

SAMPLE BYLAWS OF
THE CONDOMINIUM ASSOCIATION

Membership and Meetings

Section 1. Members. All residents of this community association, condo association or homeowners association who are 18 years of age or older are eligible to be members of this Corporation. All members of the Corporation may vote for and are eligible to be officers of the Corporation.

Section 2. Annual Condo Association Meeting. The membership shall elect a Condo Board of Directors at the annual meeting to be held in the community at a time designated by the President of the Corporation. The membership and Board of Directors shall be notified not less than 15 days before the date of the annual meeting. Notice shall be given by posting the scheduled date, time, and place of the meeting in at least three prominent public locations in the community. The annual meeting shall be open to the public.

Section 3. Regular Condo Meetings. The Condo Board of Directors will meet regularly on the _____ of every month. These meetings shall be open to the public and shall be publicly noticed by posting the scheduled date, time and place of the meeting in at least three prominent, public locations in the Community.

Section 4. Special Condo Meetings. Special meetings of the membership may be called by or at the request of the Chair or any three Directors or by a petition of ten percent of the registered members. These meetings shall be public and shall be publicly noticed at least 15 days in advance by posting the date, time, place and purpose of the meeting in at least three prominent, public locations in the community. The members may not address any matter which is not stated in the public notice as the purpose of the meeting.

Section 5. Quorum. members of the Condo Board of Directors constitute a quorum for the transaction of business at any meeting of the Board. affirmative votes are required for any action taken by the Board.

Section 6. Condo Association Voting and Voting by Proxy. All members are entitled to vote and shall have the right to do so in person or by an agent authorized by a written proxy executed by the member filed with the Secretary of the Corporation. Such proxy shall be valid only if executed in favor of another member and no proxy shall be valid after the expiration of eleven months from the date of its execution.

Section 7. Order of Business. The order of business at all meetings of the members shall be as follows:

- A. Roll Call
- B. Proof of Notice of Meeting or Waiver of Notice
- C. Reading and Approval of Minutes of Preceding Meeting
- D. Reports of Directors
- E. Reports of Committees
- F. Unfinished Business
- G. New Business
- H. Election of Directors (if applicable)
- I. Adjournment

Board of Directors

Section 1. Condo Directors. The number of directors shall be seven. Directors shall be members of the Corporation and shall act on good faith charge of the members of the Corporation.

Section 2. Term of Office. The term of office for each director shall be for three years from the time of his or her election at the annual meeting until his or her successor has been elected and qualified. All officers are elected by and from the directors for one year terms. To allow for terms to expire each year, initially the directors' terms shall be as follows:

- 1. Director Three Years Term Expires 20__
- 2. Director Three Years Term Expires 20__
- 3. Director Three Years Term Expires 20__
- 4. Director Three Years Term Expires 20__
- 5. Director Three Years Term Expires 20__
- 6. Director Three Years Term Expires 20__
- 7. Director Three Years Term Expires 20__

The initial seats shall be assigned by drawing straws.

Section 3. Vacancies. Except as otherwise provided, any vacancies occurring in the Condo Board of Directors, whether by resignation or removal, shall be filled by the majority vote of the remaining Directors. In the event of the simultaneous resignation and/or removal of three or more Directors, the membership shall hold new elections to fill those vacant positions on the Board. Those Directors so elected will serve for the remaining portion of the unexpired term.

Section 4. Removal of Directors. Any Director may be removed by a majority of the members who vote on the issue providing that just cause has been established and whenever, in their judgement, the best interests of the Corporation would be served by doing so.

Condo Association and Election Voting Rules

Section 1. Condo Association or HOA Election Notice. A notice of vacancies for expired terms of office for Board of Directors and a notice that an election shall be held shall be prepared and posted by the Secretary and shall contain the following:

1. Whether the election is general or special
2. Date of the election
3. Location of the meeting where the election will be held
4. Time of election meeting
5. Seats or office to be filled
6. A statement describing voter qualifications

Section 2. Nominations. Nominations for Board of Directors shall be open nomination from the floor at the annual membership meeting.

Section 3. Ballots. Ballots will be on plain white paper with a space for writing in the nominee's name and a blank square for marking a vote next to the nominee's name.

Section 4. Voting Procedures. Voting procedures are as follows:

1. The Secretary shall check for the member's name on the Master List of members. If the member's name appears on the master membership list, that person is deemed qualified to vote.
2. Qualified voters shall give his/her name to the Secretary and then write it on the blank list or membership roster.
3. Voters shall mark the ballot next to the name of the nominees they wish to vote for, as provided in

Section 3: Ballots.

4. Voting will be by secret ballot. Ballots will be marked in pen. After the ballot is marked, the voter will fold it and deposit it in the ballot box.

Section 5. Tallying Procedures. Before counting the ballots, the Secretary shall check to make sure that the number of member's names signed on the membership roster is equal to the number of ballots in the ballot box. The ballot box shall be opened in public. The ballots shall be tallied

by the Secretary or a committee of judges selected from the membership and recorded by the Treasurer.

Section 6. Certifying the Election. The election shall be certified by the President and Vice-President of the Corporation. Nominees receiving the greatest number of the votes cast shall be considered elected

Directors. For example. If two seats are to be filled, the top two vote getters are the newly elected directors. The Secretary shall post a copy of the report of election results in three public places the day after the election results are known. The notice shall include:

1. That the election has been certified by the President or Vice-President,
2. That the final results of the election, and
3. A list of the names of the new Directors.

Officers

Section 1. Selection of Officers. The Board of Condo Directors shall elect from among themselves the following officers; President, Vice-President, Secretary and Treasurer. This shall be the first order of business of the first meeting of the Board of Directors following the elections of Directors at the annual meeting.

Section 2. President. The President is the principal executive office of the Corporation and shall, in general, supervise and control all of the business and affairs of the Corporation. He/She shall preside at all meetings of the Board of Directors. He/She shall sign contracts or other instruments which the Board of Directors has authorized to be executed.

Appendix C

Section 3. Vice-President. In the absence of the President, or in the event of his/her inability or refusal to act, the Vice-President will perform the duties of the President, and when so acting will have all the powers of and be subject to all the restrictions upon the President.

Section 4. Secretary and Treasurer.

The Secretary shall:

1. Keep a journal of proceedings of the Corporation, record all votes at meetings of the Corporation,

and provide for the electronic recording of meetings of the Corporation when possible,

2. Provide for the standardization and maintenance of all forms, books, and records of the Corporation, and
3. Keep the Corporate seal and affix the seal to all contracts and instruments authorized to be executed by the Corporation.

The Treasurer shall:

1. Manage, deposit, and invest all funds of the Corporation as directed by the Board of Directors,
2. Disburse money for all corporate obligations, and
3. Keep regular books or accounts of all corporate financial transactions, and provide for financial reports or audits as directed by the Board of Directors.

Chapter Five

Contracts, Checks, Deposits and Funds Finances

Section 1. Contracts. The Board of Directors, at the direction of the membership, may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances as authorized by the Board of Directors.

Section 2. Checks, Draft Signing Authority. All checks, drafts, or orders for payment of money, notes or other evidence of indebtedness issued in the name of the Corporation and in such a manner as shall be determined from time to time by the Board of Directors, shall be signed by the Treasurer and shall be countersigned by the President or Vice-President of the Corporation.

Section 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

Section 4. Gifts. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest, or device for any special purpose for the Corporation.

Section 5. Grants. No grant monies from the State, federal or other governmental entity shall be applied for without the majority vote approving such application at a meeting of the members of the Corporation.

Section 6. Dues. Dues may or may not be assessed by the Board of Directors, but may not exceed five dollars per member per year.

Section 7. Fiscal Year. The fiscal year of the Corporation shall begin on the first day of July and end on the last day of June the following year.

Books and Records

The Corporation shall keep correct and complete records of financial transactions and accounts, and shall also keep minutes of the proceedings of its Board of Directors. All books and records of the Corporation may be inspected by any member, or his/her agent or attorney, for any purpose at any reasonable time.

Amendment to Bylaws

The bylaws may be amended by an affirmative vote of two-thirds of the members voting at an annual meeting. The text of the proposed amendment must be included in the public notice announcing the time, date and place of the annual meeting.

Adoption of Bylaws

This is to certify that the above bylaws were adopted by the Board of Directors at a meeting on the day

of , 200_.

President

Secretary