall to determine its state of repair. In addition to the annual inspection, the Manager shall- inspect after any occurrence which may have caused damage to the seawall. If the Manager finds damage in that part of the seawall owned by the Association, he will arrange for immediate repair at the expense of the Association. If that portion of the seawall owned by individual Unit Owners is damaged, the Manager will notify each affected Unit Owner, in writing, of the damage and require a response within thirty (30) days of the action being taken to repair the damage. If the Owner fails to begin corrective action within thirty (30) days, the Manager may proceed to affect the necessary repair. If the Unit Owner does not make payment for the seawall repairs affected by the Manager, the Association will exercise its rights under the Declaration of Condominium and By-Laws of ORA at Melbourne Beach, Inc., to secure payment.

Adopted by the Board of Directors this 20th day of April, 2013

By: Ronald True, Secretary

From this Resolution, Board policy is established

# **ORA at Melbourne Beach, Inc.**

## **A resolution of the Board of Directors Hereby Establishing the Procedures For Meetings of the Board of Directors of ORA at Melbourne Beach, Inc., Committees as Set Forth in the By-Laws and any Committee duly appointed by the Board of Directors**

Whereas, it is in the best interest of the Resort to operate in an orderly and efficient manner and,  
Whereas, it is in the best interest of the Resort to afford the general membership with an Avenue to address the  
Board of Directors on issues that may not be specific agenda items as well as agenda items and,  
Whereas, it is in the best interest of the Resort to have the opportunity to consider the opinion and  
recommendations of the general membership prior to voting on specific issues and,  
Whereas, it is in the best interest of the Resort to operate in accordance with Section 718.112 (2) (d) F.S. we are  
required to adopt reasonable rules governing the frequency, duration and manner of unit owner  
participation.

Be It Resolved:

### 1. Meetings:

- A. Meetings of the Board of Directors and any committee thereof at which a quorum of the members are present shall be open to all Unit owners and shall be duly posted in accordance with section 718-112 (2) (c) F.S. forty eight (48) hours preceding the meeting except in an emergency. However, written notice of any meetings, at which non-emergency special assessments, or at which amendment to rules regarding unit use will be considered shall be mailed or delivered to the unit owners and posted not less than fourteen (14) days prior to the meeting. Each member of the Board of directors shall be given notice, either verbally or in writing at least five (5) days prior to such meetings in accordance with Article IV, Section 6, By Laws of ORA at Melbourne Beach, Inc. excepting Emergency meetings, in which case, Section 718.112 (2) (c) F.S. and Article IV, Section 8 shall be followed.
- B. The regularly scheduled meetings of the Board of Directors shall generally be held the second Saturday of the month as long as a quorum shall be present to hold such meeting. All committees shall be required to hold one monthly meeting as long as a quorum shall be present to hold such a meeting, the date and time to be determined by the committee.

### 2. Agenda:

- A. The agenda for all Board of Directors Meetings shall include items outlined below. May from time to time include subcommittee reports and management reports if so requested of management. Committee agendas will follow the same format.
  - 1. Call the meeting to order
  - 2. Establish Quorum
  - 3. Certification of posting
  - 4. Owner Certification
  - 5. Chair Comments
  - 6. Sec. report
  - 7. Manager's report
  - 8. Finance Committee report or Treasurer's Report
  - 9. Committee(s) Report (s)
  - 10. Old business
  - 11. New Business

12. Board Members, Discussion only
13. Correspondence
14. Adjournment
15. Owners Forum

Committee Meetings

1. Call the meeting to order
2. Establish Quorum
3. Certification of posting
4. Committee(s) Report (s)
5. Adjournment
6. Owners Comments

C. Membership Input-Any Unit owner may address the Board of Directors on a specific agenda item in the following manner.

1. Any Unit Owner must file a request to speak with the Secretary, identifying each agenda item to be addressed, prior to the meeting
2. Before addressing the agenda item, the unit owner must be recognized by the presiding officer and then be identified by name and unit number for the record.
3. The unit owner must speak only about the designated agenda item and at the point in the meeting when that agenda item is being addressed
4. The unit owner may speak no longer than three minutes on any single agenda item and no longer than 10 minutes in total, on various agenda items during the meeting

D. Tape Recording/ videotaping any unit owner may tape record or video tape.

1. The unit owner can use only equipment which does not produce distracting sound or light emissions.
2. The audio or video equipment must be assembled and place in position in advance of the start of the meeting. After the meeting has commenced, the Owner using such equipment shall not move about the meeting place.

E. Motion(s) All motions to be considered for the Board of Directors action shall be prepared and submitted to the Secretary of the Board of Directors no later than five (5) days prior to the scheduled meeting.

3. Meeting Preparation

The Secretary of the board of Directors shall distribute the following document (s) to all members of the Board of Directors at least two (2) days prior to any duly called meeting

1. Agenda
2. Manager's report
3. Treasurers report
4. Motion (s)

No matters shall come before the Board of Directors to be acted upon during a regularly scheduled meeting unless presented as set forth in Item 3. A. of this resolution.

Adopted by the Board of Directors this 20<sup>th</sup> day of April, 2013

By: Ronald True, Secretary

From the resolution Board Policy is established

ORA AT MELBOURNE BEACH, INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY ESTABLISHING  
POLICES AND PROCEDURES FOR REPLACEMENT OF PALM TREES**

BE IT RESOLVED:

Since it is the intent of the Association to have an esthetically pleasing Resort and since all lots originally had one palm tree, the Association will, after receiving a valid receipt, reimburse the Lot Owner up to \$200.00 for the planting of a Cabbage Palm or Christmas Palm to replace a missing or deceased Cabbage Palm or Queen Palm owned by ORA,

ADOPTED BY THE BOARD OF DIRECTORS, this 20<sup>th</sup> day of April, 2013

By: Ronald True Secretary

From this Resolution, Board policy is established

ORA AT MELBOURNE BEACH, INC.

A RESOLUTION OF THE BOARD OF DIRECTORS HEREBY  
ESTABLISHING POLICIES AND PROCEDURES

USE OF THE RIVER CLUB

BE IT RESOLVED:

That since there was a motion passed by the Board of Directors of ORA at Melbourne Beach, Inc on April 5, 1986 (following a survey of the ownership) as to the use, access, etc. of this facility. This Board of Directors does hereby agree that:

1. This facility (the River Club) will remain as an **adult** Owner and Long-Term Renter Facility
2. An **adult** is a person eighteen (18) years of age or older. No person younger than eighteen (18) years of age are allowed in the building unless accompanied by an **adult** Owner or an **adult** Long-term Renter.
3. Long-Term Renters may use ONLY the main part of said facility (River Club) and may **NOT** use the small room commonly called the Owner's Lounge on a regular basis.
4. Non-owners are not permitted to attend activities in the Owner's Lounge on a regular basis.
5. Usage of said facility (River Club) for major events (i.e. weddings & Anniversaries) are restricted to Owners' only and not to Owners' relatives or Friends.
6. Disregard of the above restrictions shall result in the confiscation of key and/or forfeiture of the deposit.

ADOPTED BY THE BOARD OF DIRECTORS, this 17th day of January 2015.

**By:** Ronald True, Secretary

From this Resolution, Board policy is established

FREQUENTLY ASKED QUESTIONS AND ANSWERS

Q. What are my voting rights in the Condominium association?

A. Each lot has one vote for all matters that come before the full association. A nine member Board of Directors is elected for two-year terms. Four (4) members of the Board are elected for a period of (2) years and in each alternating year five (5) Directors are elected for a period of two (2) years.

Q. What restrictions exist in the condominium documents on my right to use my lot or the facilities?

A. The Ebb Tide Condominium across A1A has a ninety-nine (99) year lease for the use of the front tennis courts. They pay an annual fee and a percentage of the operating cost of the courts.

Q. What restrictions exist in the condominium documents on the leasing of my lot?

A. Outdoor Resorts of America, developer of the Resort has a ninety-nine (99) year right to operate the rental program.

Q. How much are my assessments to the condominium association for my lot and when are they due and what is covered?

A. The condominium fee is 600 dollars (\$600.00) due and payable quarterly on January 1, April 1, July 1, and October 1 of the year. The following facilities and service are provided: Fresh water system including water meter, sewer system, electrical distribution system, originally installed patio light, cable TV, daily trash collection, recycling stations, lawn care (mowing, edging, weed control, pest control, fertilization), trimming of the original palm trees, irrigation system including maintenance, services of Manager and Staff, insurance coverage of common property, and maintenance of common property.

The following services are NOT provided: maintenance of individual flower beds (such as weeding and mulching), maintenance of owner installed trees and shrubs, repairs of concrete, lot signs, picnic tables, decks, docks, sheds, repairs of other owner-installed features.

The individual fresh water usage billing is included in the same billing as the Condominium fee.

Q. Do I have to be a member in any other association?

A. No

Q. Am I required to pay rent or land use fees for recreational or other commonly used facilities? If so, how much am I obligated to pay annually?

A. There are no additional fees to be paid. The Resort operates a recreation program

during the winter season. The cost for individual participation in the program (including bingo, parties, crafts, suppers, bridge, tours, etc.) is based on operating costs of the program.

Q. Is the condominium association or other mandatory membership association involved in any court cases in which it may face liability in excess of \$100,000.00?

No

Note: THE STATEMENTS CONTAINED HEREIN ARE ONLY SUMMARY IN NATURE. A PROSPECTIVE PURCHASER SHOULD REFER TO THE CONDO-MINIUM DOCUMENTS i.e. THE ARTICLES OF INCORPORATION, THE DECLARATION OF CONDOMINIUM, THE BY-LAWS AND THE RULES AND REGULATIONS.

Adopted by the Board of Directors: Dec 10, 2016

By: Ronald True, Secretary



## **ORA PROCEDURE FOR LEGAL ENFORCEMENT OF VIOLATION**

Pursuant to and in compliance with Article VIII, Section 1 of the By-Laws, the Board of Directors of ORA at Melbourne Beach, Inc., hereby adopts the following procedure for the enforcement of violations (other than the nonpayment of an assessment) of any provision of the ORA Condominium Documents or the Florida Condominium Act.

Note: Manger is encouraged to first speak to owner about alleged violation to see if compliance can be gained.

### 1. Written **NOTICE TO ALLEGED VIOLATOR**

(a) If the Lot Owner is in the Resort, then the Park Manager shall personally deliver a Correction Notice specifying the noncompliance. If the Lot Owner timely corrects the violation or commences reasonable efforts to do so, then no further action shall be taken.

(b) If the Lot Owner is not in the Resort or is in the Resort, but fails to comply with the Correction Notice, and then the Park Manager shall notify the alleged violator by written notice specifying the noncompliance, to be transmitted by regular and certified mail.

2. **IF NO RESPONSE BY LOT OWNER.** If the violation continues for a period of thirty (30) days following the date of the written notice, then the matter is turned over to the Covenant Enforcement Officer for his/her review. Said Officer shall review the complaint and view the alleged violation. He/she shall submit a written report to the Board within thirty days stating his/her findings. These findings are non binding on the board. Upon receiving the Officer's report the Board of Directors shall have the right to treat such violation as an intentional, inexcusable and material breach and the Association may then, at its option, have the following elections:

(a) An action at law to recover for its damage on behalf of the Association or on behalf of the other Lot owners

(b) An action in equity to enforce performance on the part of the Lot Owner, OR

(c) An action in equity for such equitable relief as may be necessary under the circumstances, including injunctive relief.

3. **IF the Board decides to pursue the matter** it shall direct the President to notify the owner via written correspondence that the Board has reason to believe a violation has occurred. This correspondence is to contain a description of the specific nature of the violation and that the owner has an opportunity for a hearing before the Board within fourteen (14) days of sending the notice. Said notice shall specify that each occurrence of the alleged violation for each day during which it continues shall be considered a separate violation subject to a separate fine: fines not to exceed \$50 per day. This notice shall also notify the owner that in lieu of having a meeting, he/she may respond in writing acknowledging that a violation has occurred and promising to correct the violation.

4. **IF LOT OWNER RESPONDS.** If the Lot Owner corrects the violation, then no further action should be taken. If the Lot Owner objects to the notice of violation, then the Board of Directors shall hold a hearing, after giving the alleged violator fourteen (14) days written notice of said hearing, and shall hear any defense to the charges, including any witnesses that the alleged violator, the Lot Owner, or the Board of Directors may produce. Any party to the hearing may be represented by council.

5. **IF, after the above Hearing,** the Board votes that a violation has occurred and the owner does not agree to correct the violation the matter moves to Arbitration as required by Florida Condominium Statutes.

6. **ARBITRATION**. The Florida Condominium Act requires the Association to submit certain disputes to mandatory non-binding arbitration with the Bureau of Condominiums in Tallahassee before any court action is filed. The arbitrator's decision is binding on both parties unless either party files an action in court within 30 days after the arbitrator's decision.
7. **HAZARD, TO PUBLIC HEALTH**. Any violations which are deemed by the Board of Directors to be a hazard to public health may be corrected immediately as an emergency matter by the Association and the cost thereof shall be charged to the Lot Owner as a specific item which shall be a lien against said Lot with the same force and effect as if the charge were part of the Common Expense.

Adopted this 20<sup>th</sup> day of April, 2013 by the Board of Directors.

By: Ronald True, Secretary

From this Resolution, Board policy is established.

ORA AT MELBOURNE BEACH INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS ESTABLISHING POLICY  
For Maintenance of Electrical Supply System**

The following policy will establish ownership and responsibility for maintenance of our Electrical Supply system to individual lots within ORA

1. OWNERSHIP OF Electrical Distribution system That part of the electrical Supply system which is located underground, the electrical pedestals, panels and meters is the property of ORA and is considered to be a part of our common elements. Any electrical cord plugged into this system is the responsibility of the individual owner.
2. RESPONSIBILITY FOR MAINTENANCE. Maintenance and repair of that part of the Electrical Supply system described above as common property of ORA at Melbourne Beach, Inc. will be the responsibility of the Condominium Association. Any connections made to the Electrical panel must be made in accordance with all applicable Federal, State and Brevard county electrical codes. Note: Current codes allow for only one 50 amp service cord **OR** one 30 amp service cord to be plugged into our Electrical Supply system. In addition it is permissible to plug a 20amp extension cord into the panel box. No owner shall cause hard wired connections to be made to the panel box.
3. INSPECTION. The Manager will conduct an annual inspection of the entire Electrical Supply system to determine its state of repair. If the Manager finds damage in that part of the Electrical Supply system owned by the Association, he will arrange for immediate repair at the expense of the Association. If he finds that our Electrical Supply system has been tampered with in any way, including but not limited to illegally installed hardwired connections, he shall immediately arrange for restoration of the Electrical Supply system to its original condition and bill the cost for such restoration to the lot owner. If electrical cords owned by individual lot owners and plugged into our Electrical Supply system are found to be damaged, they will be immediately unplugged from our Electrical Supply system. The Manager will then notify owner of need to make permanent repairs. Until the Owner takes corrective action the defective electrical cords will not be attached in any way to our Electrical Supply system.

Adopted by the Board of Directors this 20th day of April, 2013.

By: Ronald True, Secretary

From this Resolution, Board policy is established

ORA AT MELBOURNE BEACH INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS ESTABLISHING POLICY  
For Maintenance of ORA Water Supply System**

The following policy will establish ownership and responsibility for maintenance of water supply system providing water to individual lots within ORA.

1. OWNERSHIP OF Water Connections. That part of the fresh water supply system which is located underground, before the water meter, the water meter and the galvanized piping twin faucets and backflow preventers located after the meter is the property of ORA and is considered to be a part of our common elements. Any connections made to this system are the responsibility of the individual owner.
2. RESPONSIBILITY FOR MAINTENANCE. Maintenance and repair of that part of the water supply system described above as common property of ORA at Melbourne Beach, Inc. will be the responsibility of the Condominium Association. That part of the water supply system described above as being part of individually owned units will be repaired and maintained by the owners' of those Units.
3. INSPECTION. The Manager will conduct an annual inspection of the entire water supply system to determine its state of repair. If the Manager finds damage in that part of the water supply system owned by the Association, he will arrange for immediate repair at the expense of the Association. If that portion of the water supply system owned by individual Unit Owners is damaged, the Manager will cause emergency repairs to be made to prevent loss of water. He will then notify the owner of need to make more permanent repairs. If the Owner fails to begin corrective action within thirty (30) days, the Manager may proceed to affect the necessary repair and bill the owner for cost of materials and labor. If the Unit Owner does not make payment for such repairs affected by the Manager, the Association will exercise its rights under the Declaration of Condominium and By-Laws of ORA at Melbourne Beach, Inc., to secure payment.

Adopted by the Board of Directors this 20th day of April, 2013

By: Ronald True, Secretary

From this Resolution, Board policy is established

ORA AT MELBOURNE BEACH INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS ESTABLISHING POLICY  
FOR THE MAINTENANCE OF ORA LAWN IRRIGATION/WATER  
SUPPLY SYSTEM**

The following policy will establish ownership and responsibility for maintenance of the Lawn Irrigation Water Supply system providing lawn irrigation water to individual lots within ORA

1. OWNERSHIP OF Water Connections. That part of the lawn irrigation water supply system which is located underground, along with the originally installed shutoffs, ground boxes and sprinkler heads is the property of ORA and is considered to be a part of our common elements. Any connections or additions made to this system by a lot owner such as additional ground boxes, extra shut offs, sprinkler system extensions, electrical timing mechanisms, specialized sprinkler heads, faucets, etc. are the responsibility of the individual owner.
2. RESPONSIBILITY FOR MAINTENANCE. Maintenance and repair of that part of the originally installed Lawn Irrigation Water Supply system described above as common property of ORA at Melbourne Beach, Inc. will be the responsibility of the Condominium Association. That part of the Lawn Irrigation Water Supply system described above as being installed by present or previous owners of a lot will be repaired and maintained by the owners' of those Units. If it is determined that portions of the Lawn Irrigation Water System were installed by owners without park authorization, ORA is not responsible for replacing those portions or any additional items which may have been placed over those sections such as concrete, shrubbery, etc.
3. INSPECTION. The Manager will cause periodic inspections of the Lawn Irrigation Water Supply system to be carried out to determine its state of repair. If the Manager finds damage in that part of the Lawn Irrigation Water Supply system owned by the Association, he will arrange for immediate repair at the expense of the Association. If that portion of the Lawn Irrigation Water Supply system owned by individual Unit Owners is damaged, the Manager will cause the Lawn Irrigation Water Supply system for that lot to be shut off. He will then notify the owner of need to make more permanent repairs.

Adopted by the Board of Directors this 20th day of April, 2013.

By: Ronald True, Secretary

From this Resolution, Board policy is established

ORA AT MELBOURNE BEACH INC.

**A RESOLUTION OF THE BOARD OF DIRECTORS ESTABLISHING POLICY  
FOR MAINTENANCE OF THE ORA PAGODA LIGHT SYSTEM**

The following policy will establish ownership and responsibility for maintenance of the Pagoda Light System providing lighting for common areas and individual lots within ORA

1. OWNERSHIP OF Pagoda Lighting System That part of the Pagoda Light System which is located underground, both on common ground and on individual lots, along with the originally installed galvanized piping, pagoda heads and light bulbs is the property of ORA and is considered to be a part of our common elements. Any connections, additions or modifications made to this system by a previous or present owner including but not limited to -moving the pagoda light from its location on the edge of the original cement pad, adding additional pagoda lights, removing pagoda light and installing any other type of lighting, etc. are the responsibility of the individual lot owner.
2. RESPONSIBILITY FOR MAINTENANCE. Maintenance and repair of that part of the originally installed Pagoda Light System described above as common property of ORA at Melbourne Beach, Inc. will be the responsibility of the Condominium Association. This is to include light bulb replacement. That part of the Pagoda Light System described above as being modified, added to or installed by present or previous owners of a lot will be repaired and maintained by the owners' of those Units.
3. INSPECTION. The Manager will cause periodic inspections of the Pagoda Light System to be carried out to determine its state of repair. If the Manager finds damage in that part of the Pagoda Light System owned by the Association, including the need for light bulb replacement, he will arrange for immediate repair at the expense of the Association. If that portion of the Pagoda Light System owned by individual Unit Owners is damaged, the Manager will then notify the owner of need to make more permanent repairs.

Adopted by the Board of Directors this 20th day of April, 2013.

By: Ronald True, Secretary

From this Resolution, Board policy is established

**Ora at Melbourne Beach, Inc**

**RESOLUTION OF THE BOARD OF DIRECTORS HEREBY  
ESTABLISHING SPENDING PROCEDURES FOR  
ORA RECREATION COMMITTEE**

WHEREAS there has never been a policy established to regulate the spending of ORA Recreation Committee proceeds and

WHEREAS it is now necessary to implement guidelines for said spending to ensure our compliance with Florida accounting procedures and sound money management.

BE IT RESOLVED:

1. That all monies collected by the ORA Recreation Committee may only be spent as follows:
  - a. Funds may be spent to purchase supplies for an ORA Recreation Committee approved function.
  - b. If an additional preparation or serving implement is necessary for the execution of said function, up to one hundred dollars (\$300.00) may be spent with the approval of the Recreation Committee Chairperson.
  - c. Upon approval of the Recreation Committee and approval of the ORA BOD Treasurer, up to three hundred dollars (\$500.00) may be spent for items that would assist the Recreation Committee in their entertainment of the ORA Owners.
  - d. Any expenditure approved by the Recreation Committee exceeding three hundred dollars (\$500.00) must also have approval from the ORA Board of Directors.

Adopted by the Board of Directors this 16th day of April, 2016.

By: Ronald True, Secretary

From this Resolution, Board Policy is established.

## ORA AT MELBOURNE BEACH, INC

### A Resolution of the Board of Directors Establishing Trailer Placement Guidelines

#### **BE IT RESOLVED THAT: Galaxy Lane**

The North side of Galaxy Lane, next to the county sewer property, will require a five-foot setback from the rear property line.

#### **Dockside Lane - Water Side**

The waterside of Dockside Lane will require a five-foot setback from the seawall bulkhead. The rear of the trailer may not extend farther than sixty-three and one half feet from the road.

#### **Dockside Lane - East Side**

The east side of Dockside Lane, next to the county sewer property, will require a five-foot setback from the rear property line.

#### **Dockside Lane - North Side**

The north side of Dockside Lane, next to the county sewer property, will require a five-foot setback from the rear property line. The rear of the trailer may not extend farther than sixty-three and one-half feet from the road.

#### **Pier lane - South Side**

The rear of the trailer may not extend farther than sixty-three and one-half feet from the road.

#### **Interior Lots**

Trailers placed on all interior lots, i.e. the north side of Pier Lane, the north and south side of Horizon Blvd. and Carousel Lane, and the south side of Galaxy Lane, will require a five foot setback from the rear property line.

**\*\*\*IN ALL CASES, THE FRONT OF THE TRAILER MUST BE AT LEAST TEN FEET FROM THE ROAD, AS PER COUNTY REGULATIONS\*\*\***

Adopted by the Board of Directors this 20<sup>th</sup> day of April 2013.

By: Ronald True, Secretary

From this Resolution, Board Policy is established.