

**ERIE SHORE DRIVE PROPERTY OWNERS ASSOCIATION  
CONSTITUTION / BY-LAWS 04/19/2019**

**PREAMBLE**

The Erie Shore Drive Property Owners Association (ESDPOA) has been founded for all property owners on Erie Shore Drive who are interested in an organization to work for their common good: the maintenance and enhancement of the quality of life on the road for both seasonal and permanent residents through careful attention to such matters as opportunities to build a greater sense of community, shoreline protection, education and advocacy. The ESDPOA has no powers or authority to perform or provide services or functions that are the responsibility of the government(s) and their various agencies.

**ARTICLE 1 – NAME**

The name of the organization shall be the Erie Shore Drive Property Owners Association

**ARTICLE 2 – PURPOSE**

The purpose of the Association shall be:

- a) To promote and foster a sense of community, friendship and mutual respect amongst the property owners of Erie Shore Drive and adjacent areas;
- b) To provide a focal point for addressing issues that may arise concerning the property owners of Erie Shore Drive including but not limited to shoreline and dyke protection;
- c) To provide a forum for the exchange of information, concerns and communication between the members of Erie Shore Drive Property Owners Association;
- d) To communicate with government, the media and general public concerning issues of interest to the members;

**ARTICLE 3 – MEMBERSHIP**

**SECTION 1 – Membership**

- a) Each property is limited to one Membership.
- b) Property is defined by municipal address. Each membership carries with it the right to one vote at any meeting of the members.
- c) Membership may be represented by any of the following people: a. Registered property owner in the jurisdiction; b. A previous registered property owner and/or c. Designate of the registered or previous property owner. The designate(s) shall be identified in writing.
- d) Both single and double lots would be considered one membership and one vote and therefore one vote.

These persons shall be referred to as "Voting Members".

**SECTION 2 – Membership Fees and Continuing Membership**

The annual fees for membership shall be set by the executive by resolution.

- a) The membership year runs from the last day of the month which the Annual General Meeting (AGM) is held until the last day of the month which the Annual General Meeting is held the following year.
- b) Membership renewal fees should be paid at the Annual Meeting or by cheque to the Association address.
- c) A member deemed in default shall automatically lose his/her membership until such time as dues have been paid in full.

**ARTICLE 4 – ESDPOA Structure**

**SECTION 1 –** The Board of Directors shall be comprised of no fewer than six (6) members and no more than eight (8) members.

The Executive Officers of ESDPOA shall consist of the following officers:

- a) President;
- b) Vice-President;
- c) Secretary;
- d) Treasurer;

**SECTION 2 –** Management of property, carrying on of business, appointment of committees:

- a) The property and business of ESDPOA shall be managed by the Executive.
- b) The elected executive is empowered to appoint one or more committees and committee chairpersons to carry out various tasks as may arise from time to time.
- c) All committees shall be responsible and subject to the direction and control of the Executive. Committees may be delegated such powers as the Executive shall determine.

**ARTICLE 5 – ELECTION OF OFFICERS and TERMS of OFFICE:**

**SECTION 1 –** Nomination requirements:

- a) Persons who stand for election as officers of ESDPOA shall be members in good standing.

**SECTION 2 –** Nominating Committee:

- a) A nominating committee consisting of the President as Chair and two (2) members shall be convened on or before the 1<sup>st</sup> day of May in each year to nominate individuals (members) of ESDPOA, to fill positions of officers to be elected at the forthcoming Annual General meeting.

**SECTION 3 -** Nominations for the positions of Officers shall be:

- a) Any persons that the current nominating committee may wish to nominate or any nomination from the floor.

**SECTION 4 –** Election of Officers and Terms of Office

- a) All Officers shall be nominated and elected at the Annual General Meeting.
- b) Voting at AGM will be by a show of hands, or if requested, by secret ballot.
- c) The term of office is two years. All elections of Officers shall be made by simple majority of the quorum.
- d) Officers and Directors will hold their office until their successors are elected.
- e) Any vacancies may be filled by nomination and election at the Annual General Meeting, for a term to be determined by the executive at the time of the election.
- f) Any officer position unfilled at an Annual General Meeting may be filled by appointment for any term as determined by the Executive. Any appointments must be confirmed by election at the next Annual General Meeting.

#### **ARTICLE 6 – QUORUMS**

- a) A simple majority (50% plus one) shall constitute a quorum for executive meetings.
- b) A simple majority (50% plus one) shall constitute a quorum for committee meetings.
- c) Fifteen (15) voting members shall constitute a quorum for the Annual General meeting and for any Special General meetings.

#### **ARTICLE 7 – RULES OF ORDER**

This Association shall be governed by Roberts Rules of Order in all matters not provided for by the constitution, by-laws or rules of the Association.

#### **ARTICLE 8 – ENACTMENT**

This constitution and by-laws shall become effective immediately following their adoption.

#### **ARTICLE 9 – AMENDMENTS**

- a) No amendment(s) shall be made to this Constitution and by-law unless said proposed amendment(s) has/have been submitted in writing to the Executive by April 1<sup>st</sup>
- b) The adoption of any amendment(s) shall require the approval of at least two-thirds of the voting members present and voting at an Annual General Meeting.

#### **ARTICLE 10 – MEETINGS**

##### **SECTION 1 - Annual Meetings:**

The Annual meeting of ESDPOA shall be held between June 1st to August 30th each year. Notice of this meeting, together with any proposed constitutional changes, must be made to all members thirty (30) days prior to such meeting.

##### **SECTION 2 - Special General Meetings:**

- a) Special general meetings of ESDPOA may be called by the President; or three (3) members of the Executive; or ten (10) members of ESDPOA. The request must be in writing to the Executive.
- b) Notice of any special general meeting, stating the purpose of such meeting, must be mailed to all members of ESDPOA fifteen (15) days prior to such meeting.

**SECTION 3 – Executive Meetings:**

- a) ESDPOA Executive will hold such meetings of the executive as they may require during their term in office and no less than two times annually.
- b) The executive members must be notified prior to any such meeting.
- c) Notice of meetings should be given 48 hours in advance however, less notice may be given as circumstances require.

**SECTION 4 – Notice and conduct of meetings:**

- a) The date, time and place of all meetings must be included in all notices of meetings.
- b) The executive will be responsible for coordinating all meetings.
- c) The agenda with any supporting documentation is to be circulated with any notice of meetings.

**ARTICLE 11 – OFFICERS’ DUTIES**

**SECTION 1 - Duties of the President:**

- a) Preside at all meetings;
- b) Serve as a member (ex officio) of all committees;
- c) Serves as the primary spokesperson for ESDPOA or designates a spokesperson(s) for specific items, as required;
- d) In the event of a tie vote, shall cast the deciding vote;
- e) Shall be a signing officer for ESDPOA
- f) Shall chair the nominating committee

**SECTION 2 - Duties of the Vice-President:**

- a) Will assume any of the duties of the President in the absence of the President;
- b) Perform other duties as directed by the President;
- c) Shall be a signing officer for ESDPOA

**SECTION 3 - Duties of the Secretary:**

- a) Record and preserve minutes of all meetings;
- b) Conduct, under guidance of the President, official correspondence;
- c) Be the final recipient and keeper of all correspondence;
- d) Issue notice of all meetings;
- e) Keep a copy of the By-Laws and Special Resolutions available at all times;
- f) Keep a copy of the Membership Register and Register of Directors

**SECTION 4 - Duties of the Treasurer:**

- a) Collect and receive all monies due and owing to the Association

- b) Deposit the funds of the Association in a chartered bank or other deposit taking institution approved by the Officers of the Association;
- c) Make payments out of Association funds by way of cheques or money orders drawn up by himself/herself and countersigned by the President or Vice President of the Association;
- d) Keep books of accounts showing all receipts and expenditures as required by the By-Laws;
- e) Produce, publish and present a budget for the Association at the Annual Meeting;
- f) Establish and maintain special cash funds as required by the Executive to control expenditures for special projects;
- g) Will prepare and present an up to date financial report of the ESDPOA at all Annual General and Special General Meetings. The financial report shall be on paper and distributed to all member organizations prior to the start of these meetings;
- h) Will arrange for reviewed financial statement and report prior to the Annual meeting;
- i) Shall be a signing officer for ESDPOA

Note: Cheques must be signed by two (2) of the three (3) signing officers

**SECTION 5 – Duties of all Directors**

- a) Attend meetings as required;
- b) Participate on committees;
- c) Participate in annual planning, as needed
- d) Uphold the integrity of the ESDPOA
- e) Act as an ambassador, encouraging ongoing membership and participation
- f) Recruit new board members