

GIANT'S NECK HEIGHTS ASSOCIATION BYLAWS [adopted June 15, 2013]

Article I Association Members

Section 1 Definition

An Association member is any person who owns land as recorded on the deed and continues to own land within the limits of Giant's Neck Heights Association, hereafter known as the Association, who is 21 years of age or older.

Section 2 Voting

One vote may be cast at Association meetings by a member or by one representative of an owner, a firm, or a duly created trust fund who is appropriately authorized to do so. If the voting results in a "tie" the final outcome will be determined by the Association President.

Article II Meetings

Section 1 Regular Meetings

- a. The regular meetings of the members of the Association shall be held in May (Budget), June (Elections), and an End of Season Meeting to be scheduled by the Governing Board. Notice of said meetings shall be posted at Town Hall by January 31 of each year as defined in Connecticut General Statutes, Section 1-21.
- b. All Association business shall be brought before the Association membership at regular meetings or, as may be required, in a special meeting. Proposed business shall be approved by a simple majority of members present.

Section 2 Budget

The budget shall be proposed and voted on at the annual May meeting. A copy of the proposed budget shall be mailed with notification of the annual May meeting to each landowner of record.

Section 3 Special Meetings

Special Meetings may be called at any time by the Board of Governors or upon receipt of a petition signed by sixty (60) Association members. A notice of special meeting shall state the purpose of the meeting and shall be held within twenty-one days (21) from the receipt of the petition.

Section 4 Notification

The Governing Board shall notify all members of the Association in writing, by mail, two (2) weeks in advance of all meetings and activities planned for that season. The date, time, place and purpose of said meetings shall be posted at the East Lyme Town Hall, twenty-four (24) hours prior to said meetings.

Section 5 Quorum

No less than twenty-five (25) members of the Association, as defined in Art. 1, Section 1, shall constitute a quorum for the transaction of business at any meeting of the Association. If twenty-five (25) members cannot be present at such meeting, the presiding officer shall postpone such meeting until at least twenty-five (25) legal members can be convened.

Section 6 Boundaries

All regular, special, or Governing Board meetings of the Association shall be held within the territorial limits of the Town of East Lyme.

Section 7 Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order shall govern the Association in all cases to which they apply and which are consistent with these bylaws, the Articles of Incorporation, and any special rules of order the Association may adopt.

Article III Governing Boards

Section 1 Members

The property and affairs of the Association shall be under the care and management of a Governing Board consisting of nine (9) members duly elected by the membership.

Section 2 Quorum

Five members of the Governing Board must be present at any regular or special meeting and shall, along with the twenty-five members required by Article 1, Section 2, constitute a quorum. If less than five members of the Governing Board are present, the meeting shall be adjourned and rescheduled to a specified future date. No meeting shall be conducted without the Association President, the Vice President, or a designated Board member present.

Section 3 Eligibility

Any member of the Association as defined in Article 1, Section 1 of these bylaws is eligible to be elected to the Board of Governors.

Section 4 Term Limits

A term on the Board of Governors shall be for three years and no member shall be elected for more than two consecutive three-year terms. A one-year absence is required before a member can serve another two consecutive three-year terms.

Section 5 Vacancies

A vacancy on said Board occurring during the year shall be filled by a majority [vote] of remaining members, and such member so appointed shall hold office for the unexpired portion of the term as defined in Articles of Incorporation, Section 6.

Section 6 Attendance

Three consecutive unexcused absences of a member from Board meetings will be considered sufficient grounds for the Board to replace the Board member. Absences may be excused by the President for justifiable reasons such as work requirements, sickness, travel, etc.

Section 7 Annulments

The Association may, at any regular or special meeting, annul or override any order or act of the Governing Board by a two-thirds majority vote of the Association members. Such action shall only be effective from the date of its promulgation.

Section 8 Emergency Expenditures

The Governing Board has the authority to expend Association funds, not to exceed \$3,000, in the event of emergency situations in order to secure the public health, safety, and welfare of the Association members and to protect and/or repair its property. A simple majority of the Board quorum is required. Details will be sent to the Association members along with the Annual Budget.

Article IV OfficersSection 1 Election

The nine members of the Board of Governors shall be elected by the Association at the June Meeting. These members shall hold staggered 3-year terms as defined in the Articles of Incorporation, Section 4 of number 585 of the special acts of 1953. The Board shall then elect a President and a Vice President.

Section 2 Duties - President

It shall be the duty of the president to preside at all meetings of the Association and the Governing Board. The president shall have general supervision authority of the Association's meetings and power to enforce all regulations and ordinances as may be adopted in the name of the Association under and in pursuance of the provisions of the Articles of Incorporation and of these By-Laws or as directed by the Governing Board to all committees. The President shall appoint one member of the Governing Board to all committees. The President shall be an ex-officio member of all committees.

Section 3 Duties - Vice-President

The Vice-President shall perform the duties of the President when the President is absent or unable to perform his or her duties.

Section 4 Duties - Secretary

The Secretary shall be a member of the Association appointed by the Board and need not be a member of said Board. The Secretary shall keep a record of the minutes of all meetings of the Association and the Governing Board, file a copy with the clerk of the Town of East Lyme within seven working days following a meeting (as per FOI), and make copies available upon request. The Secretary shall also perform other such duties as prescribed by the Articles of Incorporation, these By-Laws, or as directed by the Governing Board.

Section 5 Duties - Treasurer

The Treasurer shall be a member of the Association appointed by the Board and need not be a member of said Board. The Treasurer shall manage the Association's finances according to the directives of the Governing Board and shall provide a financial summary at all meetings to be made available to all members and shall sign checks and deposit funds. The Treasurer shall monitor the bookkeeper hired by the Board of Governors, be a member of the audit committee, and provide an annual audit report.

Article V Fiscal Year

The fiscal year of the Association shall begin on the first day of July each year (CT General Statute, Section 7-381).

Article VI Committees

Section 1 Definition

All committees shall be advisory to the Board of Governors and may not act for the Board unless expressly authorized by the President.

Section 2 Standing Committees

The standing committees under the purview of the Board of Governors shall consist of the following: Clubhouse, Beach, Jetty, Parking Lot, Beechwood Park, Web Site, and Audit.

Section 3 Special Committees

The President shall appoint special committees whenever, in the opinion of the Governing Board, such committees are needed.

Section 4 Special Nominating Committee

a. A Nominating Committee, composed of three Association members appointed by the President with the approval of the Governing Board, shall present, in the call of the Annual Budget Meeting or any special election, a slate of names of eligible members to fill the number of vacancies on the Governing Board.

b. Each slate, with the terms to be served, shall be presented to the Association membership at the Annual Budget Meeting or at special elections.

c. Nominations from the floor shall be in order at the June Election Meeting provided the nominee has agreed to allow his/her name to be placed in nomination.

d. Members of the Governing Board shall be elected by those present and voting at the June Election Meeting, provided a quorum is present. Once a quorum is established, a simple majority of those present shall be required to elect members.

Article VII Amendments

Section 1 Definition

The Board of Governors may call for a review of the current bylaws.

Section 2 Procedure

A copy of proposed by-law amendments shall be mailed to all members two weeks prior to the Annual [May] meeting. The proposed amendments shall be discussed at the June meeting. These By-Laws shall be amended by a two-thirds majority vote at the August meeting, becoming effective immediately. A copy of the revised By-Laws shall be made available to all members.

Article VIII Budget Requirements

Any single planned expenditure exceeding three thousand dollars shall require three documented bids.

ORDINANCES

Chapter 1. PROPERTY REGULATIONS

1. The beach, clubhouse, and park within the Giant's Neck Heights Association, hereafter known as the Association, are for the use of its members, their families and guests exclusively and the use of such by others is hereby forbidden.
2. Only property owners, who do not owe back taxes to the Association, are eligible to purchase parking permits for the beach. One permit allowed per household.
3. Owners who rent out their properties are responsible to inform their tenants of the rules and regulations of the Association. All rental tenants are expected to follow the By-Laws and Ordinances of the Association.
4. The beach does not have a lifeguard. Owners, residents, and renters swim at your own risk. Children under 12 years of age should not be at the beach without adult supervision.
5. Parents will be held responsible for any expense incurred by the Association for repair of any damage to Association property by their dependent children.
6. Skating of any kind, including roller blades, skateboards, and similar devices, is not allowed on the tennis courts at the park.
7. Launching of boats at the clubhouse is permitted at the person's own risk.
8. Open barrel burning of trash is not permitted in the Association.
9. Any person owning, walking, or in control of a dog shall not allow or permit such animal to defecate upon any private property owned by another person, including the Association property, roads, and sidewalks, unless such person immediately removes all feces deposited by such animal.
10. Members of the Association are expected to uphold and enforce its By-Laws.

11. All properties of the Association close at sunset: the beach, the park, and the clubhouse, except for official functions.

Chapter 2. ANIMALS

All animals shall be under control at all times within the territorial limits of this Association and animals shall not be allowed on the beach or on park property. The East Lyme leash law and the licensed dog law will be enforced in the Association.

Chapter 3. PARKING

1. On street parking is not permitted within the territorial limits of the Association.
2. All vehicles are not permitted to park on playground property.
3. The beach turnaround is for the use of Association members and their guests only to drop off and pick up beach materials. No parking is permitted at any time.

Chapter 4. SPEED LIMIT

No person shall operate any vehicle within the territorial limits of this Association at a speed greater than 20 MPH.

Chapter 5. GENERAL NUISANCES

1. Littering is prohibited.
2. All posted rules and regulations must be observed.
3. Signs, announcements, and postings are not to be placed on telephone poles. The responsible party must remove all such materials.

Chapter 6. PENALTIES

The Town of East Lyme Police Department will issue violators of these ordinances a summons and the court will levy penalties.

Chapter 7. APPEALS

Section 1. Any person or persons aggrieved by any rulings or ordinances issued by the Governing Board may give written notice of appeal to the Governing Board.

Section 2. The Governing Board may, at its discretion, in a specific case, after public notice:

- A. Hear and decide to determine if an error has occurred or a hardship exists.
- B. Vary any ordinance or ruling in special cases, without prejudice, but consistent with its general purposes and intent, so that equity and fairness are applied. This authority shall be exercised in a manner to secure public health, safety, and welfare, solely in instances where practical difficulties or unnecessary hardships interfere with the strict observance of the ruling or ordinance.

Chapter 8.

The Town of East Lyme Zoning Board is responsible for establishing and enforcing zoning regulations. All property owners must comply with zoning regulations.