

## **BY-LAWS**

### **Moose Lake Cottage Owners Association**

(Adopted August 30, 2014)

#### **1. DUTIES AND POWERS OF THE EXECUTIVE COMMITTEE**

- a) The powers of the Executive Committee, hereinafter called the "Executive", may be exercised by these by-laws or by a resolution adopted at a general meeting provided that such resolution does not conflict with the constitution or these by-laws.
- b) The implementation of any by-law or resolution adopted at a general meeting by or under the direction of the Executive shall be held to be reasonable and lawful exercise of the powers vested in the Executive.
- c) Upon or after the Annual or other election of the members, thereof, and their having organized and held their first meeting as an Executive, every Executive member is authorized to take up and carry on to completion the implementation of all by-laws, resolutions, reports, initiatives and proceedings which have been under consideration by the Executive, in the preceding year or prior thereto and it shall not be necessary to begin "demo ud" with any by-law, resolution, report, initiative, proceeding or matter entertained by the Executive in the preceding year, or prior thereto.
- d) The immediate Past-President shall inform the President, either verbally or in writing, within 14 days of the Annual General Meeting of his or her decision opting out of serving as a non-voting member of the Executive.
- e) The resignation of any member of the Executive shall be made in writing to the Secretary and shall be effective thereof, unless a later date is specified in the resignation.
- f) A majority of the Executive members shall constitute a quorum, provided at least two officers are present.
- g) The Executive may make regulations with regard to the time and place for holding its meetings, calling of its special meetings, and generally for governing its organization and its proceedings. And, without affecting the generality of the forgoing, the Executive may, subject to such conditions as it shall impose, delegate to any committee of its members any of its powers respecting the examination of any question, and the management of any business in executing any specific duties.
- h) The Executive may make interim regulations intended for achieving the aim and purpose of the Association in matters, not provided for herein, but which are deemed to be expedient.
- i) Unless a greater amount is authorized by a general meeting for a designated purpose, the Executive has the authority to spend association funds up to a limit of \$1,000.00 on any one item for the purpose of sustaining the operations of the

association. Expense claims must be authorized by the committee and submitted in writing.

- j) Any member, in good standing, may attend any Executive meeting as an observer subject to the approval by the Executive.

## 2. QUALIFICATIONS OF MEMBERS OF THE EXECUTIVE COMMITTEE

- a) Only members in good standing, one member per cottage, whose name appears on the membership list of the Association, shall be eligible for election as an Officer.
- b) Only members in good standing, one member per cottage, whose name appears on the membership list of the Association, shall be eligible for election as a Director. No person shall concurrently hold office as a director and an officer.
- c) Notwithstanding anything else contained in this By-Law, none of the following shall qualify as members of the Executive:
  - i. Any person who, either himself or by through another has any personal claim, action or proceeding against any member of the Association.
  - ii. Any person having been convicted of a criminal offence, upon conviction for which, is liable for imprisonment.

## 3. MEMBERSHIP IN GOOD STANDING

- a) Any person applying for membership in the Association shall pay the Association Annual Fee of \$25.00 or an amount otherwise established by a majority vote at an Annual General Meeting.
- b) The applicant shall pay the appropriate fee before being accepted as a member in good standing.

## 4. PAYMENT OF ASSOCIATION DUES:

- a) All dues shall be paid to the Association prior to the Annual General Meeting.
- b) Each member shall be notified, in writing, of any proposed change in dues, and such notice shall be mailed or delivered at his or her last known address, including by electronic means to, each member not less than fourteen days (14) prior to the holding of a General meeting.
- c) Special assessments may be levied from time to time as warranted and approved by a majority vote at a General Meeting of the Association.

## 5. GENERAL MEETING

- a) The Annual General Meeting of the Association shall be held at such time and place as the Executive shall decide for the purpose of election of officers and presentations of reports.

- b) Special general meetings may be called by the President, Executive, or any fifteen (15) members of the Association, a request for holding of same shall be signed by at least fifteen (15) members and forwarded to the Secretary of the Association who shall then call for a Special General Membership meeting providing that such a request states specifically the purpose for calling of such a meeting.
- c) Notices for General Meetings shall be written notices stating the purpose for the meeting. Each member shall be notified by mail or delivery at his or her last known address, including by electronic means at least two weeks prior to the holding of the general meeting. In case of emergency, determination as to the length of the notice period can be made by the Executive.
- d) Robert's Rules of Order shall govern the proceedings of all meetings.

## 6. ORDER OF BUSINESS

The President shall occupy the chair and shall conduct the business of a general meeting in the following order:

- a) Call to order:
- b) Quorum(necessity to be determined by the President)
- c) Reading and adoption of Minutes
- d) Matters arising from the Minutes:
- e) Reports:
  - i. Officers
  - ii. Committees
- f) New business
- g) Elections
- h) Other business
- i) Adjournment

## 7. QUORUM

Subject to clause 4 of the constitution dated August 30, 2014, thirty (30) members in good standing, including a quorum of Executive members shall constitute a quorum at a General Meeting

## 8. VOTING:

- a) Eligibility to vote at a general meeting is determined in accordance with clause 4 of the constitution dated August 30, 2014.
- b) Elections:
  - i. Every elector shall have one vote in any election of to the Executive and a majority of the votes shall decide the election.
  - ii. Counting of the votes shall be decided by a show of membership cards or by ballot with the method employed at the decision of the chairperson,

unless by a majority vote at a General Meeting elects the method of voting.

c) Business:

- i. All matters of business shall be decided by a majority of votes cast at a General Meeting.
- ii. The chairperson shall have the same right as other members to vote on any question. In case of a tie, he or she shall cast the deciding vote.

## 9. ELECTION PROCEDURES

### (a) Qualifications for voting at Elections

- i. The Treasurer's records of receipts of dues paid in the applicable fiscal year shall determine voter eligibility.
- ii. Voter eligibility from the previous calendar year shall carry over for any general meeting called before the 1<sup>st</sup> of May in the subsequent calendar year.
- iii. Any dispute as to voter eligibility shall be decided by the President and one other member of the Executive, other than the Treasurer, prior to the beginning of the general meeting.
- iv. A mail-in or delivered signed written ballot will be accepted from any member in good standing for election of officers.

### (b) Nominations

The Executive shall appoint a committee of no more than three (3) members prior to July 1<sup>st</sup>. of each year to recruit a slate of candidates from among the eligible members. The list of candidates shall be presented to the Secretary no later than seven days prior to the Annual General Meeting. Nominations for election to any position will be received from the floor subject to the nominee allowing his or her name to stand for election.

## 10. FISCAL YEAR

The fiscal year shall be from April 1 to March 31 of the following year.

11.BY-LAWS GENERAL

For greater certainty, the Association's constitution takes precedence over its By-Laws and for matters not covered therein General Parliamentary Law shall be used for guidance.

These by-laws are declared to be in force by the Executive Committee based on a vote at the general meeting of the MLCOA on the 30<sup>th</sup> Day of August 2014.

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Verna Danyichuk, President

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Dave Ennis, Secretary