



# **Forest Park Homeowner's Association Farmington Hills, Michigan 48336**

## **By-Laws**

### **Article I - Name**

This organization will do business under the name "Forest Park Homeowner's Association".

### **Article II - Purpose**

The purpose of this organization is:

1. To promote social and cultural activities for the mutual benefit of the members of the organization.
2. To carry on any other activities that shall enable the organization to accomplish the general purposes hereinabove stated.
3. To make it's views known on all civic matters that may affect the well being of the residents of this subdivision.
4. Own, operate, and maintain any and all property that shall be granted to the Association either by gift or purchase.
5. Enforcing the deed restrictions of the subdivision so as to maintain and improve the general appearance of the subdivision.

### **Article III – Association**

**The Association.** The responsibility for management of Forest Park (Villa-Capri) is vested in the Association. As each individual purchaser acquires title to a site in Villa-Capri Subdivision, the purchaser will also become a member of the Association. The Association Bylaws are an important part of our existence as a community. It is up to each individual homeowner to be aware of the Bylaws that govern your property. The Association is governed by its Board of Directors.

## Article IV - Officers

### Section 1 - Names of Officers

The Officers of the organization shall be:

- A. President
- B. Vice-president
- C. Pool Director
- D. Treasurer
- E. Membership Coordinator
- F. Secretary
- G. Social Director
- H. New Neighbor Liaison
- I. Neighborhood Watch Advisor
- J. Communicator Editor

### Section 2 - Election of Officers

The officers shall be elected from/by the membership at large at the annual Fall Membership meeting. Nominations will be accepted from the floor to be followed by the election. A quorum is not required. The nominees will be elected by a simple majority vote of the members present. Depending on the wishes of the membership present, the election can be by voice vote, show of hands or secret ballot.

### Section 3 – Salaries

The Officers shall serve shall serve without salary.

### Section 4 - Duties of Officers

#### A. President

The President shall preside at meetings of the general membership and the Board of Directors. He/she shall appoint special committees as may be necessary, subject to confirmation by the Board of Directors. He/she shall perform all other duties incident to the office and such other duties which may be properly described by the Board of Directors.

#### B. Vice President

The Vice-President shall perform the functions of the President in has absence or disability, and shall be responsible for coordination between the special committees and the Board. He/she is also responsible for solicitation and administration of advertising for the subdivision newsletter. All Board and or Committee members may solicit advertising, however, the Vice-President has the responsibility to oversee all contracts and negotiations. Status reports shall be presented at each Board meeting and articles for the newsletter will be submitted by each deadline.

### C. Pool Director

The Pool Director shall oversee the Pool Committee as chairperson, and oversee all pool operations. He/she shall maintain accurate records for auditing purposes and shall submit all monies to the Treasurer. He/she will appoint a committee to accomplish these tasks. He/she will hire the lifeguard(s) and oversee their employment. Develop and manage the pool budget and at the first annual meeting present such budget. He/she shall assess all needs for pool improvement and maintenance exceeding the board approved budget. Maintain the pool calendar in coordination with the Social Committee. Status reports shall be presented at each Board meeting and articles for the newsletter will be submitted by each deadline.

### D. Treasurer

The Treasurer shall receive all dues and payments to the Association, disburse funds as approved by the Board of Directors and/or the General Membership and maintain full and proper records thereof. A financial statement will be submitted at each Board Meeting. An annual statement shall be furnished to the Board of Directors at the first Board Meeting of each fiscal year along with the proposed budget. The fiscal year, for accounting purposes, shall be January 1, through the following December 31. The proposed budget shall be developed by a committee consisting of the Treasurer, President, and one appointee. Status reports shall be presented at each Board meeting and articles for the newsletter will be submitted by each deadline. The Treasurer shall maintain accurate records for auditing purposes.

### E. Membership coordinator

To promote and obtain membership for the general association.

- Maintain and update membership lists.
- To distribute invoices for payment of dues with a return envelope during January of each year, or an appropriate time deemed by the Board.
- To recruit, organize, and update street reps with necessary information.
- To submit all monies to the Treasurer and maintain accurate records for auditing purposes.
- To distribute the newsletter to the street reps for distribution to homes within three days of receiving them.
- To fill in or obtain a replacement for street reps that cannot fulfill their duties.
- Status reports shall be presented at each Board meeting and articles for the newsletter will be submitted by each deadline.

### F. Secretary

The Secretary shall be responsible for all correspondence of the Association. The Secretary shall also be responsible for preparation and maintenance of all meeting minutes of the Association including the distribution of such minutes to Board Members prior to the next meeting. He/she has the additional responsibility of obtaining all correspondence, either in person or by proxy, and disbursements of such correspondence after copies are made and put on file.

#### G. Social Director

To oversee the Social Committee as Chairperson. Maintain accurate records for auditing purposes and reconcile monies with the Treasurer after each Social event. Develop, maintain, and communicate the Social calendar to Residents. The calendar must be coordinated with the Pool Director and set by April 1. Oversee all social events. To make annual recommendations for use of funds raised by the social events and coordinate all social event flyers with the distribution of the newsletter whenever feasible. Status reports shall be presented at each Board meeting and articles for the newsletter will be submitted by each deadline.

#### H. New Neighbor Liaison

Visit and welcome new residents by presenting a packet of informational items. This packet will include a recent newsletter, any other subdivision news, along with up-to-date community information. Encourage all new residents to participate in the association. Status reports shall be presented at each Board meeting and articles for the newsletter will be submitted by each deadline.

#### I. Neighborhood Watch Advisor

Attend City Neighborhood Watch Meetings and update the Board with all appropriate information. Alert the Board of any critical information. Status reports shall be presented at each Board meeting and articles for the newsletter will be submitted by each deadline.

#### J. Communicator Editor

Edit/Develop articles into a newsletter. Set deadlines for all articles to be submitted. Incorporate business ads into the newsletter as submitted by the Vice-president. Procurement of printing services with approval of the Board. Responsible for finished product being delivered to the Membership Coordinator. Extra copies of the Newsletter shall be given to the New Neighbor Liaison and Vice-President. Address all issues covered at the Board meeting in the newsletter, if not in any officer articles.

### Section 5 – Inauguration of New Officers

New Officers shall begin their term January 1st.

### Section 6 - Term of Office

A person may hold the same office, or chair position for no more than four years consecutively, unless approved by a 2/3 vote of the Board of Directors. A person can remain on the Board indefinitely, as long as they change the office or chair position they hold.

## **Article V - Board of Directors**

### Section 1 - Membership

- A. The Board shall consist of the ten (10) elected officers. An individual may only hold one Board position simultaneously. With the goal of increasing resident involvement, each Board Member shall be limited to voting privileges on one additional committee.
- B. Each Board Member present shall be entitled to one vote on issues requiring Board of Director approval. Under appropriate situations, the President has the authority to poll the officers and act accordingly.
- X. The Board of Directors shall select a person or persons (except for any Board Member) to audit the Association Financial Records each year and report findings to the Board.

### Section 2 - Meetings

The Board shall meet at least six (6) times a year for regular Association business. The date of the board meeting and the place will be decided at the previous meeting or when appropriate. Special meetings may be called by the President as required, but not in lieu of a regular meeting.

The Board of Directors is responsible for notifying all association members of scheduled General Membership Meetings.

### Section 3 - Quorum

Fifty percent (50%) of the Board of Directors shall constitute a quorum and a simple majority of such a quorum shall be sufficient to decide any question which may come before the Board.

## **Article VI - General Policies**

### Section 1

All projects undertaken by the organization shall be considered on the basis of their value, benefit, and interest to the residents.

### Section 2

No proposal or activities that in any way obligate the Association shall be made without approval of the Board. Obligations exceeding \$5000 must be approved by simple majority vote of the membership present at a General Membership Meeting.

## **Article VII - Votes**

Each household, in current standing with the Annual assessment is entitled to one vote. There will be no proxy votes.

## **Article VIII - Dues and Fees**

### **Section 1 - Association**

Payment of the annual association dues entitles the member to all the rights and privileges of the Association with the exception of the use of the Swimming Pool. Association Members may rent the Pool and Recreation Area for private use. The rentals will be scheduled through the Pool Director with consideration to the Social Calendar. Exclusive use of the pool for private parties during regular operating hours shall not be permitted as it may restrict the use of the pool by all other pool members.

### **Section 2 - Pool**

Payment of the swimming pool fees, in addition to the General Membership dues, entitles these members to all rights and privileges of the swimming pool.

### **Section 3 - Non-Resident Pool**

Non-residents may become pool members by paying a non-resident pool fee. They shall not have the rights and privileges of general membership members and they shall not be entitled to vote on any issue. Non-resident Pool members may rent the Pool and Recreation Area at a non-resident rate. Exclusive use of the pool for private parties during regular operating hours shall not be permitted as it may restrict the use of the pool by all other pool members.

### **Section 4 - Assessments**

**Assessments.** Each owner of a site in Villa Capri must pay for the expenses of general administration and operation of the Association. All expenses arising from the management, administration, and operation of the Association in pursuance of its authorization and responsibilities as set forth in the governing documents shall be levied by the Association against the homeowners thereof in accordance with the following provision:

**Section 1. Apportionment of Assessments and Penalty for Default.** Unless otherwise provided herein, or in the Master Deed, all assessments levied against the homeowners to cover expenses of administration and operation shall be apportioned among and paid by the homeowners in accordance with current economic conditions. Annual assessments for any and all categories of membership are subject to the approval of the Board of Directors and shall be payable by homeowners annually, commencing with acceptance of a deed or a land contract or with the acquisition of fee simple title to a residence by any other means. The payment of an assessment shall be in default if such assessment, or any part thereof, is not paid to the Association in full on or before the due date for

such payment. The Association may assess reasonable automated late charges or may levy fines for late payment of assessments. Each homeowner (whether 1 or more persons) shall be, and remain, personally liable for the payment of all assessments (including late fees and cost of collection and enforcement of payment) pertinent to the residence which may be levied while the owner thereof.

### **Article IX - Membership Lists**

All membership lists of the Association shall be confined to the membership of the Association and cannot be sold, rented, or given to any person or organization without consent of that person on said list

### **Article X - General Membership Meetings**

An Annual General Membership Meeting shall be held in the fall of the year. Additional meetings may be held as necessary. Roberts Rules of Order may be implemented by the discretion of the Board. The order of business for a General Membership Meeting shall be as follows:

- A. Call to Order
- B. Approval of minutes and correspondence.
- C. Treasurer's Report
- D. Pool Director Report
- E. Membership coordinator Report
- F. Social Director Report
- G. New Neighbor Liaison Report
- H. Neighborhood Watch Advisor Report
- I. Communicator Editor Report
- J. Special Committee Reports
- K. Unfinished Business
- L. New Business
- M. Good and Welfare
- N. Adjournment

### **Article XI - Filling Vacancies**

#### Section 1

The President shall make appointments to fill vacated offices, such appointments must be approved by the Board of Directors.

#### Section 2

In the event of any vacancy in the Office of President, the Vice-president shall assume the Presidency. The new President shall appoint a Vice-President subject to the approval of the Board of Directors.

### **Article XII – Committees**

There are two types of committees: Standing and Special.

The Standing committees are: Pool and Social. The purpose of the Pool committee is to facilitate the operation of the Pool. The purpose of the Social committee is to encourage and facilitate resident participation in Association events.

Special committees can be formed as deemed necessary by the Board.

Members on any committee shall be appointed by the respective chairperson(s). The tenure of office for committee members shall end with the installation of new officers.

### **Article XIII - Board of Directors Meetings**

The order of business shall be the same as for or the General Membership Meeting (Article X).

### **Article XIV - Disbursement of Funds**

All checks must be signed by two designated persons. Both signers may not be immediate family members. Each new Board will designate which four Board positions will have check signing privileges. Immediate family shall be designated as: husband, wife, son, daughter, mother, father, brother, sister, cousin, grandparent, grandchild, and the person's spouse's mother, father, brother, sister, cousin, grandparent, or grandchild.

All pool disbursements must be approved by the Pool Director except in an emergency situation.

Any disbursement not in an approved budget that exceeds Fifty Dollars (\$50) must be presented to the Board for authorization. The Social Committee may request a monetary advance for each function. A committee shall only receive two (2) advances per event unless approval is granted by the President and Treasurer.

All disbursements, other than Social Committee advances, must have a receipt or invoice prior to payment.

### **Article XV – Removal of a Director**

A Board Member may be removed by a 2/3 vote of the Board of Directors, and ratified by a simple majority vote of those members in attendance at a General Membership Meeting.

### **Article XVI - Amendments**

Following approval by the Board, proposed amendments to these By-Laws shall be presented to the membership at a General Meeting after a ten (10) day notice of proposed amendments. A simple majority vote of those members in attendance at said meeting shall be needed to pass the amendment.

Revised January 1, 2015