



# BELLCOURT CIVIC ASSOCIATION

## BYLAWS OF THE BELLCOURT CIVIC ASSOCIATION

Adopted 3-9-2023

### ARTICLE I: NAME

The name of the organization shall be the Bellcourt Civic Association (known as the Association for short), a nonprofit organization, organized and existing under the laws of the State of New York.

### ARTICLE II: PURPOSE

Section 1. Boundaries. The purpose of this Association is to encourage orderly community development and growth, and to enhance and improve the quality of life within the boundaries of Bellcourt, being on the North, 35th Avenue from Bell Boulevard to 204th Street, on the West, 204th Street from 35th Avenue to 39th Avenue, on the South, 39th Avenue from 204th Street to Bell Boulevard, and on the East, Bell Boulevard from 39th Avenue to 35th Avenue.

Section 2. Additional Purpose. Also, the purposes for which this Association is founded include, among other things, fostering a sense of community among the residents of this unique neighborhood; preserving architectural integrity and protecting the scale and charm of our neighborhood; enforcing existing legal single-family R2A zoning and other zoning as applicable; supporting Bellcourt deed restrictions; encouraging cooperation between and among our diverse residents; and advocating for the common interests of our community.

### ARTICLE III: MEMBERS

Section 1. Membership Eligibility. Any homeowner or resident within the boundaries of the area defined by Article II, Section 1.

Section 2. Dues.

A. The amount of dues may be voted upon by the Association at any of its quarterly meetings, by a majority vote of members present, upon the recommendation and proposal of the Executive Committee, provided that notice of such recommendation shall be given to the members at least five (5) days prior to the meeting at which the dues are to be fixed. The fiscal year shall begin January 1.

- B. No member in arrears for dues for two (2) months or over (while in arrears) shall be eligible for election as an officer of the Association or eligible to vote on any questions presented at any regular meeting of the Association.

Section 3. Voting. Two adults per member household shall be entitled to vote.

Section 4. Unauthorized Action. No officer or member of the Association shall contract any debt on behalf of the Association, publish or cause to be published in any newspaper anything pertaining to the Association of a nature detrimental to the Association, or act as a delegate or as a representative unless duly authorized by the Association.

#### **ARTICLE IV: OFFICERS AND ELECTIONS**

Section 1. The officers of the Association shall be a President, Vice President, Treasurer, and Secretary, who shall be elected by ballot or open vote at the annual meeting of the Association. Additional officers may be added as needed, and as approved by the membership at the annual meeting of the Association.

Section 2. Duties of Officers

*A. The President shall*

- (1) preside at all meetings;
- (2) appoint all committees not otherwise provided for;
- (3) counter-sign all drafts issued by the Treasurer;
- (4) supervise all the affairs of the Association;
- (5) serve as member ex officio of all committees except the Nominating Committee; and
- (6) vote only in the case of a tie.

*B. The Vice President shall*

- (1) serve as Assistant to the President;
- (2) in the absence of the President, fulfill the duties of that office; and
- (3) in the absence of the President, counter-sign all drafts issued by the Treasurer.

*C. The Treasurer shall*

- (1) have custody of all Association funds;
- (2) notify the members when dues are due;
- (3) prepare and present a proposed budget for the year for the approval of the membership at the annual meeting;
- (4) disburse all monies in keeping with this budget and with the countersignature of the President or Vice President;
- (5) keep a written accounting of all financial transactions;

- (6) present a brief financial report at each regular meeting of the Association;
- (7) make accounts and records available to the Audit Committee at the expiration of each fiscal year; and
- (8) deposit all monies of the Association in a checking account in the name of the Association, the balance not to exceed a sum sufficient to meet the anticipated expenses; all monies over such amount are to be deposited in an insured account in the name of the Association, not to be withdrawn without the signature of the Treasurer and the President or Vice President.

D. *The Secretary shall*

- (1) keep a record of minutes of all meetings in a separate book;
- (2) have custody of all books and records of the Association;
- (3) keep a record of the name and residence of each member, together with the date of admission and removal of said member;
- (4) notify each member of the time, date, and place of each meeting; and
- (5) conduct all correspondence in connection with the business of the Association.

- E. At the end of each term, all officers and committee members shall provide transition documents to incoming officers and committee members, and act in good faith to assist those incoming officers and committee members in preparing for their new positions.

Section 3. Nomination Procedure; Time of Election. Any member in good standing shall be eligible for election to office after his or her name has been submitted to the Association by the Nominating Committee, which shall consist of five (5) members elected from the floor at the quarterly meeting preceding the annual meeting. The names of those selected by the Nominating Committee shall be presented at the annual meeting. Open nominations for officers may also be made from the floor at the annual meeting. Election and installation of officers is to take place at the same meeting. The entire Executive Committee shall come into being January 1 of the ensuing year.

Section 4. Term of office for each of the officers shall be two (2) years and until a successor shall be elected. No person shall serve in the same office for more than two (2) consecutive terms.

## **ARTICLE V: MEETINGS**

Section 1. The regular meetings of the Association shall be held quarterly. The annual meeting will be the fourth quarterly meeting.

- Section 2. Special meetings shall be called only by the President, and must be called by the President upon written request of five (5) members. The purpose and place of such meetings must be stated in the call, and notice sent to each member of the Association not less than three (3) days prior to the date of such meetings. Only the business specified in the notice or request shall be transacted.
- Section 3. The annual meeting of the Association shall be held in November of each year, with elected officers and appointed committee members assuming their positions as of January 1 of the ensuing year.
- Section 4. Quorum. Eight (8) members in good standing in attendance shall constitute a Quorum at all quarterly meetings of the Association, except as provided in Article X.

#### **ARTICLE VI: EXECUTIVE COMMITTEE**

- Section 1. Executive Committee Composition. The officers of the Association, all committee chairs, the immediate past president, and two (2) additional members appointed by the President shall act as the Executive Committee thereof, in which capacity they shall formulate plans to advance and implement the purposes and objectives of the Association.
- Section 2. Duties and Power. The Executive Committee shall have the power to enforce the objectives (purpose) of the Association as stated in Article II. The officers may act on behalf of the Association when necessary.
- Section 3. The Executive Committee shall meet at least eight (8) times during each Association year, on not less than three (3) days' notice, which may be written or by telephone, and five (5) members shall constitute a quorum for the transaction of all its business.

#### **ARTICLE VII: COMMITTEES**

- Section 1. Standing Committees. There shall be the following Standing Committees:
- (1) Zoning, Law, and Property
  - (2) Membership and Fundraising
  - (3) Bylaws
  - (4) Audit

All committees shall be appointed by the President, except the Nominating and Executive Committees.

- a. The Zoning, Law, and Property Committee will consider all issues related to zoning and provide reports and recommendations to the Executive Committee.

- b. The Membership and Fundraising Committee shall undertake efforts to maintain and increase membership and make recommendations to the Executive Committee on strategies and tactics for raising funds.
- c. The Bylaws Committee shall evaluate all requests for amendments to the bylaws of the Association and shall present proposed changes to the Executive Committee within 60 days of receipt, with their recommendation for adoption or denial. The Bylaws Committee shall also conduct a complete review of the bylaws of the Association every three (3) years and present their evaluation and any recommendations to the Executive Committee 60 days in advance of that year's annual meeting.
- d. The Audit Committee shall receive the annual report from the Treasurer and verify to the Executive Committee that funds have been received and disbursed as intended and directed. The report of the Audit Committee will be made available for inspection by members.

Section 2. Nominating Committee See ARTICLE IV, Section 3.

Section 3. Executive Committee. See ARTICLE VI, Section 1.

Section 4. Special Committees. The President may appoint special committees as needed.

#### **ARTICLE VIII: REMOVAL OF OFFICERS**

Any officer may be removed for cause by a two-thirds (2/3) vote of those present and voting at a quarterly or special membership meeting after a full hearing held on notice to all members.

#### **ARTICLE IX: PARLIAMENTARY AUTHORITY**

The meetings and affairs of the Association unless otherwise in this Constitution and Bylaws specified shall be conducted pursuant to the law of parliamentary procedure as contained in the latest edition of Robert's Rules of Order (RONR).

#### **ARTICLE X: AMENDMENT OF BYLAWS**

The Bylaws or any part of same may be amended by a consent of two-thirds (2/3) vote of members present at a meeting of the Association, provided that the proposed amendment shall have been submitted in writing at a previous regular meeting and notice of such amendment mailed to each member of the Association at least five (5) days in advance.

#### **ARTICLE XI: DISSOLUTION**

Section 1. Notice of Resolution. The Executive Committee, by a two-thirds (2/3) vote of all members of the Executive Committee, after written notice of the

meeting to be mailed as certified mail at least ten (10) days prior to the meeting date, which notice shall incorporate the resolution to be adopted, may adopt a plan of non-judicial dissolution, resolution pursuant to the provisions of the applicable statutes and regulations promulgated thereunder. The plan will include directions for the payment of all outstanding debts and the distribution of any remaining funds.

Section 2. Resolution Procedure. Upon adoption of the plan set forth in Section 1, the question of dissolution shall be taken up at a special meeting of the membership of the Association, convened for that purpose. This meeting shall be held on written notice by mail to all eligible members of the Association and shall contain a copy of the plan. Notice shall be no less than twenty (20) days. At such special meeting, the plan shall be submitted to the membership for consideration. At such special meeting, fifty (50) members eligible to vote, in attendance, shall constitute a Quorum, and a two-thirds (2/3) vote of such fifty (50) members is required to carry the necessary resolution to adopt the proposed plan. In the event that no Quorum is present at such special meeting, the plan shall be remanded to the Executive Committee, which may adopt such plan by a two-thirds (2/3) vote of the entire committee.

Adopted and Approved:

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Roseann Henry

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Barbara Delfyett Hester