

# **BIRPOA Constitution and Policies**

Approved A.G.M. 1982

Amended A.G.M. 1985

## **CONSTITUTION FOR BIRCH ISLAND RESIDENTIAL PROPERTY OWNERS' ASSOCIATION**

### **NAME**

1. The organization shall be known as the "Birch Island Residential Property Owners' Association", hereafter referred to as the "Association" .

### **PURPOSE**

2. The purpose of the Association shall be to deal with matters of common interest and concern to those who are members of the Association.

### **MEMBERSHIP**

3. The Association shall consist of active members and honorary members.

4. Active members shall be property owners who have purchased Birch Island property for personal use; who support the purpose of the Association; and who have paid the currently-prescribed membership fee.

5. Honorary members shall be such persons as may be appointed to such memberships by a majority of those members eligible to vote.

6. Membership shall lapse:

a. When no membership fee has been paid before the commencement of the annual meeting in the current fiscal year; and

b. Upon death, expulsion, resignation of a member, or sale of property.

### **MEMBERSHIP FEE**

7. The annual fee for membership shall be set by a majority of those members eligible to vote, on the recommendation of the Executive Committee, from such information as is available at the time of the Annual Meeting.

### **ADMINISTRATION**

8. Officers of the Association shall consist of the following active members: President, Vice President, Immediate Past President, Secretary, Treasurer. In addition, there will be three Directors or more as deemed necessary. All officers and directors shall be elected by a majority vote of the members present at each annual meeting.

9. Term of Office. Officers and directors will be expected to serve in individual positions for a term of two years. Re-election of individuals is permitted with the expectation that the maximum tenure in any particular office is no more than four years.

10. The above named officers and directors shall constitute the Executive Committee of the Association.

11. It is the intent of the Association, in naming people to the Executive, to select an appropriate number of officers from the Ottawa area, so as to insure a quorum for winter meetings, and at the same time provide, so far as feasible, representation distributed around the Island.

## DUTIES OF OFFICERS

12. The President shall normally preside at all meetings of the Association, and meetings of the Executive Committee. The President shall be responsible for providing direction and leadership for all Association activities.

13. The Vice President shall preside at those meetings not attended by the President, and shall have such further duties as may be assigned by the President.

14. The Secretary shall record the proceedings of all meetings of the Association and the Executive Committee, and shall provide a transcript of such minutes for the President as soon as possible following each meeting. Copies of the minutes of the Annual Meeting shall be distributed to all members in good standing. Copies of the minutes of the Executive Committee meetings shall be distributed to each member of the Committee. The Secretary shall advise all members of the time and place of the annual meeting, and any special meetings that may be called by the Executive Committee. The Secretary shall also carry out various other secretarial duties, including correspondence, as may be assigned by the President.

15. The Treasurer shall receive all revenues of the Association, give receipts therefore, and deposit all funds to the credit of the Association in such bank as may be approved by the Executive Committee. He shall pay by cheque, countersigned by the President or Secretary, all bills which have been approved by the Executive Committee. The Treasurer shall keep full and accurate records of all receipts and disbursements and shall make regular reports of such to the Executive Committee.

16. One director shall also be Membership Chairman, chosen as such by the other members of the Executive Committee. He shall maintain a full and correct list of names and addresses of all members, and shall distribute voting cards to members in good standing at annual or special general meetings. He shall be responsible for first official contact with new residents, collecting vital statistics, explaining the objectives of the Association, and, if the property owner joins, collect the membership fee.

17. The Past President shall function as a regular member of the Executive Committee, and perform such other duties as may be requested by the President.

18. The Directors shall function as regular members of the Executive Committee and perform such other duties as may be requested by the President.

## REPLACEMENT OF EXECUTIVE COMMITTEE MEMBERS

19. In the event of a vacancy on the Executive Committee, the Executive Committee shall appoint a replacement until the next annual meeting.

20. Committees may be appointed by the Executive Committee from time to time, to carry out certain functions of the Association. These committees may include or be comprised solely of members of the Association other than the officers.

## FISCAL YEAR

21. The fiscal year of the Association shall be from 1 July to 30 June.

## MEETINGS

22. The Executive Committee of the Association shall meet regularly to conduct the business of the Association; the time and place of such meetings shall be at the discretion of the President.

23. The Annual Meeting of the Association shall be held on the Sunday of the August holiday weekend when possible. The time, place and date of the meeting shall be set by the Executive Committee. The election of officers shall be conducted at this meeting.

24. Special meetings of the members may be called by the Executive Committee, or on written request by any eight active members in good standing, provided such application shall state the purpose for which such a meeting is requested. No business other than that stated in the application shall be transacted at such special meeting. Proper notice and object of such meeting will be given each active member at least fourteen days prior to such meeting.

25. At each annual meeting the membership shall appoint an auditor for the current year, whose report is to be heard at the following annual meeting.

26. Voting shall be by a show of voting cards.

27. Robert's Rules of Order shall govern all meetings when not inconsistent with these by-laws.

## ELECTIONS

28. The Nominating Committee shall consist of three members appointed by the Executive Committee, one of whom shall be the Immediate Past President, Such appointments shall be made not less than 30 days prior to the annual meeting.

29. The Nominating Committee shall, at the annual meeting, present nominations for all offices to be filled, with prior approval having been obtained from the nominees. Additional nominations may be made from the floor, with nominees signifying their approval. It is the important duty of the Nominating Committee in selecting candidates to ensure a continuity of experience in the Executive Committee.

30. Election shall be by show of voting cards, with only active members in good standing

eligible to vote. Two votes per property owner will be allowed and these votes may be exercised by one or more members of the property-owning family. Candidates receiving the highest number of votes will be declared elected.

## QUORUMS

31. At the annual meeting or special Association meetings, a quorum shall consist of at least 15 active members in good standing.

32. At least four executive members shall consist of quorum at Executive Committee meetings.

## ADMENDMENTS

33. This constitution may be altered, amended, revised or repealed by a two-thirds vote of the active members present at any regular or special meeting, provided notification of such changes is provided to the membership as "Notice of Motion" not less than fourteen (14) days prior to such meeting.

### **Policy: Pathways**

(Approved A.G.M. 1986)

This proposed policy is based on the assumption that the majority of BIRPOA members are of the opinion that they have free and unrestricted use of all the footpaths on Birch Island , and that they wish to be able to use these footpaths at their leisure. It is further recognized that there is a need for cleared footpaths to help prevent the spread of grass fires, and for fire fighting purposes.

### IS IT RECOMMENDED THAT:

1. those who own property adjacent to the footpaths be responsible for clearing, and keeping cleared, such footpaths;
2. where footpaths are not kept cleared, it is suggested that neighbours share the work voluntarily;
3. clearing should be done to a minimum width of 6 feet but should not extend beyond the sides of the footpath lots;
4. clearing of brush, trees, and grass shall be done by cutting or chopping. No chemical defoliant are to be used, except to destroy injurious plants such as poison ivy. Stumps should be cut as close to the ground as possible to prevent tripping over them by casual strollers;
5. brush should be disposed of by cutting it up and laying it flat on the ground, off to the side of the clearing;
6. property owners are asked to erect lot number signs at the entrance to their property from the pathway (this is in addition to numbers on their waterfront side);

7. extraordinary, but reasonable, expenses incurred in clearing footpaths will be reimbursed from BIRPOA funds.

### **Policy: CARE AND USE OF INLAND PROPERTY**

(Approved at the Annual General Meeting 1992)

The inland properties are a unique collection of properties and foot paths that were part of the development plan for the island. This part of the plan has been dropped and most inland properties have been sold to cottage owners. There are, however, some lots owned by absentee owners. The use and care of the inland properties, in particular where it concerns environmental and/or fire hazards, are of concern to cottage and property owners.

It is understood that BIRPOA recognizes the inherent right of property owners to use and enjoy their property as they see fit within legal boundaries. As a matter of policy BIRPOA will monitor the use and care of these properties and, notify the property owners of any infractions, i.e. unauthorized activities, causing fire and/or environmental hazards, amongst others. Should appropriate action not be taken, BIRPOA will notify provincial and/or municipal authorities.