

**BELMONT WEST ASSOCIATION**  
**BY-LAWS**

As amended & brought to date Jan. 1991, Oct. 2019.

ARTICLE I

Title and Object

Section 1. The name of this organization is "Belmont West Association"

Section 2. The purpose of this organization is stated in Section 5 of the Association Charter.

ARTICLE 11

Governing Body

Section 1. The governing body of the organization shall be the Executive Committee, consisting of a President, Vice President (neighborhood), Vice President (pool), Secretary, Treasurer, and Chairs of Standing Committees (to be elected as hereinafter provided) of which a majority shall constitute a quorum.

Section 2. The Executive Committee is vested with all powers not otherwise reserved by these By-Laws to maintain, operate, manage, and control Association properties, its employees, servants, and agents; to pass By-laws and rules for the management and government of the Association; to fix, enforce, and remit penalties for a breach of the By-Laws or Rules. Fines, when duly assessed by a majority vote of the Executive Committee according to the authority of these By-Laws, shall be immediately collectible, and the non-payment thereof shall subject the offender to the penalty of expulsion.

Section 3. The Executive Committee shall be vested with the power to fill any vacancies arising in the Executive Committee or any other office until the next annual meeting, to appoint an assistant or acting Secretary or Treasurer and to prescribe their duties, and, in carrying out the general purpose or the Association, to interpret the By-Laws, and its interpretation shall be final.

Section 4. The Executive Committee shall have the authority to fix fees and dues payable by all classifications of Association members, and to revise the same from time to time.

- Section 5. Subject to conditions, limitations, and restrictions contained in the By-Laws and the Charter, the Executive Committee shall be vested with the power to make all contracts necessary for day to day activities, and to do such other acts as its discretion may dictate for the welfare of the Association, and to delegate its administrative duties to committees, or other persons or group of persons as they deem necessary.
- Section 6. The Executive Committee shall not be vested with the power to make any contracts extending beyond, or not to be performed within a period of one year; not to sell, encumber, convey, contract, purchase, or otherwise incur any indebtedness for extraordinary purposes except by an affirmative vote by a majority of the members present or represented at a regular or called meeting of the membership. This limitation, however, shall not apply to expenditures necessary to preserve the Association properties in the event of an emergency and not to contracts entered into during the fiscal year ended Dec. 31, 1991.
- Section 7. Any member of the Executive Committee who shall absent himself from three consecutive regular meetings, unless he shall have previously obtained permission to do so from the Committee, or shall present at the next regular meeting an excuse for his absence satisfactory to the Committee, shall be deemed to have resigned his office.
- Section 8. Regular meetings of the Executive Committee shall be held at the discretion of the President, who shall fix time and place for the meeting.
- Section 9. Special meetings of the Executive Committee may be called by the president or secretary. The Secretary shall give each member notice at least twenty-four hours in advance of the holding of any special meeting.
- Section 10. The Executive Committee shall be vested with the power to extend the privileges of the Association facilities to others on such terms as they deem advisable, and may permit non-members to participate at such times and on such charges as they deem wise.
- Section 11. Only members of Belmont West Association are eligible to be elected or appointed members of the Executive Committee.

### ARTICLE III

#### Fiscal Year

- Section 1. The fiscal year shall begin on January 1 and end on December 31.

## ARTICLE IV

### Election of Officers

- Section 1. The officers shall be elected at the annual meeting of the members of the Association, which shall be held during October at such an hour and place as to be designated by the Executive Committee. The members shall be given a ten-day notice of the annual meeting.
- Section 2. The election of the Officers and Committee Chairs of the Association shall be by ballot, and a majority of the votes cast shall be required to elect. Nominations for office will be made by a committee appointed by the Executive Committee. Additional nominations can be made by members from the floor.
- Section 3. A member may be represented by proxy. Such must be in writing and shall be filed with the Secretary of the Association.
- Section 4. Members of the Executive Committee shall hold office for the fiscal year of their election and thereafter until their successors shall have been elected.
- Section 5. In case of vacancy on the Executive Committee, the Committee shall elect a successor to serve until the next annual meeting.
- Section 6. The Executive Committee may upon their own motion, and shall upon the written request of ten members, call a special meeting of the Association by giving ten-day notice to the members. The notice of every special meeting shall state the facts or object or objects called, and no other business shall come before the meeting.
- Section 7. Ten percent of the membership or 25 members, whichever is less, shall constitute a quorum of all general Association meetings.

## ARTICLE V

### Eligibility to Vote

- Section 1- All members who are owners and/or occupants of lots in the Belmont West Subdivision shall be eligible to vote and hold office in the Association.

## ARTICLE VI

### Duties of the Officers

- Section 1. The President shall preside at all meetings of the Association and of the Executive Committee and shall exercise general supervision and control over all affairs of the Association. The President, or in his absences the Vice-President (neighborhood) shall, with the Secretary-Treasurer, sign all written contracts of the Association and shall perform such other duties as the By-Law's assign him.
- Section 2. The Vice-President (neighborhood), in the absence of the President, shall perform all of his duties. The Vice-President (pool) shall be responsible for all pool operations including maintenance of pool equipment. The Vice-President (pool) shall develop an annual budget for the pool which the Vice-President (pool) shall submit to the Treasurer for inclusion with the Association annual budget.
- Section 3. The Secretary shall keep the minutes of all the meetings of the Association and of the Executive Committee and shall have charge of the records of the Association. The Secretary shall give notice of all meetings of the Association to the members thereof as above provided, and give notice of all meetings of the Executive Committee to all of the members thereof as above provided, and shall conduct the general correspondence of the Association.
- Section 4. The Treasurer shall maintain accounting records, deposit and disperse funds to/from bank accounts, and receive, record, and deposit dues from Association members. The Treasurer shall render a financial report to the Executive Committee at their meetings and at such other times as may be ordered by the Executive Committee. He shall further cause a complete annual audit of the financial condition of the Association to be made at the end of the fiscal year and shall report the result to the membership at its annual meeting.
- Section 5. The officers shall serve without compensation.
- Section 6. Except from petty cash, the funds of the Association shall be expended only by check, which must be signed by the Treasurer.

## ARTICLE VII

### Committees

- Section 1. The President shall appoint, subject to the ratification and approval of the Executive Committee, such committees from time to time with such powers as the Committee may deem advisable.

## ARTICLE VIII

### Order of Business

Section 1. At all meetings of the Association, except special meetings, the order of business shall be as follows:

- (1) Reading of minutes of last annual meeting and of all special meetings held subsequent thereto.
- (2) Report of the Executive Committee.
- (3) Report of Treasurer.
- (4) Report of Committees.
- (5) Unfinished Business.
- (6) New Business.
- (7) Elections.
- (8) Adjournment.

This order of business may be changed at any meeting by a two-thirds vote of the members present.

Section 2. The order of business at Executive Committee meetings shall be as follows:

- (1) Reading of the minutes of the last regular meeting and of special meetings held subsequent thereto.
- (2) Reports of officers.
- (3) Reports of Committees.
- (4) Unfinished Business.
- (5) New Business.
- (6) Adjournment.

This order of business any be changed at any meeting by a two-thirds vote of the members present.

## ARTICLE IX

### Resignations and Expulsions

Section 1. All resignations must be presented to the Secretary of the Association.

Section 2. Any member may be expelled for any cause on a vote of three-fourth of the members present and voting at any meeting of the Association or by the Executive Committee as elsewhere herein provided.

Section 3. Any member who willfully or wantonly destroys or injures any of

the association property shall be required to make good, at his own expense, the injury or loss he may have occasioned.

## ARTICLE X

### Requirements for Membership

- Section 1. No applicant shall become a member unless he or she is a resident of Belmont West Subdivision and has paid to the Association the annual dues fee for a general membership. Continuous fulfillment of such requirements shall be a condition of membership.
- Section 2. Members shall be such persons as are members of the Association at the time of adoption of these By-Laws and such other persons as may thereafter qualify as members.

## ARTICLE XI

### Membership

- Section 1. Membership in this Association shall include all regular members of the household.
- Section 2. No family may become a member before meeting the requirements of Article X.
- Section 3. There shall be two types of membership:  
(1) A Belmont West Association membership is defined as one satisfying the requirements of Article X. Use of pool is not included in the Association membership.  
(2) A Belmont West Pool membership is purchased separately from the Association membership and conveys to the owner the privilege of use of the pool. Pool membership does not convey voting rights in the Neighborhood Association. Restrictions as may be deemed advisable may be established by the Executive Committee.
- Section 4. The rights and privileges of Association and Pool memberships not otherwise designated in these By-Laws shall be defined by the Executive Committee.
- Section 5. All memberships shall be recorded on the books of the Association. General memberships will not be transferable.

## ARTICLE XII

### Accounts

- Section 1. All dues and accounts shall become payable yearly on the tenth day of February. On the first day of April, unless the bill be paid, the debtor automatically shall be suspended from the Association and on the tenth day of April shall be subject to Expulsion from the Association and forfeiture of membership at the discretion of the Executive Committee.

## ARTICLE XIII

### Penalties

- Section 1. In case of the infraction of any By-taws or any Rule of the Association , or in event of any conduct on the part of a member which may tend to endanger to good order, welfare, or character of the Association or the safety of its members, the Executive Committee may suspend such member and all the privileges of membership for a period of not more than six (6) months or assess a fine not to exceed \$100.00 or both; provided, that when any member is charged with any breach or infraction of the Association By-Laws or rules, notice in writing shall be given him, and if the member protests the penalty in writing to the Association within twenty (20) days, the Committee shall set a time and place, and the member shall be given an opportunity to defend himself.
- Section 2. In the event of an infraction of any By-Law or Rule of the Association , or any conduct on the part of any member which may tend to endanger the good order, welfare, or character of the Association or the safety of its members, such offending member may be expelled by a two-thirds vote of the membership, providing fourteen (14) days' notice of the meeting at which such expulsion shall be considered is given in writing and shall have been given to the offending member and each member of the Association. Any member so charged with misconduct shall have an opportunity to defend themselves, either in person or by a representative, at the meeting of the Association when the charges against them shall be considered.
- Section 3. For misconduct or neglect of duty, any officer may be expelled from office by a majority vote of a quorum of the members at any meeting of the membership called for that purpose. Notice of such meeting shall state the purpose for which it is called.
- Section 4. For conduct on association property which tends to bring the Association into disrepute or which is disorderly or unbecoming, the Committee may forbid such offending person access to Association premises.

## ARTICLE XIV

### Amendments

Section 1. These Association By-Laws may be amended at any meeting of the Association by a majority vote of the members present in person or by proxy.