

ISLAND VIEW BEACH ASSOCIATION, INCORPORATED

BY-LAWS AND ORDINANCES

Pursuant to authority conferred by Act of the General Assembly of the State of Connecticut under House Bill No. 3425, File No. 634 of May 8, 1963, incorporating The Island View Beach Association, Incorporated, as a body politic and corporate BE IT ORDAINED July 29, 1984 by the Executive Board of The Island View Beach Association, Incorporated:

PURPOSE

To provide for the improvement of the lands within the limits of The Island View Beach Association, Incorporated, its maintenance as a residential and summer resort area, and for the health, comfort, safety, protection and convenience of its inhabitants, the following BY-LAWS AND ORDINANCES, shall be the regulations of The Island View Beach Association, Incorporated:

BY-LAWS

ARTICLE I  
OFFICERS

Section 1. The members of the Association at a regular meeting in August shall elect by ballot a President, Vice President, Secretary and Treasurer, and such other Officers as may be necessary for the prompt and orderly discharge of business. There shall also be elected by ballot seven (7) other members who shall, together with the Officers, constitute and act as the Executive Board of the Association. The immediate past President shall also be a member of the Executive Board for two (2) years.

Section 2. The Executive Board shall manage and administrate the affairs of the Association and shall be authorized to spend not more than five hundred dollars (\$500.00) for emergency purposes only. Such Board shall present at the Annual Meeting a full report of its actions for the year, including but not limited to the fiscal condition of the Association. This Board may prepare and recommend to the Association such matters as may be necessary to accomplish the objectives and purposes of the Association and shall, whenever necessary, put into effect temporary or emergency regulations to be effective for a period not to exceed thirty (30) days.

Section 3. The President shall preside at all meetings of the Association and Executive Board: shall be a member ex-officio of all committees: and shall attend to such other duties as customarily appertain to such office.

The duties of other Officers shall also be such as are customarily performed by such Officers.

Section 4. In the event any elected Officer is unable to fulfill the duties of his office, the Executive Board shall appoint an interim Officer for the remainder of the term.

ARTICLE II  
APPOINTIVE OFFICES

Section 1. The President may establish and appoint such offices or committees as deemed necessary to safeguard the health, safety, comfort and convenience of the membership, and to maintain the objectives and purposes of the Association.

ARTICLE III  
MEETINGS

Section 1. Regular Annual Meetings of the Association shall be held in the Town of Westbrook on the second Sunday in June and on the last Sunday in August of each year.

Section 2. A special meeting of the Association may be requested by a written petition of at least eight (8) members of the Association at a time to be designated by the President and/or the Executive Board. The agenda of this meeting must be presented to the membership prior to this meeting.

Section 3. Meetings of the Executive Board shall be called by the President at such times as he may deem necessary, or upon the request of three (3) members of said Board.

- (a) Not less than six (6) members of the Executive Board shall constitute a quorum for the transaction of business of the Executive Board at its meetings and the acts of the majority of those present at such meetings shall be binding.

Section 4. Not less than fifteen (15) voting members of the Association shall constitute a quorum for the transaction of business at any Association meeting.

- (a) Each property (household or lot) shall have one (1) vote. Each property owner may designate, by written proxy, one member of his immediate family, (spouse, child, brother, sister) to exercise this vote.
- (b) A minimum age of twenty-one (21) is required to vote.

Section 5. Notification of meetings stating the date, time, place and object of the meeting shall be mailed or delivered by the Secretary to each member at least seven (7) days prior to said meeting.

- ✓ (a) The signboard placed on the Association beach is hereby

designated and declared to be the official Association signpost for posting of notices, by-laws, and/or ordinances.

ARTICLE IV  
FISCAL YEAR - AUDIT

Section 1. The fiscal year of the Association shall be from July 1 to June 30 of the following year.

Section 2. The President shall designate a person or committee to audit the accounts and records of the Treasurer once each year. Such audit is to be made at least within thirty (30) days prior to the June meeting.

ORDINANCES

ARTICLE V  
GENERAL

Section 1. Posting of notices shall be properly made by the President or the Executive Board as deemed necessary.

Section 2. The following are prohibited:

- a) Speeding with motor vehicles, motorcycles, or mopeds through Association streets. Bicycle riding on established sidewalks.
- b) Erecting, placing or maintaining any billboard or structure designed for or used to display advertising material exclusive of rent or sale real estate signs.
- c) The distributing, placing or causing to be distributed in the streets or any public place of any posters, handbills, advertising cards or other substance used for the purpose of advertising, except such matter as may be delivered through postal authority.
- d) Unsightly fences, hedges, shrubbery or lawns.
- e) Unreasonable use or operation of a horn, bell or other instrument; carousing or shouting which produces excessive and/or offensive noise.
- f) Dumping and/or disposing of refuse, garbage or any waste material in any manner on the beach or waterfront; littering and/or defiling the beach, waterfront or any property within the Association.

Dumping, depositing and/or accumulating or causing to be

accumulated on any property within the limits of the Association any refuse, waste matter, yard trimmings, discarded materials, scrap iron, articles of junk, garbage, and non-functional automotive vehicles and/or parts thereof.

- g) Parking of automobiles or other vehicles on all roads and sidewalks within the limits of the Association.
- h) Indecent exposure on streets, beach and waterfront; any violence, profanity and/or unnecessary rough conduct on any Association property.
- i) Dogs, leashed or unleashed, on the beach and/or waterfront; dogs roaming beyond the limits of their owners property unless being walked on a leash.
- j) Violating the 10:30 P.M. beach/waterfront area curfew.
- k) Fires, camping and/or picnicing in any manner on the beach unless specifically approved by the President or the Executive Board.
- l) Drinking or transporting alcoholic beverages within the beach area.
- m) Ball playing of any sort within the beach area unless authorized and approved by the President or the Executive Board.
- n) Water skiing, boating, water sports or launching of boats within the prescribed swimming area; storing boats in excess of twelve (12) feet and/or with permanent masts within the beach area.
- o) Major exterior construction from July 1 through September 1 except for emergency circumstances.

A violation of any of the forementioned prohibitions shall be subject to a fine not exceeding twenty-five dollars (~~\$25.00~~<sup>< 0.05</sup>). Any and all fines or penalties imposed and/or collected shall be recorded in the books of the Association and deposited into the General Account of said Association.

Section 3. Septic tanks/cesspools shall be provided in all cases where connections to existing sewer are not available; such septic tanks/cesspools shall be maintained in good order so that their use may not become offensive or dangerous to the health of the community.

Section 4. The use of any structure without plumbing facilities and connections to sewer system or to approved septic tanks and

of any proper application, shall issue a written permit of approval to said applicant, provided that said application conforms with all the rules and regulations of the Ordinance herein set forth, and said plans are acceptable to the Building Commission. No new building shall be occupied in whole or in part until a certificate of occupancy of same is issued by the Building Commission.

Each set of plans shall be accompanied by a map of the lot showing the location of the proposed building, or addition, or alteration, in relation to property or building lines; it shall also show the size and location of any building or buildings on the same lot.

3. The Building Commission shall appoint a Building Inspector who shall act as the Chief Building Inspector and he shall hold office continually unless removed for cause by the Building Commission. It shall be the duty of the Building Inspector to check the location of the proposed building, addition or alteration on the lot in relation to property or building line and to enter into or upon any property for the purpose of inspecting the same and for enforcing the provisions of this code and all other laws which relate to the same subject. No liability shall attach to the Building Commission or Building Inspector if any building is constructed on the wrong lot.
4. It shall be the duty of the Building Commission to enforce the building regulations and restrictions of the Association, and all other Ordinances and regulations of the Association related to the same subject matter.
5. No person shall erect any building or structure or addition thereto, within the territorial limits of the Association, unless they shall have presented an application and receive a permit in conformity with Paragraphs 1 and 2 of this section.
6. The Building Commission, or any member thereof, is authorized to enter upon the premises and within any building or structure within the territorial limits of the Association for inspection while the same is under construction or repair, any may issue such orders as it or he may deem reasonable or proper to enforce the rules and regulations of this Ordinance. Said Commission may, in its discretion, revoke any permit for failure to comply with such orders.
7. It shall be the duty of the Building Commission to inspect any building or structure within the territorial limits of the Association, when it has reasonable grounds to believe that the same is dangerous, unsanitary, unsightly or unsafe condition, or is constructed or repaired in violation of the Ordinance, and, if so found, order the same to be placed in a satisfactory condition; and said Building Commission, or any member thereof, may enter on the premises, or within any building or structure, within the territorial limits of the Association, to carry out the purpose and intent of this Ordinance.
8. Any persons or person aggrieved by the decision made by the Building Commission or the Building Inspector may, within fifteen (15) days

from said decision by giving written notice, appeal said decision to the Executive Board of the Association.

The Executive Board of the Association, in the event of any appeal, shall promptly after notice to all parties:

- a) Hear and decide appeals where it is alleged there is error in any order, requirement, or decision made by the Building Commission in the enforcement of the building code.
  - b) Vary any requirements of the building code in harmony with its general purpose and intent so that substantial justice may be done. This authority shall be exercised in a manner to secure the public health, safety and welfare solely in instances where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the building code.
9. The Building Commission shall have the power to adopt such rules and regulations, consistent with the provisions of this Ordinance, as it may deem expedient to secure the intent and purpose of this Ordinance and a proper enforcement of its provisions. No such additional or amended rule and regulation shall take effect, or be enforced, until the same shall have been posted for at least ten (10) days on the signpost of said Association.

#### APPEALS

Any person or persons severally or jointly aggrieved by any final decision of the Executive Board of the Association may appeal to any court of proper jurisdiction.

The following by-laws were added to the newly revised by-laws. Voted on and accepted by Island View Beach Association on August 28, 1972.

- 1.) Home owners refrain from all major construction from July 1 to September 1.
- 2.) Home owner shall not be permitted to discharge waters that originate from their own premises. Water discharged must be drained on premises in dry well where feasible.
- 3.) All swimming pools be prohibited within confines of Island View Beach Association.
- 4.) Association hold meeting in July and August.

Number four by-law was voted on and accepted unanimously at the association meeting held on August 28, 1972.