

Viva Villas Civic Association, Inc.

By-Laws

2000

BY - LAWS

VIVA VILLAS CIVIC ASSOCIATION, INC.

PASCO COUNTY, FLA.

REVISED AND APPROVED BY THE EXECUTIVE BOARD---DECEMBER 13, 1999

The name of this organization shall be "VIVA VILLAS CIVIC ASSOCIATION, INC." a corporation not for profit, incorporated under the laws of the State of Florida.

The purpose of this Association is to serve the cause and best interests of home owners of Viva Villas Subdivision with respect to property values, community improvement and beautification. Also to stimulate and cultivate a spirit of fraternity, cooperation, unity and civic mindedness among its members, and to act as "watch-dog" over governmental agencies and officials exercising control and influence over our area. The right of any lot owner to use the common ground area is limited to peaceable assemblies, family get-togethers, picnics, and children's games. Large gatherings shall be allowed at the discretion of the Board upon written request.

MEMBERSHIP

ARTICLE I

Section 1 Membership in this Association is open to all residents of Viva Villas, such membership being granted to each household as a unit.

Section 2 Each household whose membership is in good standing, shall be limited to no more than two adult votes at all regular and special meetings of the Association. There will be no proxy vote. An absentee ballot will be accepted upon verification of lot ownership. It will be a closed ballot.

Section 3 Annual assessment fees shall be \$_____, (changeable) payable to the Civic Association by January 1 of the given year.

Section 4 Lot owners who fail to pay assessment fees by March 31st of the present year shall be considered delinquent. The lot owner shall be sent a letter advising that unless the assessment is paid in full immediately, a lien amounting to the total amount owed by the lot owner will be placed against the property. Interest on this lien will accrue at 7% per year.

Section 5 A receipt will be issued upon payment, signed by the Treasurer.

MEETINGS

Article II

Section 1 Regular monthly meeting of the membership shall be at the time and place as may be designated by the President and approved by the Board.

Section 2 Special meetings may be called by the President or at the request of the Executive Board or at the written request of ten (10) or more members in good standing with five (5) days notice.

Section 3 Ten per cent (10%) of members in good standing shall constitute a quorum for the conduct of business at any regular or special meeting.

Section 4 Regular monthly meetings of the Executive Board shall be conducted at a time and place designated by the President.

Section 5 Special meetings of the Executive Board may be called at the pleasure of the President.

Section 6 A majority of Executive Board members shall constitute a quorum at any meeting of that Board.

Section 7 The following order of business shall be observed at all regular and special meetings of the Association and Executive Board:

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|--|---------------------------------------|
| 1. Call to order | 6. Reading of Communications |
| 2. Pledge of Allegiance | 7. Report of Standing Committees |
| 3. Roll Call of Officers | 8. Report of Special Committees |
| 4. Reading and approval of
Previous Meeting Minutes | 9. Unfinished or Old Business |
| 5. Report of Treasurer | 10. New Business |
| | 11. Good and Welfare of the Community |
| | 12. Adjournment |

Section 8 A member desiring to speak must be first recognized by the Chair, state identity, then proceed.

Section 9 A member shall be limited to no more than 5 minutes to speak on any one question after recognition by the chair.

Section 10 Persons who are not members in good standing have no status and, therefore, have no voice on any matter under consideration at a meeting.

Section 11 A member shall not be recognized by the Chair a second time on the same subject until all other members present have had an opportunity to speak. Exception may be granted by majority consent of membership present.

Section 12 Questions of parliamentary procedure not provided for in these by-laws shall be decided by the Chair, as near as possible, in accordance with current Roberts Rules of Order.

COMMITTEES

ARTICLE III

Section 1 The President shall determine the need for and appoint a Chairperson for all committees deemed necessary to the efficient and effective operation of the Association. Each committee chairperson shall select his/her own committee members.

Section 2 The President can serve as a member "Ex Officio" of all committees.

OFFICERS

ARTICLE IV

Section 1 Officers of this Association shall consist of a President, a Vice-President, Secretary, and Treasurer.

Section 2 The President shall be the chief executive officer and shall preside at all meetings of the Association and Executive Board. He/she shall have general charge, supervision and control of the business affairs of the Association subject to the control and direction of the Executive Board.

Section 3 The Vice-President shall perform all of the duties and exercise the powers of President during his or her absence or inability to perform the duties of the Presidency.

Section 4 The Secretary shall attend all meetings of the Association and of the Executive Board, record all votes taken, and keep minutes of all proceedings. Under the direction of the President, the Secretary shall type correspondence, maintain Association files including a complete and up-to-date roster of members in good standing, perform other related duties, and bring past and present minutes to the meetings.

Section 5 The Treasurer shall have custody of all Association general and special funds; shall keep full and accurate account of Association receipts and disbursements in books belonging to the Association. Books shall be open to inspection by any club member in good standing upon request. The Treasurer shall deposit all monies in the name of and to the credit of the Association in such depositories as may be designated by the Executive Board. Association funds shall be disbursed or withdrawn only by check specifically authorized by the President or the Executive Board, and signed by either the President, or Executive Board or the Treasurer, with a limit of \$150.00. Receipted statements shall be required as evidence of each disbursement and retained in the Treasurer's records. Under the direction of the President, the Treasurer shall perform such other related duties as required. Expenditures over \$150.00 but less than \$500.00 must have approval of the Executive Board. Expenditures over \$500.00 must have approval of the membership.

EXECUTIVE BOARD

ARTICLE V

Section 1 The Executive Board shall consist of up to nine (9) members The Association President, Vice-President, Secretary, Treasurer and five elected representatives. The outgoing President shall serve as advisor to the Board for one year following his/her regular term of office.

Section 2 The property and lawful business of this Association shall be held and managed by the Executive Board which shall have the power and authority given to it by these by-laws. The board shall establish such policies as may be required for the legal and orderly conduct of association affairs.

TERM OF OFFICE

ARTICAL VI

Section 1 The term of office for all elected officials, including the five representatives elected to the Executive Board shall not be limited.

Section 2 Candidates for each office and Executive Board Representatives must be members in good standing at the time of nomination. They must also be year round home owner residents of Viva Villas, except for normal vacations.

Section 3 Any member holding an elective office, who is absent three (3) consecutive months without reasonable cause as determined by the Executive Board, shall be removed from office and his/her position declared vacant.

Section 4 Vacancies in any elected office, for any reason, shall be filled for the remainder of term at the discretion of the Executive Board.

Section 5 Two members of the same household may not serve on the Executive Board at the same time.

ELECTIONS

ARTICLE VII

Section 1 At the regular meeting in October of each year, the President and Board shall appoint a Nominating Committee Chairperson who shall select two members to serve with him/her.

Section 2 The Nominating Committee shall present a list of nominations for each elective office at the regular meeting in November of each year.

Section 3 Election of Officers shall be conducted at the regular meeting in November of each year, following normal order of business. Nominees submitted by the Nominating Committee shall be presented to the membership for each individual office. For each office, additional nominations from the floor may be made by any member in good standing, after which all nominations shall be closed.

Section 4 Immediately following the close of nominations, the Chairman of the Nominating Committee shall appoint the necessary number of tellers to conduct the balloting among eligible voters. Immediately following the tally of votes, election results shall be announced to the membership. Each member has the right to have one challenger.

Section 5 After Installation of Officers, the Articles of Incorporation, all minutes and important papers are to be turned over to the new Officers. Newly elected officers shall be installed by the President or Vice-President or by a Executive Board member, at the December meeting, using the following oath of office.

"As I call the names of the Officers to be installed, will you please come forward and form a line: (President, Vice-President, Secretary, Treasurer, Council Members).

It is not enough to bask in the importance of a new title, but in accepting this post, you promise to exert every possible effort to conduct Association activities so that you will attract to our organization the talent and tireless work of all in our Community.

To that end, I ask you to raise your right hand and repeat after me your Oath of Office.

"I do solemnly affirm---to live up to the provisions of the governing laws--- of the Viva Villas Civic Association, Inc.---To discharge all duties--- incumbent to my office---to the best of my ability."

AUDITS

ARTICLE VIII

Section 1 Immediately following the annual election of officers, the incoming President shall arrange for an audit of all Association accounts by a non-office holding member who is deemed qualified. A report of the audit shall be presented to the membership at the regular February meeting.

Section 2 In the event that the office of Treasurer becomes vacated for any reason prior to the expiration of the regular term, the President shall immediately institute the procedure outlined in Section 1 of this article.

ARTICLE VIII (continued)

Section 3 Immediately following the annual election of officers, the President shall appoint an Association Property Officer who shall be responsible for making a written inventory of all equipment owned by the Association. The Property Officer shall further arrange for safe storage of such equipment.

AMENDMENT TO BY-LAWS

ARTICLE IX

Section 1 Proposals from community members in good standing for the amendment or revision of the By-Laws may be in writing as written in the ARTICLES OF INCORPORATION, PAGE 3, ARTICLE VIII. The Board shall then consider the worth and desirability of the proposal at its next meeting. If approved by the Board, it shall then be presented to the membership for approval or rejection at the next meeting.

Section 2 The Executive Board shall periodically review existing By-Laws. The Board, on its own initiative, may propose amendments or revisions in accordance with the procedure outlined in Section 1 of this article.