

# **Rules Governing Unit Owner Participation at Association Meetings**

Taken from *Managing the Florida Condominium, William D. Clark*  
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- Approved by the LPCA Board of Directors, September 9, 2006 -

## **I. BOARD AND COMMITTEE MEETINGS.**

### **A. Board and Committee Meetings.**

1. Meetings of the Board of Directors are hereby defined as a quorum of directors gathered to conduct official association business. The term “meeting” does not include gatherings of less than a quorum of directors engaged in fact-finding investigations, or legal inquiries, or gatherings of any number of directors to consult with counsel regarding pending or imminent litigation or adversarial administrative proceeding wherein the attorney will express mental impressions, conclusions, litigation strategy, or legal theory.
2. **Meeting of a Committee** is hereby defined as a quorum of committee members gathered to conduct the official business of the committee as set forth in the resolution creating the committee. The term “meeting” does not include gatherings of less than a quorum of committee members engaged in fact-finding investigations, or legal inquiries, or gatherings of any number of committee members to consult with counsel regarding pending or imminent litigation or adversarial administrative proceeding wherein the attorney will express mental impressions, conclusions, litigation strategy, or legal theory.
3. The term **Committee** as used herein is hereby defined as an official body created by resolution of the board of directors, or by a member of the board, to make recommendations to the board regarding the association budget, or take action on behalf of the board.

### **B. Attendance at Board and Committee Meetings.**

1. Every unit owner shall have the right to attend board of director and committee meetings except as may be provided by law. No person other than a unit owner may be permitted to attend such meetings except for person invited or permitted to attend by the board or committee chairperson.

### **C. Participation at Meetings.**

1. Every unit owner shall have the right to speak at meetings of the board of directors and committees, to the extent required and permissible under applicable law, subject to the following rules:
  - a. Statements by unit owners at meetings shall be restricted to agenda items and motions of the board or committee. No other statements shall be permitted except as may be authorized by the chairperson of the board or a committee, in their sole discretion.
  - b. No unit owner shall speak until recognized by the chair. A unit owner may only speak once on each agenda item and the unit owner's statement shall not exceed three minutes. The chairperson of the meeting shall give the floor to any unit owner desiring to speak prior to the discussion and vote of the board or committee upon the agenda item. After each owner has had an opportunity to speak, the chairperson shall announce that unit owner statements are concluded thereby ending owner discussion on that agenda item.
  - c. Each speaker shall speak only to the chair. There will be no cross discussions with other members, board members, legal counsel or other attendees.
  - d. Unit owners may not make or second motions, may not participate in discussion after owner discussion is concluded on that subject, and may not vote.

## **II. UNIT OWNER MEETINGS.**

### **A. Unit Owner Meeting Defined.**

1. Meeting of the unit owners is defined as a quorum of unit owners gathered to conduct official association business.
2. Unit owners shall have the right to participate at meetings subject to the following rules:
  - a. Statements by unit owners at meetings shall be restricted solely to agenda items and other matters that may properly come before a unit owner meeting.
  - b. No unit owner shall speak until recognized by the chair. A unit owner will be permitted to speak only once on each agenda item or any other topic properly before the membership, and the owner's statement shall not exceed three minutes. The chairperson of the meeting shall open the floor to unit owner statements subsequent to the calling of the agenda item and prior to the vote of the owners upon the agenda item.

### **III. ROBERTS RULES OF ORDER (LATEST EDITION).**

Roberts Rules of Order (latest edition) shall be applicable to and govern all association meetings when not in conflict with the declaration of condominium, the articles of incorporation and the bylaws of the association, or rules, policies and procedures adopted from time to time by the board.

### **IV. ENFORCEMENT OF MEETING RULES.**

#### **A. Ejection.**

1. Any person not a member of the association, or not lawfully holding the proxy of a member, shall be prohibited from attending meetings and/or shall be ejected from meeting.
2. *Either the owner or his/her proxy may attend the meeting but not both.*
3. Any unit owner who fails to comply with these rules shall be subject to ejection in the sole discretion of the chairperson. The chairperson shall give any non-complying person one warning regarding ejection and thereafter may call for immediate ejection of that person, and the removal of any of their equipment, if any.
4. The chairperson of the meeting may appoint a Sergeant of Arms who at the direction of the chairperson shall either remove the unauthorized person or contact a law enforcement representative to remove such person.

#### **A. Fines.**

The board of directors may levy a fine against any person who fails to comply with these rules.

#### **B. Legal Action.**

The board of directors may take whatever action which is appropriate at law or in equity against any person who fails to comply with these rules.

#### **C. Amending Rules.**

The association reserves the right to amend these rules from time to time as deemed necessary.