

RAPPAHANNOCK RIVER ESTATES CIVIC ASSOCIATION

BY-LAWS 2015

ARTICLE I NAME AND LOCATION

This Association shall be known as the Rappahannock River Estates Civic Association, Inc., hereafter referred to as "The Association". A Corporation chartered under the laws of the State of Virginia, maintaining its principle office in Essex County, Virginia.

ARTICLE II PURPOSE OF THE ASSOCIATION

The object of this Association shall be to establish, maintain and provide facilities, roads, easements, and other property, real and personal, for the improvement, beautification, benefit, recreation, and enjoyment of the property owners of The Association located in Essex County, Virginia. These objectives shall be achieved in the best interest of the entire community.

ARTICLE III MEMBERSHIP

Section 1

Membership in the Association shall be limited to such persons and their spouse who own property in The Association and are current with Maintenance fees. Property owners owning more than one (1) dwelling shall be responsible for fees per dwelling.

Section 2

Membership in this Association shall not be transferable; however, voting privileges may be assigned by member's written notification to the Board of Directors.

Section 3

The payment of the membership fee herein provided shall be in lieu of any maintenance fees for the first year of membership. Thereafter, all members shall pay a maintenance fee on a per dwelling/lot basis, in such amount as may be proposed by the Board of Directors, and approved by a vote of the membership. The maintenance fee shall be paid each year by April 1st.

Section 4

Any property owner delinquent in the payment of maintenance fees shall lose membership status and have no voting privileges in the affairs of The Association and shall not be able to discuss business at meeting, serve on committees, or the Board.

Section 5

The annual maintenance fee entitles deeded property owners and their spouse a maximum of two (2) votes. Owners of multiple properties are limited to voting privileges of one (1) property. Voting privileges are limited to one (1) vote per person.

Section 6

Association facilities may not be used for personal profit, gain or consideration. No adjoining property can be developed and become a part of the association. This includes putting multiple names on one deed in this Association.

Section 7

No property owner shall block access to common grounds by means of vehicles, shrubs, trees etc.

Section 8

All property owners/members shall keep the outside of their premises in good appearance:

Yards-grass kept cut including cleared vacant lots

No inoperable cars, boats or larger household appliance, unless they are garaged or completely covered.

Homes and shed in well maintained appearance.

**ARTICLE IV
MEETING**

Section 1

The regular meeting of this Association shall be held on the last Saturday of each month, April through August, except when a National holiday falls within the scheduled weekend. Date and time will be announced in the annual letter. All members shall be notified in the annual letter of all meetings of said year. A project that is deemed a major project by the majority of the Board of Directors will constitute a mailing to the membership.

Section 2

The Board of Directors shall meet an hour prior to the scheduled regular meeting.

Section 3

Special meeting of the membership or the Board of Directors may be called at any time by the President, a minimum of (3) three board members, or by a quorum of the membership. All Board members shall be notified prior to meeting.

Section 4

The Corresponding Secretary shall mail the annual letter to members of the Association at least fifteen (15) days prior to the April meeting.

ARTICLE V
DUTIES AND POWERS OF THE BOARD OF DIRECTORS

Section 1

The Board of Directors of the Association shall be a President, Vice-President, Recording Secretary, Corresponding Secretary, Treasurer, Parliamentarian and six (6) other elected members who have assumed the oath of responsibility.

“Oath of Responsibility”

I (person taking oath) do solemnly swear to uphold the by-laws of the Rappahannock River Estates Civic Association as written, and act, or react in the best interest of The Association. The new officers will take office immediately following the “Oath of Responsibility” at the August meeting.

Section 2

The Board of Directors shall manage the necessary affairs of the Association in the interim between membership meetings. They shall make such decisions and take such action, during such period, as deemed necessary. They shall keep complete and accurate records of their actions and present a statement regarding any action at each Association meeting.

Section 3

It is the responsibility of the Board of Directors to suspend the voting rights of a member in the Association if in default of any maintenance fees of that member.

Section 4

Any Director may be removed from the Board by a majority vote of the Membership for JUST CAUSE. In the event of death, resignation or removal of a Director, a successor shall be selected from the nominees with the most votes from the previous election. The Directors will make the selection and the Membership will approve the position by a majority vote.

Section 5

The Board is charged with the enforcement of the rules listed in Article XIII, compliance with the restricted covenants, collection of dues, shall be entitled to use all of the provisions provided by law (Property Owners Association Act 55-508, et seq., 1950 Code of Virginia, as amended), and may implement such policies as it deems fit in the furtherance thereof.

Section 6

Damage to roadways, beaches, piers, common areas, or easements within the subdivision caused by a lot owner, a lot owner's family member, or guest, shall be assessed against the offending lot owner.

ARTICLE VI

DUTIES AND POWERS OF THE OFFICERS

Section 1

PRESIDENT – It shall be the duty of the President to make the necessary quorum count and to preside at all meetings, to enforce the by-laws of the Association and to reference Robert's Rules of Order when necessary. He/She shall have the deciding vote in case of a tie. If he/she decides to speak to the Association on a subject other than as presiding officer, he/she shall address the Vice-President or Board Member who shall act as presiding officer while the President has the floor. He/she shall sign the approved meeting minutes. The President shall be bonded to safeguard the finances of the Association. The Association shall bear the expense of such bond and the bond shall be turned over to the Executive Board within thirty (30) days. The President is also responsible for preparing the annual letter.

Section 2

VICE-PRESIDENT – It shall be the duty of the Vice-President to assist the President in preserving order and to preside in his/her absence. He/she shall have such other duties as may be requested by the Board of Directors.

Section 3

RECORDING SECRETARY – It shall be the duty of the Recording Secretary to take accurate meeting minutes and to read them at stated meeting and/or special meetings. He/she will sign these minutes. A record of all meeting minutes shall be kept on file in the Association Meeting Hall. He/she shall record the votes at each election. Recording Secretary shall assume duties of Corresponding Secretary in his/her absence.

Section 4

CORRESPONDING SECRETARY – It shall be the duties of the Corresponding Secretary to conduct all correspondence required by The Association, to keep an accurate listing of all members. Including their addresses and phone numbers, to send out annual letters and to send out proper cards when notified of sickness or death in a members family. All expenses incurred will be turned over to The Association for payment. Corresponding Secretary shall assume duties of Recording Secretary in his/her absence. He/she will post all upcoming meeting on the bulletin board at the entrance of the community

Section 5

TREASURER – It shall be the duty of the Treasurer to take into custody and give receipt for all monies received, to keep a record of paid members, to pay all orders properly drawn and to make a monthly report to the Association of all monies collected and dispersed. It is also the responsibility of the Treasurer to keep a record for the fund of all committees. At each membership meeting a report of the Association financial activities

since the last meeting shall be reported to the membership. A record of the Treasurers report shall be filed in the Association Meeting Hall. The Treasurer shall be bonded to safeguard the finances of the Association. The Association shall bear the expense of such bond and the bond shall be turned over to the Executive Board within thirty (30) days. All monies shall be deposited in the name of the Association in a bank to be named by the Executive Board. In the event there is a change in the person holding the office of treasurer, the audit committee or CPA will audit books prior to the new Treasurer taking over.

Section 6

PARLIAMENTARIAN – The Parliamentarian sees that Robert's Rules of Order are properly enforced as necessary.

Section 7

The six – (6) above mentioned officers shall compose the Executive Board. The absentee ballot must be turned in to one of the six officers. (President, Vice-President, Treasurer, Secretary, Corresponding Secretary and Parliamentarian). The ballot must be in a sealed envelope with signature on outside. If not signed it will be discarded. Membership dues must be current. Proxy – if you wish to assign your voting privilege by proxy, your proxy must be given to one of the six officers of the Board. This pertains to the business of the Association only and does not pertain to elections of officers or of the board. (See Article VIII).

ARTICLE VII

STANDING COMMITTEES AND THEIR GENERAL RESPONSIBILITIES

Section 1

AUXILIARY/ENTERTAINMENT: Plan and arrange social functions and entertainment for the members, their families and guests throughout the year, to promote socializing while raising money for The Association such as dances, bingo, horseshoe tournaments covered dish suppers, fish fries, breakfast, crafts fairs etc. Present to the membership an agenda for the year at the April meeting for approval.

Section 2

BEACH: To maintain and upgrade the beach and related areas i.e. pier, boat ramp, jetties, pavilion, trashcans, etc.

Section 3 BUILDING AND GROUNDS: To maintain The Association meeting hall and grounds i.e. painting, heating, cutting grass, winterizing, etc. The approved forms and collection of fees for the private use of the Civic Center and / or pavilion is to be arranged by this committee. NOTE: Association shall have priority of these two facilities on holidays.

Section 4

MEMBERSHIP: To obtain membership records and to encourage delinquent property owners to pay their maintenance fees.

Section 5

NOMINATION: To submit a written slate of officers and directors every two (2) years as per the by-laws. (Officers odd years & directors even years) This committee shall receive all absentee ballots. (elections only)

Section 6

DRAINAGE: to maintain and improve water drainage throughout the common grounds

Section 7

MOORING: To maintain and improve moorings and swim area.

Section 8

ROADS: Anything having to do with upkeep and upgrading of all roads. Upkeep of tractor – gas, oil, greasing, plugs, points, etc.

TRACTOR USE;

- Committee members ONLY to use.
- Not for any personal use, common ground only (except in cases of emergency, ex: snow)
- No more than 4 people and chairman to operate
- Operator to be trained and verified

Section 9

The Board of Directors shall name and specify the purpose of each committee and how it should operate in The Association by-laws per Robert's Rules of Order. Copy to be posted in Civic Hall. Each committee will select a chairperson.

Section 10

Committee chairperson must report at each membership meeting.

Section 11 All monies taken in by a committee shall be put into the general fund, however; the Entertainment Committee/Auxiliary Committee is allotted a maximum of one thousand dollars (\$1,000.00) all overages shall go into the Association general.

Section 12 **AUDITING:** This committee shall consist of one (1) board member (not treasurer) and two (2) Association members , This committee or CPA will audit The Association books every two (2) years, prior to the election of officers. Treasurer should have books ready for audit by August 1 of election year. Books will be open to any member for viewing. Must be viewed at the Civic Hall with a member of the Auditing committee present.

Section 13

A limit of 5 association members on any special committee ,ex. Nominating committee , by- law committee, etc.

**ARTICLE VIII
ELECTIONS**

Section 1

At the July meeting, of an odd year, the nominating committee shall present to the membership a list of candidates for President, Vice President, Recording Secretary, Corresponding Secretary, Treasurer and Parliamentarian. The candidates will be elected by a majority vote of the members at the August meeting and will hold office for two (2) years. Nominating committee for election of office will consist of four members; anyone

running for office cannot be on committee. Absentee ballots can be obtained from and returned to the nominating committee. (Refers to only election of officers or directors).

Section 2

At the July meeting, of an even year, the nominating committee will present to the membership a list of candidates for the Board of Directors. Six (6) candidates from the list will be elected by majority vote of the members present at the August meeting and will hold office for two (2) years.

Section 3

Absentee Ballot Rules

1. In order to vote you must be a land owner in the estates and maintenance fees must be paid.
2. Place your ballot in an envelope and seal.
3. Sign and print your name across seal.
4. Ballot to be mailed to committee chairperson and received no later than twenty four (24) hours prior to election. Your return address must appear on mailed envelope.
5. Absentee ballots may be handed in person to one of the nominating committee no later than twenty four (24) hours prior to the election meet

ARTICLE IX CHECKS, NOTES, ETC

Section 1

The Treasurer shall sign all checks issued by the Association. In the event the Treasurer is not available, the President of the Association may sign such checks.

Section 2

The President and Treasurer shall sign all notes or other evidence of indebtedness issued by the Association.

Section 3

The Board of directors shall not spend more than five hundred dollars (\$500.00) at one time, unless the majority of the members approve. This is for emergencies only.

ARTICLE X QUORUM

Section 1

Seven (7) members of the Board of Directors shall constitute a quorum for any board meeting.

Section 2

Twenty (20) percent of the members shall constitute a quorum for any regular or called meeting of the RRECA.

ARTICLE XI FISCAL YEAR

Section 1

The fiscal year of the Association shall run from April 1st through March 31st.

ARTICLE XII BY-LAWS AMENDMENTS

Section 1

These by-laws may only be amended at any regular membership meeting, after being tabled for thirty (30) days and voted on by a quorum. (vote requires two thirds (2/3) majority). Notices shall be sent to all members of the proposed by-law change (s) and the date of the vote on amendment.

To clarify any conflicting opinions Robert's Rule of Order will be refer

ARTICLE XIII COMMUNITY GROUND RULES

1. **Property owners and renters** are responsible for their guests' actions and knowing community ground rules.
2. 15-mph speed limit
3. No reckless driving
4. Respect other person's property
5. Facilities to be used by property owners and their immediate guests **ONLY**, who have paid their maintenance fees.
6. Do not litter beach.
7. Do not use beach trash receptacles for household use or items that can cause odors, such as dead fish, crabs, etc.
8. No camping on beach.
9. Keep all noise to a minimum after 12:00 midnight.
10. No motorized vehicles allowed on beach.
11. No pets on beach, off leash, 10:00 a.m. – 5:00 p.m. (clean up behind your pet)
12. No pets in Civic Center.
13. No profanity allowed!!!
14. No running, wrestling, or pushing on pier.
15. No type of vehicle allowed on pier.
16. No boats allowed between north side of pier and second jetty to end of pier (Swimming Area)
17. Boat passengers can only be picked up on the south side of pier.
18. No boats tied to pier, **for any reason**.
19. Only tie to north side of boat ramp pier and then only long enough to pick up trailer.
20. No parking on road leading to and from boat ramp.
21. No parking of inoperative vehicles on association property (roads, etc.)
22. No cooking on the pavilion by using electricity
23. No alcohol or smoking at meetings.
24. After sunset, all vehicles, golf carts, etc. **MUST** have visible lights that are on and in working condition.
25. Except for golf carts, no motor vehicles are permitted on the roads unless properly licensed by DMV for operation on all public roads.

ARTICLE XIV

DECLARATION

Herein are established RESOLUTIONS, to provide orderly and reasonable law and order within the private community known as the Rappahannock River Estates, and for the purpose of promoting the health, safety, morals and general welfare of the citizens of these private Estates, and to promote and achieve the intent of the Articles of Incorporation of the Rappahannock River Estates Civic Association.

It is the intent of the Board of Directors of the Rappahannock River Estates Civic Association Incorporated, a non-profit corporation created under the laws of the Commonwealth of Virginia, and pursuant to Articles 2 and 4 of the Articles of Incorporation. As recorded in Essex County Charter Book #3, page 42 that the resolutions herein shall be considered as law within the confines of the private community and shall be enforced by appeal to the Circuit Court of Essex County, Virginia through the office of the States Attorney for Essex County, Virginia.

These resolutions are not to be read as a limitation on any existing State or County laws. The Board of Directors, being the governing body of all the properties held in common for the use of all residents, does hereby express the intent that these resolutions are to be in addition to any existing laws and to assist in the application of existing laws.

If any section, subsection, paragraph, sentence, clause or phrase of these resolutions shall be declared to be invalid for any reason what-so-ever, such declaration shall not affect the remaining portions of these resolutions, which shall remain in full force and effect; and to that end, the provisions of these resolutions are hereby declared serviceable.

These resolutions may be repealed, modified and or added to at any legal meeting of the Rappahannock River Estates Civic Association, Incorporated by a majority vote of the members present.

The *DECLARATION* is hereby approved and adopted by the Officers and Board Members of the Rappahannock River Estates Civic Association Incorporated.