PENN FAIR SWIM CLUB
BY-LAWS

ARTICLE I – NAME
This organization shall be known as the Penn Fair Swim Club.

ARTICLE II -PURPOSE
The purpose of this organization is to operate and maintain a swimming pool and associated facilities located at the corner of Elbow Lane and Lions Drive in an efficient and orderly manner.

ARTICLE III – EXECUTIVE COMMITTEE
Section 1. The administrative powers of the Pool shall be vested in a governing Executive Committee ("the Committee") Which shall have full authority, control and responsibility for management of all affairs, property and funds of the pool, except that all actions of the committee are subject to review and approval of the owner membership (hereinafter defined). The Committee shall be responsible for establishing general policies of the Pool, selecting a manager who shall be an employee of the pool. If there is not a manager available, the Committee will be responsible for all managerial tasks.

The Membership shall elect the following officers of the committee: President, who shall preside over the meetings of the committee; Vice president, who shall manage committee meetings in the absence of the President; Secretary, who shall record all actions, written reports and meetings of the committee; and a Treasurer, who will evaluate all fiscal reports and statements of the pool.

A. The Executive Committee may fill a vacancy in office by appointing a successor until the next scheduled election.
B. Election of new officers will take place at the annual fall membership meeting.
C. The Executive Committee may not approve the yearly budget. This function is reserved for the members at a meeting designed for that purpose.
D. The Executive Committee shall have final disposition of all applications for membership.

ARTICLE IV- OFFICERS
Section 1. The officers of the organization shall be a President, Vice President, Secretary, and Treasurer.

A. Terms of all offices is to be one calendar year. Nominations and elections to be held annually.

Section 2. A President shall be directly elected by the membership.
A. The President shall preside at all general membership and executive committee meetings.
B. The President, with the Secretary, shall sign all contracts and papers relating to the affairs of the organization.

C. The President shall have been a board member in another capacity prior to being elected President.

Section 3. The Vice President will be directly elected by the membership.

A. The duties of the Vice President shall be to assist the President and perform his/ her function in his or her absence.
B. The Vice President shall coordinate fundraising opportunities during the season and off season.
C. The Vice President shall research and debrief the Executive Committee on opportunities for capital projects and other financial needs.
D. Committees may be formed to support the specific needs of the pool (eg. Fundraising, events, bonds, etc.) and will be be overseen by the Vice President.

Section 4

A. The Secretary shall make and keep minutes of all meetings of the membership and executive committee. Meeting minutes shall be posted online for membership to review.
B. The President, with the Secretary, shall sign all contracts and papers relating to the affairs of the organization.
C. The Secretary shall keep track of all volunteer hours and communicate all hours recorded to the Treasurer to refund any maintenance checks.
D. The Secretary shall maintain a membership record including information concerning a member and their family and other such data concerning admission to, standing and termination of membership as may be required by the executive committee.
E. The Secretary shall keep all organization records except for financial records.
F. The Secretary shall be responsible for reports to members and all official correspondence including notification of meetings, fees and assessments.
G. The Secretary is responsible to record and distribute bond to all new members.
H. The Secretary shall be custodian of the corporate seal.

Section 5.

A. The Treasurer and any others authorized to sign checks may be bonded.
B. The Treasurer shall make and keep records of all financial transactions of the organization.
C. The Treasurer must share the budget with membership at least twice per year. Budget will be shared at a minimum in the Spring prior to the start of the season and in September at the closing meeting.
C. The Treasurer shall be responsible for the receipt of all monies due to the organization, conduct its banking business and audit all accounts.
D. The Treasurer shall keep appropriate records, including the members financial standing with respect to the organization and serial number and date of bond certificate.
E. The Treasurer shall sign all checks and make disbursements subject to the approval of the executive committee and checks must be countersigned by 1 elected officer other than the treasurer.

I. The Treasurer and the President, or other elected officer chosen by the Executive Committee must always have access to all financial accounts.

F. The Treasurer shall perform such other functions as may be appropriate to their office or required by the Executive Committee.

ARTICLE V -MEMBERS AND MEMBERSHIP

Section 1. There are two classes of membership: owner membership and first year membership. Under these classes, there are five types of memberships. The five types of memberships are: Individual, Family, Senior, Senior Couple and Junior.

A. If the membership exceeds capacity of the pool, the Executive Committee may vote to enact a temporary residency priority for issuance of new ownership membership bonds.
B. Family memberships is defined as members of the family living at the same residence. Family members with other residency may attend as guests but are not covered under the family membership.
C. Temporary and partial season memberships will be at the discretion of the Executive Committee including August only memberships, Child Care memberships and Grandparent memberships.
D. Junior memberships, Senior memberships and Senior couple memberships are not required to bond.
E. Junior memberships must have both a parental waiver and child / parent signed understanding of the pools rules and regulations on file at the start of each new season.

Section 2. Owner membership shall be represented by one bond in the Penn Fair Swim Club.

A. Each bond in the Penn Fair Swim Club shall have fixed par value of $300.00
B. The number of issued bonds shall not exceed the current market value of the property.
C. Each bonded member who has met their financial obligations to the organization is entitled to one vote.
D. A bonded member may maintain active member bonded status in a given year by letting the Executive Committee know that they are taking the year off and are paying the maintenance fee. When completed by deadline, membership dues will not be charged that year. Executive Committee must be notified by July 1st of given year.
E. Termination of membership shall occur when financial liens, maintenance fee, assessment are more than one year past payment due date.
F. Requests for bond buybacks must be made in writing by the first day of May if the owner does not want to be assessed for the annual maintenance dues. If this request does not occur and if the membership fee remains unpaid more than one year past the payment due date the owner will not be entitled to a refund of the bond money. Failure to respond in writing, to notify the Executive Committee within this timeframe, will place the bond in default status.
G. If there is no written request for a bond buyback, and the maintenance and membership fees are not paid by May of the following year, the bond is considered in default and the owner is not entitled to a refund of the bond money.

H. Bond refunds will be made as available bonds are purchased.

I. First year family memberships are not required to bond. Bonding is required as a second-year member, no matter what type of membership you had year one (ie. August membership only). Bond may be paid in full or split over two years. If split over two years, $150 is due by May 30th of the first year and $150 is due by May 30th of the 2nd year. No bond will be issued until the amount is paid in full. If, partial payment of the bond is made and the member does not make a second-year payment as described above, there will be no refund of the half bonded amount. Only fully bonded members may request bond buyback.

J. The transfer of bond shall be conveyed in the following manner:
1. The transfer of bond may not take place without the issuance of a new bond.
2. The transfer of bond membership is subject to the of the Executive Committee and must be approved by the Executive Committee ahead of transfer. Bond must be active. No transfer will occur if there is a lien on the bond.
3. Should said bond be sold back to the organization, the organization shall not pay more than the par value of said share. The approval of the Executive Committee shall not be withheld if transfer of bond ownership is to the purchaser of members home. No share may be transferred while there is a lien upon said share.

K. Facility privileges may be suspended by daily authorized personnel for just cause.
  1. The transfer of bond may not take place without the issuance of a new bond.
  2. The transfer of bond membership is subject to the of the Executive Committee. Should said bond be sold back to the organization, the organization shall not pay more than the par value of said share. The approval of the Executive Committee shall not be withheld if transfer of bond ownership is to the purchaser of members home. No share may be transferred while there is a lien upon said share.

<u>Section 3</u>. Members and guests are expected to follow rules and regulations.

A. Facility privileges may be suspended by pool manager for just cause.

B. Abuse of pool rules and regulations may result in termination of membership at the discretion of the Executive Committee.

ARTICLE VI – MEMBERSHIP FEES AND ASSESSMENTS

<u>Section 1.</u> There shall be an established annual membership fee for all bonded members and types of membership.

A. The Executive Committee will establish all membership fees for the following season by January 1st.

B. An annual maintenance fee will be added to all members bill in addition to the annual membership fee for the upkeep of the pool and all facilities. The fee will be established by the Executive Committee by January 1st.

C. The Executive Committee members shall not pay a membership fee or maintenance fee for the year in consideration of services provided. Each Executive Committee position is equivalent to one family membership. If the position is filled by two persons or greater, the discount will be split appropriately.

D. Additional memberships and / or waiver of maintenance fee may be decided by the Executive Committee for individuals / families who provide significant support to the pool including but not limited to: family providing landscaping for the pool, electrical or plumbing services. There will never be a waiver of bond.

E. All members will be requested to assist in the annual maintenance procedures required for the opening and closing of the facilities.

F. The Executive Committee may decide to waive the maintenance fee for a predetermined amount of volunteer hours per family membership. If Executive committee opts to waive the fee, the hours needed to waive / return fee will be established by January 1st.

Section 2. There will be an assessment, if required to balance the yearly budget.

A. The amount of the assessment is solely the responsibility of the Executive Committee.

B. The assessment, as part of the yearly budget, is subject to the approval of the Executive Committee and membership. If there is an assessment, it will be determined by the Executive Committee by September 30th of the year and the assessment fee will be due by December 10th of the year to ensure a balanced budget for the calendar year.

ARTICLE VII – AMENDMENTS

Section 1. These by-laws may be amended at any regular or special meeting of the members.

A. All amendments will be approved by two thirds votes of the members present, provided a copy of the proposed amendment, and notice of the meeting date is mailed or emailed to the members at least 15 days prior to the meeting.

B. All amendments may also be approved via online meeting (ie. Zoom or skype) or with an online voting tool. All amendments will be approved by two thirds votes, provided a copy of the proposed amendment, and notice of the meeting date is mailed or emailed to the members at least 15 days prior to the meeting. When using an online voting tool / not a live vote, members will be given 7 days to vote online. At least one reminder email will be sent in that 7-day window.

ARTICLE VIII – MEETINGS

Section 1. There shall be at least two general membership meetings each year.

A. The Summer meeting will be held by July 4th. The second meeting will be held Labor Day Weekend.

B. All meeting times and place(s) will be determined by the Executive Committee.

C. Notification of the regular membership meetings must be made at least 10 days prior to the scheduled meeting.
The notification shall contain a general description of the business to be transacted.

D. Special meetings may be called by the Executive Committee or by written request of ten (10) voting members provided that every member has been notified of the time and date of the meeting at least 5 days prior to the date of the meeting.

E. Notification may be made by either standard mail or electronic mail.

F. The five- or ten-day notice shall be based on the date of either the postmark or e-mail sent.

G. A member column bound by showing reasonable cause where the validity of the cause to determine by the executive committee, may defer a meeting to a later date but the deferment shall not exceed one month.

H. The shareholders may act without a meeting, if prior or after such action; each shareholder who would have been entitled to a vote upon such action shell consent in writing to such actions. Such written consent or consent shall be filed in the minute book.

I. All members who are in good financial standing are welcome to attend and offer input at any meeting. Only members who are bonded are permitted to vote.