

BELMONT PLANTATION BYLAWS – March 28, 2002 (Modified Sept 4, 2018)**BELMONT PLANTATION BYLAWS****CONTENTS**

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BELMONT PLANTATION BYLAWS – March 28, 2002 (Modified Sept 4, 2018)**BELMONT PLANTATION BYLAWS****ARTICLE I: NAME OF ORGANIZATION****1.01**

The name of this organization shall be:

BELMONT PLANTATION HOMEOWNERS ASSOCIATION, INC.
(hereafter referred to as "Association")

ARTICLE II: PURPOSE AND POWERS**2.01**

The purpose of this Association is to act on behalf of its members collectively as their governing body in the administration, maintenance, repair and replacement of certain parcels of property, together with improvements thereon, which are a part of Belmont Plantation located in Easley, county of Anderson, state of South Carolina, shown on plat recorded in Plat Book 436 at pages 7-8 in the office of Clerk of Court for Anderson County, South Carolina, and which are made subject to the "Declaration of Covenants Governing Belmont Plantation Subdivision" recorded in Deed Book 1747, at Pages 213-226.

2.02

The Association shall have and exercise any and all powers, rights, and privileges which a corporation organized under the Non-Profit Corporation Laws of the State of South Carolina by law may now or hereafter have to exercise. The articles of incorporation under which this organization is organized must comply with IRS guidelines for organizations seeking tax exempt status as a nonprofit corporation under U.S. Code, Title 26 Internal Revenue Service Code, Section 501(c)(4) for Homeowner 1 s Associations.

ARTICLE III: MEMBERSHIP**3.01**

Meetings of the membership shall be held at such time and place as may be specified by the Executive Board in the notice of the meeting.

3.02

The membership of this Association shall be mandatory for every lot owner or person holding at least a one (1) year lease as described in the Declaration of Covenants, Article 5.1.

3.03

Every adult resident shall be eligible for membership, provided they are lot owners or holding at least a one (1) year lease. Members are entitled to one (1) vote per property. The record property owner shall designate who votes for property under lease. (see Declaration of Covenants, 5.2)

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The annual dues shall be payable by the end of February. Checks payable to:

BELMONT PLANTATION HOMEOWNER'S ASSOCIATION

and mailed or given to the treasurer at the Association's official mailing address. Non-payment of dues and assessments will result in loss of voting privileges. (see Bylaws Article 6.05)

ARTICLE IV: OFFICERS**4.01**

The affairs of the Association shall be handled by the officers of the Association. The officers shall be President, Vice-President, Secretary, and Treasurer. The position of Treasurer can be combined with another officer title.

4.02

The duties of the Officer positions shall be:

PRESIDENT shall be the Chief Executive Officer of the Association. He or She shall preside at all meetings of the Association and shall have all the general powers and duties which are usually vested in a corporate president, including but not limited to the power to appoint committees from among members from time to time as the president deems appropriate to assist in the conduct of the affairs of the Association. President shall preside over business meetings, keeping order while remaining fair and impartial, and shall be actively involved in neighborhood committees.

VICE-PRESIDENT presides and performs duties of the president when the president is absent. Head an important committee or share in other various duties outlined in the bylaws.

SECRETARY must keep minutes of meetings. Read minutes of previous meetings and take roll call to verify a quorum. Record person making a motion. Read important correspondence or the gist of it. Notify members of meetings. Sign official documents of the Association when requested. Call the meeting to order in the absence of the president and vice-president and preside until the election of a chairman pro tern. Have an up-to-date list of all officers, committee members, and membership. Prepare newsletters and minutes and make copies for each member.

TREASURER shall receive all moneys due the Association. Maintain bookkeeping records of such funds. Pay bills, disburse money as Association may direct. Give statements of finances as required and complete a financial report, which has been audited by at least one Association member, at the annual meeting. Provide copies to all members.

4.02

Signature card shall include the names of treasurer, president and secretary. Any two (2) separate individuals holding these officer titles must sign checks for payments.

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The five (5) member board shall be elected by ballot or a show of hands to serve a term of one (1) year. The vote tabulation shall include properly executed proxy votes. Following the election the board shall meet for the purpose of designating officer titles amongst the board.

4.04

No member shall hold more than one (1) office at a time other than combining with the title of Treasurer. Only one (1) member per family shall be on the board at the same time.

4.05

Any person being nominated for any office must give their consent in writing before the vote is cast.

4.06

Any officer may be removed from the board, with or without cause, by a majority vote of the members of the Association. In the event of death, resignation, or removal of an officer, his/her successor shall be appointed by the board and shall serve the remaining term of the predecessor.

ARTICLE V: MEETINGS**5.01**

The regular annual meeting shall be held during the month of October to elect the board. Newly elected board members will start their year of service with the October meeting.

5.02

Thirteen percent of the voting membership including properly executed proxy votes shall constitute a quorum for the transaction of any business and, if a quorum be present, all matters shall be directed by a majority vote of those members present and the proxy votes.

5.03

Notices of annual or special meetings of the Association shall be given to every member not fewer than ten (10) business days nor more than forty-five (45) business days in advance of the meeting. Notices may be given by first-class U.S. Mail or hand delivered to members.

5.04

Special meetings may be called by the president or by the president at the request of any member for the transaction of only such business as is stated in the call for the meeting.

5.05

A meeting of the Association shall be held no later than the third (3rd) week of December for the purpose of voting on the budget for the next calendar year as prepared by the newly elected Officers.

BELMONT PLANTATION BYLAWS – March 28, 2002 (Modified Sept 4, 2018)**ARTICLE VI: EXECUTIVE BOARD****6.01**

The officers of the Association shall make up the executive board.

6.02

The executive board is the legal entity charged with the management and responsibility for the Association. The board shall establish the objectives of the Association and determine the policy for the development of such objectives.

When an action is taken that requires a vote of the executive board members, then a majority is required for approval. Each board member has one (1) vote.

6.03

The powers of the executive board shall include but not be limited to the following.

- (a) Administer the affairs of the Association and the property;
- (b) To employ personnel and/or independent contractors to perform services required for the proper operation of the property;
- (c) To publish and enforce such rules and regulations concerning the operation and enjoyment of the property as may be consistent with the covenants and these bylaws and to amend the same from time to time. Enforcement to include notice of violation of a rule or regulation with a minimum of 14 days to bring into compliance and assessment of fines for non-compliance. The rules and regulations shall be those listed in "Appendix A Rules & Regulations" along with the covenants and these by-laws.
- (d) To provide for the maintenance, repair and replacement of the portions of the property and improvements thereon under the responsibility of the board as set forth in the covenants;
- (e) To estimate and adopt an annual operation budget and to provide for the assessments and collection from members of their respective shares of the estimated expenses as hereinafter provided. Assessments shall include costs necessary to collect delinquent accounts and fines.

6.04

With respect to each fiscal year, the board shall estimate the amount required by the Association to meet its expenses for such year, including but not limited to the following items;

- (a) Management and administration expenses;
- (b) The estimated cost of repairs, maintenance and replacement required to be performed by the Association;
- (c) The cost of such utilities (if any) as may be furnished by the Association;

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(d) The amount of such reserves as may be reasonably established by the board, including general operating reserves, reserves for contingencies, and reserves for replacement;

(e) Such other expenses of the Association as may be approved by the board including operating deficiencies, if any, for prior periods.

(f) Expenses incurred for meetings. Also, for neighborhood outreach.

6.05

Each member shall pay their respective annual assessments as determined by the board for each lot owned by each member. If any member shall fail or refuse to make payment of their proportionate share of any regular, special assessment, or fine when due, the amount thereof shall constitute a lien on the interest of such member in the property as provided in the covenants. The Association and the board shall have the authority to exercise and enforce any and all rights and remedies provided in the covenants or these bylaws, or as are otherwise available at law or in equity for the collection of all unpaid assessments.

6.06

If at any time during the course of any fiscal year, the board shall deem the amount of the membership assessments to be inadequate by reason of a revision in its estimate of either expenses or other income, the board shall prepare and cause to be delivered to the members a revised estimated annual budget for the balance of such fiscal year and thereafter appropriate assessments shall be determined and paid on the basis of such revision.

ARTICLE VII: COMMITTEES**7.01**

The standing Architectural committee shall be appointed by the board annually.

7.02

The Architectural Committee must give approval of request for modifications, new construction or additions on property. They shall follow Anderson County codes and restrictions in the development Covenants. (see ARTICLE III in Covenants, page 220-221, 3.1 through 3.4). The committee shall review applications and act on same within 14 calendar days of receipt of a complete application for approval, or the application shall be deemed to be approved. If modifications, new construction or additions on property occur without application for approval, and enforcement action is necessary on the part of the Board, costs shall be the responsibility of the offending homeowner. The board may serve as the Architectural Committee due to a lack of volunteers.

7.03

A special committee may be established by the board to accomplish a particular task. It should not have duties that are covered by a standing committee. These committees are disbanded when the particular task is completed.

7.04

The president is ex-officio member of all committees.

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7.05

All committees are to make reports to the board and act only on the board's review and approval.

ARTICLE VIII: PARLIAMENTARY AUTHORITY

8.01

The rules contained in the current edition of Robert's Rules of Order shall govern the Association in all instances when they are applicable and not inconsistent with these bylaws and any other special rules the Association shall adopt.

ARTICLE IX: AMENDMENT OF BYLAWS

9.01

These bylaws may be amended by a majority vote of the executive board after the amendment has been considered at two (2) meetings, providing the amendment was in the call for the meeting.

ARTICLE X: DISSOLUTION

10.01

Upon dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(4) of the Internal Revenue Code, or the corresponding section of any future Federal tax code, or shall be distributed to the Federal government, or to a state or local government, for a public purpose. Any such asset not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated.

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Adopted: March 28, 2002
date

Signatures of committee members:

Genny Hendricks
Genny Hendricks

Boyce Hester
Boyce Hester

Sam Hendricks
Sam Hendricks

Lowell Wysocky
Lowell Wysocky

History:

Initial Adoption March 28, 2002

Quorum modified 2004.

Modified September 4, 2018.

Section 3.03 Designation of who votes clarified.

Section 3.04 Added reference to official mailing address.

Section 3.05 Eliminated social chairperson, added combination of duties with treasurer.

Section 4.02 Modified to match process implemented 3 years earlier, eliminated social chairperson, referenced use of proxy votes, allowed combination of treasurer's duties.

Section 4.04 Eliminated term limitation.

Section 5.01 Referenced entire month for Annual Meeting.

Section 5.02 Acknowledged use of proxy votes.

Section 5.03 Inserted 'business' to make it business days.

Section 5.05 Modified 2nd week to third week.

Section 6.03 Clarified powers of the Executive Board.

Section 7.01 Clarified Architectural Committee is only standing committee.

Section 7.02 Added timeframe for committee review or default to approval, added cost for violation responsibility of offender, added note that Board can serve as committee is necessary due to lack of volunteers.

Signature of Board Members September 4, 2018

Robert J Davidson
Robert J Davidson, President

Julie Coffield
Julie Coffield, Secretary

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BELMONT PLANTATION HOMEOWNERS ASSOCIATION, INC.**BELMONT PLANTATION BYLAWS****Appendix A Rules & Regulations**

In addition to all rules and restrictions of the Association Covenants, the following rules shall apply. Most of the following rules are extracts of covenant restrictions on the use of the real property and lots.

1. Small storage sheds must be placed on the back side of the lot. The building shall be finished in vinyl siding or paint matching the colors of the main house including the trim. The roof shall be the same color as the roof on the main house. If the building is on unlevel ground the sides that are elevated must have a solid or lattice finish down to the surrounding grade. The building shall be of sturdy and good quality construction, no metal sheds are permitted.
2. Home based businesses shall not change the residential aesthetics of the property. No business signs shall be displayed upon the home, garage or ground. No outdoor storage shall occur associated with the business. No heavy traffic shall occur. No outside employees other than direct family members shall work within or from the residence. [Covenants 2.2]
3. No fence, hedge, shrub, bush, tree or object shall be placed or located on any lot if the location of same obstructs the vision of any motorist upon any street. Landscaping shall be maintained to avoid obstruction of sight lines at intersections. [Covenants 2.3]
4. No advertising signs shall be displayed or placed upon any lot except "For Rent" or For Sale" signs, which signs shall refer only to that particular premises. Only one sign shall be permitted per lot and the sign shall not extend more than four feet above the surface of the ground. [Covenant 2.10]
5. Open burning shall be restricted to dry plant life. Leaves, yard clippings, pruning, split wood. No trash of any kind including dimension lumber shall be burned. Any open burning shall be conducted in a manner that takes into consideration the impact on neighbors, the weather and shall comply with State of South Carolina and Anderson County open burning rules and regulations. State law requires that you notify the Forestry Commission prior to burning outdoors. The law applies to burning leaves, limbs and branches that you clean up from your yard. Proper notification shall be given to the State Forester. In Anderson County the number is 1-800-895-7059. [Covenant 2.13]
6. No trash, rubbish, debris, waste material or other refuse shall be deposited or allowed to accumulate or remain on any part of a lot. [Covenant 2.13]
7. No illegal, noxious or offensive activity shall be permitted or carried out on any part of the real property, nor shall anything be permitted which may be or become a nuisance, a source of embarrassment, discomfort or annoyance to the neighborhood. All property is hereby declared to be a wildlife sanctuary and any hunting of any wild birds or animals is prohibited. [Covenants 2.20]
8. All lots shall be kept free of tall grass, undergrowth, dead trees, dangerous and dead tree limbs, weeds, trash and rubbish. Lots shall at all times be maintained in such a manner as to prevent the same from becoming unsightly, unsanitary or a hazard to health and in a neat and attractive condition. [Covenant 2.25]
9. No animals, livestock or poultry shall be raised, bred or kept on any lot, except that dogs, cats and household pets may be kept, provided that they are not kept, bred or maintained for

William Douglas
Mauldin, SC

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commercial purposes. All outside pets are to be housed at the rear of the property. Only two outside animals are allowed per lot. Also see Rule 7. [Covenant 2.32]

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Wendy Reffel