

CHANDOS LAKE PROPERTY OWNERS ASSOCIATION INC.
ON-284702 – April 4, 1974
BY-LAW
Dated: July 5, 2020

Being a By-law to adopt a Constitution

Preamble

WHEREAS Chandos Lake Property Owners in the Township of North Kawartha form a substantial part of the local assessment and pay a substantial portion of the municipal taxes collected;

WHEREAS Chandos Lake Property Owners cottage residents contribute much to the local economy and are interested in the conservation of our natural heritage, the fair use thereof for all citizens and the maintenance of safe unpolluted recreational areas;

WHEREAS Chandos Lake Property Owners have a sincere interest in the future growth of the local area from a political, economic, and aesthetic standpoint, and need to form an association to better express their views;

WHEREAS it is deemed necessary to promote social and recreational events to stimulate fellowship and enjoyment;

THEREFORE this organization has been incorporated to promote the welfare of cottagers in the Township of North Kawartha to develop interest in the future growth from a political, economic, and aesthetic standpoint, to endeavour to preserve the rights and privileges of such members, and increase the enjoyment of lake cottagers;

AND WHEREAS it is deemed advisable to adopt a Constitution for the Corporation;

NOW THEREFORE be it enacted as a By-law of the Corporation as follows:-

Article 1

The name of this association shall be the CHANDOS LAKE PROPERTY OWNERS ASSOCIATION INC. In this By-law the word "Association" shall denote and/or mean the Corporation.

Article 2 - Objects

01. The purpose of the Association shall be in general to unite all cottagers for the purpose of dealing with governments, organizations and industry (thereinafter implied).

02. The Association shall assist members with common problems so as to better deal with governments, organizations, and agencies at the municipal, county, regional, provincial, federal, national and international level.
03. The association shall provide and promote co-operation and fellowship among members and endeavour to maintain safe and enjoyable recreation areas.
04. Without limiting the generality of any of the foregoing, to include such matters as follows.
 - a. To serve as an information centre and central register for the various members, by gathering appropriate statistic and data;
 - b. To co-operate in the protection of water resources from pollution of any kind;
 - c. To help provide the best and most efficient municipal government and legislation for the benefit of all citizens;
 - d. To promote safe and responsible operation of all watercraft and related activities;
 - e. To co-operate with other local organizations which have goals similar to those of the Association;
 - f. To assist in the conservation of fish, fowl, game and resources;
 - g. To aid in all agencies. etc., in. the control of pests and noxious weeds and the preservation of trees, shrubs and wild flowers
 - h. To support the Federation of Ontario Cottager's Association Incorporated where its aims are in common with those of the Association
 - i. Protect the lake by influencing North Kawartha Council to enforce the Comprehensive Zoning By-Laws that are in place based on the following 5 Criteria:
 - 1) When: A Minor Variance or Amendment to the Comprehensive Zoning By-law is requested for a new structure on an existing lot of record within the 30m (100 foot) setback from the high water mark.
 - 2) When: A Minor Variance or Amendment to the Comprehensive Zoning By-law is requested for replacement or renovation of an existing dwelling within the 9m (30 foot) setback of the high watermark
 - 3) When: An amendment to the Comprehensive Zoning By-law is requested for property severance for the purpose of building a new dwelling
 - 4) When: An amendment to the Comprehensive Zoning By-law is requested for Multi-Unit Developments (Plan of subdivision or condominium)
 - 5) When: An amendment to the Comprehensive Zoning By-law is requested for Backlot Development

Actions to be taken:

- 1) Engage an independent professional Planner or Building Inspector to review the request and write a brief report to CLPOA Directors advising if the request is justified and is respectful of the lake and shoreline environment.

- 2) This report would then be circulated to all CLPOA Directors seeking agreeance to oppose request or not
- 3) If the CLPOA Directors feel that a position of opposition is warranted, then a letter would be written and sent to Council as early as possible in advance of the request coming before Council. Notification would also be sent to the Applicant and the CLPOA Membership. In addition, one or more of the CLPOA Directors would attend the Council meeting when the request is scheduled to be reviewed and state our opposition and the reasons

Article 3 - Constituents, Memberships and Fees

01. Prospective members may make application to join the Association and upon acceptance by the Association shall apply the required fees, and shall provide whatever information on land ownership and location required by the Association.
02. The Association shall consist of members who are defined for the purposes of this Constitution.
 - a. Active - an owner of property or properties bordering on Chandos Lake. This membership extends to the immediate family or families (including spouses or partners, children, grandchildren) of the owner, although only one person from this membership may vote on any motion at Association meetings.
 - b. Associate - any person or persons supporting the objectives of the Association;
03. Each active membership shall be entitled to one vote at Association meetings. An active membership consisting of more than one person shall represent one vote only. Associate members are not entitled to vote at Association meetings.
04. An annual membership fee shall be due to the Association by each member on or before the 01-January of the calendar year in which the membership is to be effective, or before such other date as the Association may from time to time determine.
05. A Corporation cannot be a member.
06. The annual membership fee shall be set by the Senior Executive and ratified at the Annual General meeting and recorded as a By-law.
07. Honorary, Ex-Officio, Life, Student or other membership classification may be created by the Executive but such memberships shall have not voting power.

Article 4 - Directors and Officers

01. The Directors of the Association shall constitute and be known as the Senior Executive of the Association. The person who held the office of President prior to the most recent election of Directors shall be styled the Immediate Past President.

The Immediate Past President shall Ex-Officio be a Director of the Association. Following the Annual General Meeting of the Association, the Senior Executive shall appoint from among themselves a President, 1st and 2nd Vice President and Treasurer, each of whom shall be considered officers of the Association. Each officer must be an active member.

Of the remaining Directors, one shall be appointed Membership secretary.

02. Any voting member shall be eligible for election to a Director position.
03. A Director's term is two years. A Director may be re-elected.
04. The Senior Executive shall be comprised of no less than 6 active members.
05. The Officers shall appoint Committee Chairman.
06. Members can remove a director by a majority vote at a special meeting where the notice of the meeting states that members will be asked to vote on removing the director. A director is entitled to give the Senior Executive a statement giving reasons for opposing his or her removal if a meeting is called for the purpose of removing him or her. The Senior Executive must immediately circulate the director's statement to members.

Article 5 - Duties of Officers

01. President:
 - a. shall summon, or cause to be summoned, all general and Executive meetings, except as provided for in the Constitution;
 - b. shall make no motion, but shall be entitled to cast the deciding vote on any issue, shall be responsible for the operation and management of the Association in accordance with its Constitution and By-laws;
 - c. shall be an ex-officio member of any and all committees;
 - d. shall be a signing officer of the Association;
 - e. may have a petty cash imprest in such amount as may be authorized by resolution of the officers;
 - f. shall have charge of the corporate seal;

02. Immediate Past President:
 - a. shall advise and assist the President;
03. 1st and 2nd Vice Presidents:
 - a. shall assist the President and carry out any duties assigned to him by the President;
 - b. shall, in the absence of the President or in the case of his inability to act, perform all duties pertaining to the office of the President as may be required in order of Seniority;
 - c. shall be an ex-officio member of all committees to which he/she is named by the President;
04. Secretary:
 - a. shall have charge of all minute books and electronic/computer data;
 - b. shall be present at and keep records of all Executive and General Meetings. Shall see to notice of any all Executive and General Meetings, and shall have available at any such meeting such material as may reasonably relate to the Agenda of business to be transacted;
 - c. shall prepare and read minutes of the meetings;
 - d. shall receive and conduct correspondence and shall perform such duties, relevant to the office, as the officers may require;
 - e. in the temporary absence of the Secretary, the Senior officers may appoint a person to act as Secretary;
 - f. may have a petty cash imprest account in such amount as may be determined by resolution of the Senior Executive;
 - g. shall perform such other duties, relevant to his/her office, as the officers may require;
05. Treasurer:
 - a. shall be in charge of all books and electronic/computer data pertaining to the financial business of the Association;
 - b. shall deposit Associations' funds in a bank or banks as required by the Officers;
 - c. shall have custody of any securities, shall sign all cheques in conformity with Association By-laws, and any banking By-law;
 - d. shall be a signing officer for the purpose of the Association;
 - e. shall keep records of all money received and disbursed;
 - f. may have a petty cash imprest account in such amount as may be determined by resolution of the officers;
 - g. may give receipts and give duplicates;

- h. shall prepare an annual financial report to be presented at the Annual General Meeting;
- i. shall perform such other duties, relevant to his/her office, as the officers may require;
- j. in the temporary absence of the Treasurer, the senior officers may appoint a person to act in place of the Treasurer;

Article 6 - Committees

- 01. There shall be Environment, Regatta, Membership, Corn and Weiner Roast, and other committees established by the Senior Executive, as may from time to time be deemed necessary, and all committees shall be governed where applicable by the same procedure as set down in this Constitution.
- 02. The Senior Executive shall endorse the chairperson of any committee, as aforesaid, which chairperson shall hold office at the discretion of the Executive.
- 03. A committee shall have committee persons to be drawn from the members, or any other source, as chosen by the committee chairperson. Supporting members are eligible to vote at committee level.
- 04. The scope of each committee shall be outlined in general by the officers.
- 05. Special committees shall be automatically dissolved upon completion of their special task.

Article 7 - Meeting Quorum

- 01. The Annual General Meeting of the Association shall be held not later than the 31-July in each year at a time and place to be decided by the Senior Executive and not less than thirty one (31) days notice in writing shall be given to the members. The AGM in 2021 and subsequent years shall be conducted within six months of previous year's fiscal year end.
- 02. Notices for meeting of members or of board members may be sent electronically. A meeting of the members or of the board members may be held by telephonic or electronic means and a member or board member who, through those means, votes at the meeting or establishes a communications link to the meeting is deemed for the purposes of this Act to be present at the meeting.
- 03. A special general meeting must be convened upon request of the Executive, with notice to members in the most expedited manner.

04. A special general meeting must be convened upon the requisition, in writing, made by one third (1/3) of the total paid-up voting members; such a meeting must be convened by the Executive within sixty-one (61) days of receipt of the said requisition, the requisition shall state the purpose of the meeting and be filed with the Secretary by way of registered post to the Secretary's address as listed in the current yearbook; if the Executive do not call such a meeting within the specified period then the members requisitioning the said meeting may convene such a meeting on thirty-one (31) days notice in writing to all members whose names shall be made available by the Secretary and shall be capable of transacting any business relevant to the requisition and acting on it for the Association, as if called by the Executive.
05. Every notice of any meeting shall state the business to be transacted at such meeting, the place, day and hour of such meeting, and who may attend and be in accordance with the terms provided in the Constitution, reasonable time will be provided.
06. A quorum for Executive or Committee meeting shall consist of fifty-one (51) percent of the specific body.
07. Business may be conducted at the annual and/or special meetings properly called by majority vote of qualified voting members in attendance.
08. No error or accidental omission in giving notice of any meeting to address of last field record, or the non-receipt of notice by any member, shall invalidate such meeting or make void any proceedings taken thereat.

Article 08 - Elections, Nominations and Voting

01. The election of Executive officers, as may be required, shall be held annually at the Annual General Meeting, and shall be by open vote to all eligible voters, unless acclaimed. Eligible voters are CLPOA member in good standing. Good standing is a member who has paid in full their annual fees. Newly elected Executive Officers shall assume their respective duties immediately. Executive officers may fill vacant Executive positions, as required, between elections, unless the vacated position happens within 90 days of the AGM, in which case the position will be left open for nomination. Appointments to the Executive shall be ratified by the membership at the next Annual General Meeting.
02. Notice of all open nominations are to be given to the members at least 45 days in advance of the AGM, with the final candidate list and all electronic voting matters being forwarded to members 31 days in advance of the AGM.
03. All matters, save as otherwise provided in the Constitution, shall be decided by a simple majority of eligible voters present and by show of hands, or by an advanced electronic vote. A secret ballot in any matter may be requested by a voting member which request shall be decided by a show of hands.

04. In certain matters the Senior Executive may seek the opinion of the general membership by a plebiscite through ballots by mail.
05. Voting by proxy is not permitted.
06. Nominations may be made by any voting member provided they are properly seconded by any voting member and accompanied by a statement from the nominee that he will stand for office, which statement may either be written or oral.
07. Votes requiring a simple majority, which result in a tie may be broken by the President casting his vote at the AGM.
08. Electronic Voting
 - a. All Electronic Voting Results will be kept secret (by 2 members of the Executive) until after the results of open vote at the AGM.
 - b. All Electronic Votes will be cast prior to the AGM. The Electronic voting period will be 7 days, ending 2 days prior to the AGM.
 - c. All matters eligible for vote (include Elections, By-Laws, & Constitutional Amendments) must be presented to members 31 days in advance of the AGM, in accordance with Article 7, 01.
 - d. All members will only be allowed one vote on matters, either electronic, or by a show of hands at the AGM (One is able to electronically vote, then show up at the AGM for information and to vote on the non-electronic vote matters, if any).
 - e. It is understood that there may be voting matters that are brought up at the AGM which will not be subjected to an electronic vote. A member must recognize their inability to vote on these issues if they chose to not show up.

Article 09 - Fiscal Year and Auditors

01. The Fiscal Year shall end on 31-December each year.
02. Auditors may be appointed, and remuneration set, by the Executive,

Article 10 - Amendment

01. The Constitution may be amended by a two-thirds majority vote of the voting members of the Association in attendance at the Annual Meeting and the voting members using electronic voting; provided that notice of motion regarding such amendment duly seconded in writing is received by the Secretary at least sixty-three (63) days prior to the said meeting. The Secretary shall forward to the members the notice of motion to amend with the notice of the meeting.

Article 11 - General

01. The Senior Executive may pass By-laws consistent with the provisions of the Constitution for the purpose of regulating the affairs, aims and objectives of the Association; such By-laws shall be effective only until the next annual meeting unless approved and ratified by the voting members at such annual meeting.
02. Acceptance of membership in the Association, by payment of the appropriate fee, shall bind the member to abide by the Constitution and By-laws of the Association.
03. The Executive shall have the power to expel or suspend any member where it has been proven to the satisfaction of a majority of the Executive that such member or individual has acted in a manner detrimental to the best interests of the Association; subject to the right of appeal, to the voting members, by the said member or individual at the next general meeting, which decision shall be final.
04. Honorariums and/or remunerations may be paid to the President, Secretary and Treasurer, and such other Executive officers or volunteers as the Executive may determine in an amount to be decided upon by the Executive and such amounts disclosed in the financial statement to the membership at their annual meeting.
05. All meetings shall be conducted in accordance with recognized parliamentary and/or business procedures and where any point of procedure arises which is not governed by the Constitution or By-laws of the Association, the meeting shall be governed by the procedure as laid-down in Robert's Rules of Order.
06. In the Constitution and all By-laws of the Association where context so requires or permits, the singular shall read the plural and the plural the singular, and masculine shall include the feminine.

ENACTED and passed as a By-law of the Association this _____ day of _____ In _____.

VP Secretary _____, Brigitte Walenius

CHANDOS LAKE PROPERTY OWNERS ASSOCIATION INC.