

Camera System Policy

Applies to:	Common Areas:
Effective Date:	September 22, 2021
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- I. Scope. This policy (“Camera System Policy”) applies to Lucerne Lakes Homeowner’s Association, Inc. also known as “Lucerne Lakes South HOA” and “LLHOA,” and is promulgated as a rule under the *Declaration of Covenants, Conditions and Restrictions of Lucerne Lakes* recorded at Off. Rec. Bk. 2733, P. 0715, as amended, restated in the *Second Amended and Restated Declaration of Covenants, Conditions and Restrictions of Lucerne Lakes* recorded at Off. Rec. Bk. 12354, P. 1745, in the Pub. Rec. of Palm Beach Cnty, Fla., as it may be amended (“Declaration”) and LLHOA’s By-Laws as they may be amended (collectively the “Governing Documents”).
- II. Purpose. LLHOA adopts this Camera System Policy to provide guidelines for Camera usage on LLHOA common areas, so it allows LLHOA (A) to record unauthorized activity and to provide recording copies to law enforcement agencies or to use the recording for other appropriate purposes, while (B) respecting LLHOA’s members’ and residents’ reasonable privacy expectations. Cameras viewing LLHOA common areas will not be monitored in real time and footage will be retrieved after the fact under this Camera System Policy.
- III. Definitions. This Camera System Policy uses terms defined in the Governing Documents and these terms as defined here:
 - III.1. “Private Areas”: areas in which a person has a reasonable expectation of privacy, including bathrooms, shower areas, locker and changing rooms and other areas where a reasonable person might change clothes or disrobe.
 - III.2. “Public Areas”: LLHOA’s common areas including the Clubhouse (but not including Private Areas), parking lots, and other areas in which no reasonable expectation of privacy exists.
 - III.3. “Camera”: a device used for recording video or still pictures in Public Areas.
 - III.4. “Camera Recording”: a digital or analog recording of the video or photographs captured by a Camera.
 - III.5. “Camera System”: any electronic service, software, or hardware directly supporting, connected to, and including Cameras.
 - III.6. “Board”: the LLHOA Board of Directors.
- IV. Responsibilities and Authority. The Board-designated Camera Supervisor or President if the Board has not designated a Supervisor (“Camera Supervisor”) is responsible for Camera System

oversight, installation, maintenance, and utilization. Subject to normal Board approval of contracts, the Supervisor must:

- IV.1. create, maintain, and review an LLHOA-wide strategy for the procurement, deployment, and use of the Camera System,
- IV.2. designate the standard Camera System or related service,
- IV.3. authorize the placement of all Cameras,
- IV.4. authorize the purchase of any new Camera System,
- IV.5. review the Camera System, and identify and implement modifications required to bring it into compliance with this Camera System Policy, and,
- IV.6. propose and recommend LLHOA standards and procedures for the Camera System and its use under this Camera System Policy.

V. Control Elements.

- V.1. Training. All personnel involved in the installation, maintenance or monitoring of Cameras: (A) will be instructed in the technical, legal, and ethical parameters of appropriate camera use; and (B) will receive a copy of this Camera System Policy and acknowledge in writing they have read and understood its contents.
- V.2. Camera Placement. Camera Supervisor solely is responsible for the placement of temporary or permanent Cameras. However:
 - A. Cameras must not be used to record or monitor sound.
 - B. Camera use and aiming is limited to Public Areas. No Camera shall be used to capture, record, or monitor Private Areas and no Camera shall be positioned in a manner or direction where a reasonable person might reasonably expect privacy.
 - C. Inoperative, placebo, or “dummy” Cameras must not be installed or used.
- V.3. Camera Monitoring and Review.:
 - A. Camera Supervisor may review Camera Recordings as needed under this Camera System Policy. Cameras will not be monitored in real time routinely.
 - B. Camera Supervisor must ensure no access, release, or viewing of Camera Recordings is used to identify or discriminate against persons based on race, gender, ethnicity, sexual orientation, disability, or other protected classification. Seeking out and continuously viewing people becoming intimate, even in Public Areas, is prohibited.
- V.4. Notification Requirements.
 - A. Camera Supervisor must identify each Camera location using a conspicuous sign near the Camera providing reasonable notification of the Camera’s presence.
 - B. LLHOA must place additional signage at the entrance to the Clubhouse when interior Cameras are placed within the Clubhouse.

- C. All signs must indicate the Cameras may or may not be monitored.
- D. Camera Supervisor may waive these Notification Requirements on a temporary, case-by-case basis when done so in coordination with a law enforcement agency or when approved by LLHOA counsel.

V.5. Use of Recordings.

- A. Camera Recordings shall be used only to discourage theft and other criminal activities, to aid law enforcement agencies, to provide evidence in proceedings or in anticipation of proceedings LLHOA may institute to enforce its Governing Documents, and to aid in adjusting the Camera System including Cameras.
- B. Camera Supervisor must make a log of each access to, release, or viewing of Camera Recordings which log must include at least (1) the name of the releasee/viewer, (2) a copy of the accessed/released/viewed video or photograph, (3) the purpose of the access/release/viewing, (4) the date, beginning timestamp, and ending timestamp of each video or photo accessed/released/viewed,(5) the Camera(s) which captured the video or photograph, and the date of access/release/viewing.
- C. LLHOA must not post nor allow to be posted any Camera Recordings on any social media platforms including on social medial platforms where access is limited.

V.6. Protection and Retention of Camera Recordings. Camera Recordings must be stored on servers accorded appropriate computer security with access by authorized personnel only. Camera Recordings will be retained under the Camera System’s capacity or as required by law.

V.7. Release of Recorded Material. Camera Supervisor will consider and approve (if warranted) any requests for access/release/viewing of Camera Recordings, after review and guidance from LLHOA Counsel. Camera Supervisor must report all requests, including denied requests, to the Directors within 2 business days of approval or denial and cumulatively at each Board meeting.

- VI. Compliance. Camera Supervisor is responsible to the Board for ensuring compliance with this Camera System Policy.
- VII. Exceptions. Exceptions to this Camera System Policy must be approved by the Board.
- VIII. Camera System Policy Review. The Board must review this Camera System Policy at least annually or more frequently as circumstances require.