

Waterfront Manor Association Incorporated

Bylaws of 1957, Revised June 26, 2022

Article I

Section 1. This association shall be known as The Waterfront Manor Association Incorporated.

Article II

Section I. The object of this association shall be to provide for the improvement of roads, roads, and water in said territory and for the health, comfort, protection and convenience of the inhabitants and landowners thereof.

Article III

Section I. The limits and territory of said association shall be as follows – “All that land situated in the Town of Coventry as shown on a map entitled “Map of Waterfront Manor, South Coventry, CT., owned and developed by the Waterfront Realty Company, Sept. 1936 Scale 1”-100’. Sperry & Buell, Inc., Civil Engineers. This map revised to July 1938, which map, or plan is on file in the town clerk’s office in said Town of Coventry.”

Article IV – Members

Section I. Each landowner who is eighteen years of age or older, shall while he continues to own land within said limits, be a member of the “Waterfront Manor Association, Inc., entitled to vote at any meeting of the association and eligible to hold any office in said association **as long as member is current with association taxes, assessments, fines or liens.**

Section II. All owners of fractional or individual interests in any lot of record shall be entitled collectively to one vote to be cast as the majority in interest shall determine.

Section III. No member shall have more than one vote.

Section IV. Husbands and wives of said owners shall be members of said association but shall not be empowered to vote at any meeting of said association except in the absence of the spouse who is the owner.

Section V. Proxies may be appointed by members of said association and shall have the power to vote, but no person shall hold the proxy of more than one member of said association at any one time.

Article V. – Officers

Section I. The Officers shall be the President, Vice President, Secretary and Treasurer.

Section II. Upon organization of said association and at the annual meetings thereafter officers shall be elected for a term of one year.

Section III. All officers shall be members of the association and shall hold office until their respective successors shall be elected and qualified but shall cease to hold office upon ceasing to be owners of land within the limits of said association.

Section IV. All elections to office shall be made by ballot, at which time a majority vote of the members present at the meeting decides.

Section V.

Item (a). All officers shall be ex-Officio members of the Executive Board and shall assume, together with other members of the Executive Board, those duties and responsibilities delegated to the Executive Board.

Item (b). It shall be the duty of the President to preside over all meetings of the association and of the Executive Board, except when the business of the said meeting relates to himself, at which time duties of the “chair” shall be delegated to next in line in descending order of Officers.

Item (c). It shall be the duty of the Vice President to preside in the absence of the President and to assist the President otherwise in executing the duties of his office.

Item (d). The Secretary shall make a true record of all business transacted at meetings of the association and of the Executive Board. He shall keep a correct register of the members. He shall have custody of and preserve all records and papers except those kept by the Treasurer. He shall notify all members of every meeting to be held by the association and attend to all other correspondence of the association. At the annual meeting he shall present a written report covering the work of this office during the past year.

Item (e). The Treasurer shall receive and duly record all money paid, given, or entrusted to the association, and shall dispose of it as directed by the Executive Board.

Item (f). In the absence of a specially appointed Collector, the Treasurer shall serve as Tax Collector for said association and shall have all the powers of tax collectors in towns.

Section VI. Additional powers and duties of Association Officers may be prescribed by the Executive Board, such powers, and duties to be in effect only until the next annual meeting of the association, at which time they may or may not be incorporated into an amendment to the existing bylaws.

Section VII. The treasurer shall be required to give a corporate surety bond in such an amount as may be fixed by the Executive Board. The cost of such a bond shall be an expense to the association.

Section VIII. Any mid-term vacancy among the Officers of said association may be filled from the membership of the association by appointment of a majority of all the remaining Executive Board Members, and such appointee shall hold office until the next annual meeting of the association.

Section IX. Any Officer of said association may remove from office for cause by a two-third vote of the members present at any regular meeting or special meeting called for this purpose.

Article VI – Meetings

Section I. Annual meetings of the association shall be held during the months of May or June at such time and place as the Executive Board shall appoint.

Section II. The Executive Board shall have the power to call a special meeting of the association whenever a majority of them may deem it necessary, such meeting to be held at such time and place within the limits of the Town of Coventry and upon such notice as the Executive Board shall provide, provided the purpose of such meeting shall be specified in the notice thereof.

Section III. Upon the request signed by 15 members, the Secretary shall call a meeting of the association.

Section IV. Upon written request or agreement of three members of the Executive Board, the President shall be empowered to call a special meeting of the association.

Section V. A written or printed notice of every regular or special meeting, except as provided in Article V, Section II of these bylaws, must be sent to each member of the association at least six days in advance of the date of said meeting, and the purpose of said meeting must be stated in the call.

Section VI. Ten members shall constitute a quorum at any meeting, but a lesser number may adjourn said meeting to some future time not less than five or more than ten days later, in which event the Secretary shall give at least three days' notice by mail to the members of the association who were absent from such meeting.

Article VII – Executive Board

Section I. The Executive Board of the “Waterfront Manor Association, Inc.” shall be comprised of six elected members together with all elected officers of said association, such officers to serve as ex-officio members of said Executive Board.

Section II. Upon organization of said association there shall be elected at the first meeting as Executive Board of six members, of whom two shall be elected for a term of one year, two for a term of two years, and two for a term of three years. At the annual meeting thereafter, successors for members of the Board whose terms expire that year shall be elected for terms of three years each.

Section III. All elected members of the Executive Board shall be members of said association and shall hold office until their respective successors shall be elected and qualified but shall cease to hold office upon ceasing to be owners of land within the limits of said association.

Section IV. All elections to the Executive Board shall be by ballot, at which time a majority vote by members present at the meeting decides.

Section V. The Executive Board shall have the care, custody and management of funds, property, and affairs of the association subject to limitations imposed in Article XI, of these bylaws, and when assembled according to law it shall move the power to make regulations for the management and control of property and affairs.

Section VI. Said Executive Board may appoint police officers to act within the limits of said association , who shall have all the powers of constables within said territory, for the purpose of making arrests for violations of law of the regulations, ordinances and bylaws of said association, and said Executive Board may fix the compensation of such police officers.

Section VII. The President of said association shall serve as Chairman of the Executive Board all meetings of said Board, except at these meetings when a majority vote of all members present serves to elect a Chairmen protem.

Section VIII. Meetings of the Executive Board shall be held on call of the President or Secretary who shall make such call on the request of any two members of said board.

Section IX. Notices of all meetings of the Executive Board of said association shall be in written form and shall be mailed to each member of said Board at least 2 days in advance of said meeting.

Section X. Four members of the Executive Board shall constitute a quorum at any meeting of said Board, but a lesser number may adjourn the meeting to some future time not more than ten days later upon such notice as the officers shall provide.

Section XI. Any mid-term vacancy among the elected members of the Executive Board may be filled from the membership of the Association by appointment of a majority of all the remaining Executive Board members and such appointee shall hold office until the next annual meeting of the association.

Section XII. Any elected member of the Executive Board may be removed from office for cause by a two-thirds vote of the members present at any regular meeting of the association or special meetings of the association called for this purpose.

Section XIII. The Executive Board shall have the power to appoint a special tax collector for said association.

Article VIII – Committees

Section I. Upon a majority vote of all members present at any regular meeting of the association or special meeting called for this purpose, the President shall select and/or empower a Special Committee composed of members of the association to act upon the certain purpose stated in the original resolution calling for such a committee.

Section II. For any certain purpose deemed necessary or advantageous to the Association, the Chairman of the Executive Board, at any meeting of said Board and with approval of a majority of those members present, shall be given the power to form a Special Committee from among the members of the association to act upon said purpose. All members of the Executive Board are to be notified of the names of the members of the committee so formed within one week of its selection.

Section III. No committee shall be formed by said association or its officers without full knowledge and consent of each member of said committee.

Section IV. In each committee formed for any purpose, the first named individual member shall serve as Committee Chairman, except when a unanimous decision of all committee members serves to elect a different member to the Chairmanship of said Committee.

Section V. No committee shall be empowered to disperse association funds but may make recommendations to be acted upon by the association and/or the Executive Board.

Section VI. All reports of duly appointed committees shall be submitted to the association and/or the Executive Board in written form.

Article IX – Parliamentary Authority

Section I. At any meeting of this association the procedure of a business meeting shall conform to Robert's Rules of Order and Parliamentary Procedure except when otherwise prescribed by Charter or bylaws of said association.

Section II. No Bylaw, Ordinance or Amendment shall take effect or be enforced until the same has been posted for at least three days on a public signpost to be established by the Executive Board within the limits of the association, nor shall any Bylaw, Ordinance, or Amendment take effect until thirty (30) days after its passage.

Section III. A certificate from the Secretary of the association of the due posting of any Bylaw, Ordinance or Amendment shall be prima facie evidence of such posting.

Section IV. No Bylaw, Ordinance, or Amendment shall be proposed or passed which is inconsistent with or contrary to:

- (a). Laws of the Stat of Connecticut.
- (b). Laws and Ordinances of the Town of Coventry, CT
- (c). House Bill #1426 dated 01/24/57 entitled "An Act Concerning the Incorporation of the Waterfront Manor Association Incorporated."
- (d). Senate Bill #359 dated 04/17/80 entitled "Special Act No. 80-35 an Act Concerning the Waterfront Manor Association of Coventry."

Section V. Violations of Bylaws, Ordinances or Regulations are punishable by fines not exceeding \$50.00 for any one offense, and any such violation of state or town statutes may be prosecuted to the full extent of the law.

Article X – Property Taxes

Section I. At any annual meeting or adjourned annual meeting, said association may levy a tax or assessment on the real estate within said limits which tax or assessment shall not exceed for the year 1980 the rate of thirteen cents (.13) per front foot of any property owner fronting on the roads shown on the map described in Section III of these Bylaws, plus the rate of four dollars per dwelling unit owned by the property owner. Such tax or assessment may be increased by not more than ten per cent per year as approved by the property owners at any Annual Meeting or adjourned Annual Meeting.

Section II. Corner lots shall be assessed only in their shortest dimension.

Section III. The owners of fractional interests in any lot or parcel shall be listed together as one owner.

Section IV. Such tax or assessment so made, with interest thereon, shall be due to the association from the owner or owners of record on the first day of June before such assessment was made.

Section V. The tax so established shall be collected by the Treasurer or by any collector specially appointed by the Executive Board for this purpose.

Section VI. Any person claiming to be aggrieved by such tax or assessment may appeal to the Court of Common Pleas for Tolland County in the manner provided by the General Statutes for appeals from Boards of Tax Review.

Section VII. Written notice of the rate of such tax or assessment and the amount thereof, and the date when the same is due and payable shall be mailed by the Treasurer or Collector to each member of the Association within thirty days of the levying of such tax.

Section VIII. Written notice of the rate of such tax or assessment and the amount thereof, and the date when the same is due and payable shall be mailed by the Treasurer or Collector to each member of the Association within thirty days of the levying of such tax.

Section IX. If such tax or assessment shall not be paid when due it shall bear interest and charges at the current rate as prescribed by the General Statutes and it shall be a lien upon the property upon which is shall be laid for one year from the date it is laid, and may be collected by unit in the name of the Association, or by collected. Such lien may be continued by a certificate which shall be recorded in the land records of the Town of Coventry in the manner of continuance of tax lien in towns.

Section X. The Treasurer or Collector of the association shall have all the powers of tax collectors in towns.

Article XI – Expenditures

Section I. No contract which shall involve expenditure in excess of \$1,000 in any fiscal year shall be made by the Executive Board unless the same shall be specially authorized by a vote of the association or is indicated as an approved expenditure in the Association's approved annual budget.

Section II(a) Any debt or expenditure up to \$500 that represents an approved item in the Association's approved annual budget] must be presented by voucher and approved by any two members of the Executive Board.

Section II(b) Any debt or expenditure of between \$501 and \$3,000, must be represented by a voucher approved by any three members of the Executive Board.

Section III. Any debt or expenditure above \$3,000 or more must be represented by a voucher approved by not less than five members of the Executive Board.

Section IV. All actual payments and expenditures shall be made and duly recorded by the Treasurer of said association.

ARTICLE XII – Ordinances

Section I – Community Living/Property Maintenance Ordinances

The following ordinances are set forth in order to assure our Association's purpose, as stated in Article I, to provide for the maintenance and improvement of the Association's land, water, and recreational facilities, and for the health, comfort, protection and convenience of the inhabitants. These ordinances are not meant to be overburdening or overly restrictive. They are set forth to assure the enjoyment and safety of all members. In all cases other than where Town of Coventry ordinances or State of Connecticut statutes are broken, members will be notified of the ordinance broken and will be given seven days to correct behaviors or practices in order to obey ordinances before a fine is assessed.

Association fines for violation of ordinances are indicated in parenthesis after each ordinance.

Property owners will be held liable for any fines incurred by their tenants and guests. Fines are due within 30 days they are issued. If fines remain unpaid, The Association holds the right to place a lien on the property held by the property owner when fines remain unpaid for 180 days or more. The Association holds the right to charge a late fee of \$20 per month for every month or portion of month fines remain unpaid after their due date.

(a) All outside-stored household garbage should be contained in containers, safe from scavenging animals. As scattered garbage creates an unhealthy environment for all Association members, violators will be reported to the Town of Coventry Health Officer.

(b) Improper disposal of or open burning of garbage of other materials is prohibited and violators will be reported to the appropriate Town of Coventry official.

(c) Drainage fields, septic tanks, cesspools, sump pump hoses, etc. must conform to Town and State Ordinances, and cannot empty onto the sides of the road, or on or over Association property. Violators will be reported to the Town of Coventry Health Officer.

(d) Owners, their tenants, and guests are expected to maintain their property in accordance with all Town of Coventry ordinances pertaining to property ownership and management. Failure to do so may face a fine assessment not to exceed \$25 a day.

(e) Authorized Short-Term Guest Properties. Properties whereby owners are leasing all or a portion of their property to guests for overnight stays of less than 30 days for compensation, must register their property with Waterfront Manor Association, Inc. Property owners who do not register, may be fined \$30.00 per day for every day not registered for failure to not to register within 30 days of beginning business as a Short-Term guest property.

Upon registration, a Short-Term Use Beach Pass will be issued. This short-term use beach pass will provide guests authorization to use the beach property. Short-Term guest properties will be subject to limits on how many guests may use the beach property at any given time based on the size of the Short-Term Guest property.

(f) A tenant is an individual who has entered into a legally binding lease or rental agreement with a property owner for 30 days or longer and are subject to the Association bylaws and are eligible to use the beach property.

(g) An Authorized Short-Term Guest is an individual who has have entered into a legal binding agreement with a property owner who has registered the short-term rental use with the Association and who are paying a property owner for their use of their property for overnight accommodations for a period of one to 29 overnight stays (short-term) rental (such as Airbnb, VRBO other short-term rental agencies). Authorized short-term guests are authorized to use the beach property only for the duration of their stay and are subject to the Association bylaws and are eligible to use the beach property.

(h) Guests of property owners who are not “Tenants” or “Authorized Short-Term Guests” as indicated in (g) and/or (g) must be accompanied by a property owner when using the beach.

(i) Vacant lots without a livable structure meeting the building, planning, and zoning codes of the Town of Coventry are not eligible to be considered an Authorized Short-Term Use Property or Rental Property, therefore no tenants or authorized short-term guests will be recognized for such properties.

(j) Property owners who are entering into lease agreements with undergraduate college students are encouraged to register their properties with the respective post-secondary institution. WMA will notify and hold property owners liable for fines, property and personal damages resulting from bylaw violations or illegal activities of tenants and their guests to the extent of the law. WMA will also report such activity to the student’s institutions.

Section II – Beach and Park Ordinances

(a) Waterfront Manor Association beach property is considered open for use during the hours of 7am by property owners, tenants, and guests 10pm, Monday–Thursday, 7am-11pm Friday-Sunday. Members using the beach and disturbing nearby property owners, including their tenants and guests late at night, will be fined \$100 for each occurrence. All applicable local and state ordinances and statutes will be strictly enforced on all WMA property.

(b) WMA property owners, tenants or approved guests must have their WMA beach pass on their person or visible on the dashboard of their vehicle. This is to enable interested members a method of identifying trespassers and cause to call Coventry Police to remove or arrest trespassers if they do not leave the beach area. Property owners, tenants or approved guests not carrying or displaying their beach pass will be subject to \$25 fine for each occurrence. Beach passes are assigned to property owners and are not transferrable and may not be sold. Authorized short-term rental properties with guests will be issued a “Short Term Use” Pass, in lieu of a property owner beach pass.

(c) Beach Pass Transfer. The use of the beach pass cannot be transferred to a property owner’s guest who is not a tenant or authorized short-term guest. The Association will hold property owners liable for the actions and any resulting personal or property damage caused by their tenants and authorized short-term guests. The unauthorized transfer of a property owner beach pass is subject to a \$50 fine.

(d) Lost/Stolen Beach Passes. WMA has the right to charge replacement fees for lost/stolen beach passes.

(e) Swimming at WMA’s beach and use of its property is restricted to members of WMA their guests, and members’ tenants under lease or rental agreements. An Association member must accompany guests to the beach. A Fine of \$100] /day may be assessed.

(f) Non-members using Association property will be asked to leave, and if they do not comply, the Coventry Police will be called and asked to remove them for trespassing.

(g) All swimming is at one’s own risk, as WMA employs no lifeguards. For the safety of all, young children should be accompanied by an adult member. Diving from rocks or other structures is not permitted.

(h) No fishing is permitted in WMA roped-off swimming area at any time. A fine of \$25 per occurrence may be assessed.

(i) Open fires are not allowed on WMA’s beach, picnic areas, or parking lot. Grills may be used in the picnic table area only. A \$100 fine per occurrence may be assessed.

(j) No containers, cans or other trash shall be left on the beach in the picnic area, or in the parking lot or on other Waterfront Manor Associations, Incorporated property. Users shall carry out what they carried in. A \$100 fine per occurrence may be assessed.

(k) The use of tents or overnight camping on Waterfront Manor Association’s beach or property is prohibited. A \$100 fine per occurrence may be assessed.

(l) Possession, consumption, or dispensing of alcohol and illegal drugs on WMA's property is prohibited. The Coventry Police will be called to make arrests if appropriate to enforce all current local and state ordinances.

(m) Activities which endanger persons or willful damage to any WMA property, including and without limit to, bathrooms, picnic tables, fencing, trees, plantings, brush, or other vegetation is prohibited. Violation of this ordinance will result in repair of the damage with a bill being sent to the violator.

(n) Dogs and other domestic animals can pose a danger (physical and/or health) to members and are not permitted on WMA's beach, picnic area, or parking lots. A \$100] /occurrence may be assessed.

(o) Ducks and geese should not be fed on the beach, as this encourages birds to return to beach areas and creates a health hazard (bird droppings).

(p) Radios and other musical devices used on the beach or parking lots must be used at a reasonable volume A \$100 fine per occurrence may be assessed.

(q) No motorized watercraft shall be moored, launched, or beached near defined swim area. A launch area for canoes, kayaks, and rowboats is provided. A \$100 fine per occurrence may be assessed.

(r) WMA does not have or maintain swimming platforms, and no platforms shall be erected on Association property. A \$100 fine per occurrence may be assessed.

(s) All vehicles except for the sole purpose of dropping off or picking up heavy items to barbecue at the beach area are prohibited on the beach. A \$100 fine per occurrence may be assessed.

(t) Overnight parking is not permitted in the beach parking lot. (Any vehicle, that is parked overnight on Association property without notification is subject to being towed at the owner's expense.)

(u) WMA reserves the right to prosecute any members or nonmembers on WMA property that violate State of Connecticut and Town of Coventry laws and statutes. WMA also reserves the right to enforce these bylaws in any court of competent jurisdiction.

(v) Non-property owners who are guests or authorized short-term guests are prohibited from using the WMA beach property to access and moor motorized personal watercraft including boats and jet skis.

(w) Property owners who plan to access their personal watercraft from the WMA beach property are required to register their vessel with the Association.

ARTICLE XIII – BYLAWS REVISION AND GOVERNING ORDINANCES

Section 1 – Revision of Bylaws

- (a) The Executive Board shall be responsible for periodic review of WMA Bylaws and may ask for input and comments from Association members. Proposed changes to The Waterfront Manor Association Incorporated Bylaws must be passed by a 2/3 majority of the voting property owners. Additions/changes to the Bylaws shall be posted for three days on a public signpost, established by the Executive Board, strategically located on Association property. The revised Bylaws will take effect and be enforced 15 days after approval by the Executive Board.

Section 2 – Revision of WMA ordinances

- (a) The Executive Board shall be responsible for periodic review of WMA ordinances and may ask for input and comments from Association members. Proposed changes to the WMA ordinances must be passed by a 2/3 majority of the Executive Board.

Section 3 – Governing Rules and Order of Business of Meetings

- (a) In matters not governed by these Bylaws, Robert’s Rules of Order will be referred to as an authoritative guide.

ARTICLE XIV-- INDEMNIFICATION

Section I. Indemnification of Executive Board.

(a) Except as otherwise provided in this Section, WMA shall indemnify to the fullest extent permitted by Connecticut law, including, without limitation, legal fees and costs of defense an individual who is a party to a proceeding because he or she is an Executive Board Member or officer against liability incurred in the proceeding if: (i) he or she conducted himself or herself in good faith; and (ii) he or she reasonably believed that his or her conduct was in the best interests of WMA or that his or her conduct was at least not opposed to the best interests of WMA; and (iii) in the case of any criminal proceeding, he or she had no reasonable cause to believe his or her conduct was unlawful.

(b) The termination of a proceeding by judgment, order, settlement, or conviction, or upon a plea of nolo contendere or its equivalent, is not, of itself, determinative that the Executive Board Member or officer did not meet the relevant standard of conduct described in this Section.

(c) Unless ordered by a court, WMA may not indemnify an Executive Board Member or officer under this Section if his or her conduct did not satisfy the standards set forth in subsection (a).

Section II. Insurance. WMA shall purchase and maintain insurance on behalf of its Executive Board Members and other officers against liability asserted against the Board Member or officer, arising from his or her status as such, whether or not the Corporation would have power to indemnify him or her against the same liability under this Article.

Section III. Reliance. Each person who is or becomes an Executive Board Member or officer shall be deemed to have served or to have continued to serve in such capacity in reliance upon the indemnity provided for in this Article. All rights to indemnification under this Article shall be deemed to be provided by a contract between WMA and the person who serves as an Executive Board Member or officer of WMA at any time while these Bylaws and the relevant provisions of the laws of Connecticut are in effect. Any repeal or modification thereof shall not affect any rights or obligations then existing.

(a) If the laws of Connecticut so provide or are hereafter amended from time to time to increase the scope of permitted indemnification, indemnification hereunder shall be deemed provided to the fullest extent permitted or required by any such law or amendment.