

COUNCIL OF UNIT OWNERS OF KING FARM CONDOMINIUM, INC.

POLICY RESOLUTION NO. 24-01

(Trail Camera Policy)

WHEREAS, Section 2.2.4 of the Bylaws of the Council of Unit Owners of King Farm Condominium, Inc., (hereinafter, “the Council”) states that the Board of Directors (“Board”) shall have all the powers and duties necessary to govern and administer the affairs of the Council;

WHEREAS, Section 2.4.10(b)(xiii) of the Bylaws further empowers the Board to make and amend rules and regulations as the Board deems appropriate;

WHEREAS, Section 11-109 the Maryland Condominium Act and Section 2.2.2 of the Bylaws states that the Board controls the operation, care, upkeep, maintenance, and modification of the common elements of the Condominium;

WHEREAS, Section 2.6 of the Bylaws states, in part, that the Council is not liable for any failure of services to be obtained by the Council or paid for out of the common expense funds, or for any loss or damage, by theft or otherwise, of property stored or left in/on any portion of the Condominium;

WHEREAS, Section 2.6 of the Bylaws states that the Council is not a provider of security services for the units and the property, and unit owners should implement security measures, if desired, to protect their persons, units, and personal property;

WHEREAS, the Council has installed trail cameras in and around the trash/dumpster corrals; and

WHEREAS, the Board desires to establish a policy regarding the limited purpose of the trail cameras and access to data collected from such cameras.

NOW THEREFORE, be it resolved that the following policy and procedures shall govern the use of the Council’s trail cameras.

I. PURPOSE, LIMITATIONS, DISCLAIMER

- A. The Council’s trail cameras installed in certain areas of the Condominium Property are intended to monitor and deter damage, theft, and vandalism to the common elements, and for violation enforcement purposes (i.e. illegal dumping, etc.).
- B. The Council’s trail cameras only record video content; no audio content will be recorded.

- C. The Council's trail cameras will continuously record data, but the cameras are not being live monitored. In addition, the recorded footage will only be reviewed retrospectively as needed.
- D. The Council, including its employees, agents, or contractors, does not represent or warrant that the trail cameras cannot be compromised or circumvented, or that they will not malfunction. Nor does the Council represent or warrant that the cameras will detect, protect, or prevent loss, damage, injury or death.
- E. Each unit owner, resident, and occupant acknowledges and understands that the Council, including its employees, agents, or contractors, are not insurers or guarantors of their safety or the safety of their property, and that he/she/they assume all risks for loss or damage to persons or property resulting from the failure or ineffectiveness of the trail cameras.
- F. While the trail cameras may also deter persons from illegally entering the building and/or causing injury or damage to person or property, residents/owners/guests are reminded that they are responsible for ensuring their own personal safety and protecting their property and should report any criminal or suspicious activity to the proper authorities as they deem appropriate.

II. TRAIL CAMERA DATA

- A. The trail cameras store data for a period of 48 hours.
- B. The Board and the Council's managing agent can retrieve data from the trail cameras within 48 hours of the recording and preserve it for a longer period; however, such action will only be taken as circumstances require or in the Board's sole discretion.
- C. The Council, including its employees, managing agent, and contractors, assumes no liability for any failure to record, retrieve, store, or for the loss of data from the trail cameras.
- D. Any preserved data will become a record of the Council and will be retained/destroyed in accordance with the Council's records and retention policy.

III. REQUESTS TO REIVEW/COPY TRAIL CAMERA DATA

- A. Unit owner access to the data from the trail cameras shall be granted/limited to the extent permitted by the Maryland Condominium Act, the Condominium Instruments, or other applicable law.
- B. Unit owners may request trail camera data in writing before the data is no longer available. Such written requests for trail camera data must include the following information:

- i. The purpose of the request and intended use of the data;
 - ii. The specific camera location or area of interest; and
 - iii. The narrowest date and time of interest.
- C. The Council reserves the right to deny requests that do not have a proper purpose.
 - D. Requests for trail camera data from all other persons (other than unit owners) shall require a subpoena or other mandate legally binding upon the Council.
 - E. Requests for trail camera data from law enforcement or other government authority not accompanying a subpoena or warrant will be reviewed and determined on a case-by-case basis and will be granted at the Board's discretion.
 - F. If there is a cost associated with retrieving or storing the requested data, such costs shall be paid by the requestor before the data is provided.
 - G. Persons receiving trail camera data from the Council are prohibited from publishing, streaming, uploading, or disseminating the data on the internet or otherwise.

IV. MISCELLANEOUS

- A. This Resolution supersedes all prior resolutions or policies to the extent that there is a conflict.
- B. The Board reserves the right to amend this Resolution, and the procedures herein, as it deems appropriate.
- C. This Resolution was adopted pursuant to the Bylaws and Section 11-111 of the Maryland Condominium Act. This Resolution was adopted this 8th day of January, 2024 by the Board of Directors. The effective date of this resolution is January 8, , 2024.

**Council of Unit Owners of
King Farm Condominium, Inc.**

By: _____
 Name: Susan Sellers
 Title: President

FOR COUNCIL RECORDS

I hereby certify that a copy of the foregoing Policy Resolution No. 24-01 was mailed or hand-delivered to the members of the Council of Unit Owners of King Farm Condominium, Inc., on _____, 2024.

Alena Marie Proctor, CMCA, AMS
Community Manager

COUNCIL OF UNIT OWNERS OF KING FARM CONDOMINIUM, INC.

RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors held:

January 8, 2024

Motion by: Susan Sellers

Seconded by: Jack Dorris

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>Susan Sellers</u> President	X	_____	_____	_____
<u>Angie Wahi</u> Vice President	X	_____	_____	_____
<u>Rodger Pitcairn</u> Secretary	X	_____	_____	_____
<u>Jack Dorris</u> Treasurer	X	_____	_____	_____
<u>Brigitte Tricottet</u> Director	X	_____	_____	_____

ATTEST:

Secretary

Date

Resolution effective date: January 8, 2024.