

Copperwood East Neighborhood Association

CWENA

ByLaws

Copperwood East Neighborhood Association Bylaws

Article I Name

The name of this organization shall be the Copperwood East Neighborhood Association (CWENA), a nonprofit organization, hereinafter referred to be the Association.

Article II Purpose

The purpose of the association is to see to improve the quality of life in the neighborhood in matters such as land use, environmental protection, public services, and other matters of neighborhood concern.

Article III

Objectives

The objectives of the Association are to:

1. Represent and advance the interests of residents in the neighborhood.
2. Keep all residents informed of issues vital to the neighborhood by appropriate communications and meetings.
3. Establish standing and ad-hoc committees to investigate and make recommendations to the association on all matters of neighborhood concern, including local libraries and schools.
4. Establish mutual protection and safety.
5. Improve safety of the streets through better traffic control.
6. Facilitate the education of residents regarding all available options open to them relating to the problems of homeownership, zoning, rights, etc.
7. Work towards development and preservation of natural green spaces, parks, trees, landscaping and general land use development.

Article IV

Membership

Section I – Eligibility

1. Membership in the Association shall be open to any person who lives within or owns property within the following boundaries: North to Turnberry Court and East to Halsted Road and West to Spyglass and South to Eagle Trace.
2. Membership shall be issued on the basis of the one household per lot as a single unit upon payment of annual dues.

Section II – Dues

Dues per household per year shall be announced by the Board of Directors in advance of the calendar year, and shall be due on January 1 of each year. Dues may be paid by March 1st of each year, without penalty. After April 1st, a \$100 late fee shall be added to the balance. Such dues shall not increase by more than the annual change in consumer price index as indicated by the U.S. Department of Labor (Bureau of Labor Statistics) without approval at a meeting of the general membership, held in the preceding fall.

Section III – Past Due Policy Draft

If Dues are unpaid as of April 1st, the Board may authorize legal action(s) against the past due property and/or its owners. The owner will be notified of past due fees. This notice will be mailed to property address. If homeowner account is not paid in full within 30 days from date of past due letter, the board may authorize legal action deemed necessary for collection of past due amount. These actions may include but are not limited to filing of Lien, property foreclosure, or cash judgement. The Board or its agents may serve notice of intent to file such actions.

The legal actions may only be released by authorization of the Board after the homeowner pays in full all past due amounts including legal and filing costs associated with any legal actions.

Article V Voting

Section I

Members of the Association present at any general membership meeting shall be entitled to one vote per household on each matter submitted to a vote of the membership.

Section II

Members of the Association present at any general membership meeting shall be entitled to one vote per household on each matter submitted to a vote of the membership.

Section III

For general Association meetings, a quorum is defined as the number of member present, with no minimum number required. For Board meetings, a quorum is defined as three Board members present. The quorums as defined above shall be necessary for the transaction of all Association business.

Article VI

Meetings and Organization

Section I

Meetings of the general membership shall be held in the spring and at such times as called by the Board. By petition, signed by at least 10% of the total eligible membership, the Board shall call a special meeting of the membership for the purpose of transacting any business which may be legally transacted at such a meeting.

Section II

Meetings of the Board may be held quarterly, or at any other time if called by a majority of those members currently in office.

Section III

The privilege of holding office, introducing motions, floor debate, and voting shall be limited to the members of the neighborhood association.

Section IV

The calendar year of the Association shall run from January 1st through December 31st.

Article VII

Board of Directors

Section I – Number and Tenure

The Board of Directors shall consist of five (5) members, including the offices as set forth in Article VIII. Directors shall serve for four year terms that shall be staggered in such a way that approximately half of the Directors are elected annually at the membership meeting. There shall be no term limits, and the members of the Board of the Directors terms shall be automatically renewed if not challenged by the general membership.

Section II – General Powers

The Board shall manage the affairs of the Association and shall have full authority to set Association policy and speak to elected officials on behalf of the Association.

Section III – Vacancies

Any vacancy occurring in the Board shall be filled by the Board for the balance of the unexpired portion of the term. A vacancy may be declared by a majority of those Board members present whenever a Board member misses two consecutive meetings. A meeting, for the purposes of this section shall be defined as a Board or general membership meeting for which the member had at least ten days prior notice.

Section IV – Notice of Meetings

Notice of Board meetings may be giving in writing, electronically, or orally, at least five days prior to the meeting and is deemed to have occurred if the meeting is held at a prearranged and customary time and location. In case of an emergency, which is so defined by the President, or any two directors, twenty-four hours notice shall suffice at which any business is conducted with the exception of bylaws amendments or elections.

Section V – Removal from the Board

Any member of the Board may be removed for cause at any meeting by a two-thirds vote of the Board members present, providing that written notice has been furnished to all board members at least ten days prior to said meeting.

Article VIII

Officers

Section I – Positions and Duties

The President shall preside at all meetings of the Board and the Association and shall be an ex-officio member of all committees. The President shall have the right to approve all statements made on behalf of the Association.

The Vice-President, shall fulfill the duties of the President in the President's absence and shall have other duties delegated by the President.

The Secretary shall be responsible for keeping an accurate record of all business conducted by the Association.

The Treasurer shall audit and review all collections, expenditures, contracts, and financial records pertaining to the Association maintained by the Association's Agent.

Other duties may be performed by any Board Member based on time, talents, interest, and willingness to serve. Since some duties must be performed, if no one steps forward voluntarily, the President shall appoint Board members to perform such duties as he/she deems appropriate.

Section II – Election

Officers shall be elected by the Board at the first Board meeting after the annual membership meeting and shall serve four year terms.

Section III – Removal from Office

Any officer may be removed from office for cause at any meeting by two-thirds of the Board members providing that notice has been furnished to the officer and to all other Board members at least two weeks prior to said meeting.

Section IV – Replacement of Officers

When necessary, vacant offices may be filled at any meeting by the Board for the unexpired portion of the term.

Section V – Indemnification of Officers

The Board members shall be as a whole and singly be absolved and released from any claim(s) for damages related to plans and actions transacted at meetings.

Section VI – Association Agent

The President, with the approval of two other Board members shall have the right to appoint an Agent for the Association to carry out actions and policies of the Association.

Article IX Approval of Expenditures

Section I – Unique Expenditures

Unique expenditures are commitments of the Association funds that are not expected to occur again or at least not a regular basis. These expenses must be approved by a two-thirds majority vote by the Board. The Board may give approval to a maximum limit that the President and the Treasurer can approve without Board action.

Section II – Recurring Expenditures

Recurring expenditures are disbursements of CWENA funds that are expected to occur on an ongoing and somewhat regular basis. These would include, but not limited to, such items as postage, supplies and publication of a newsletter, fountain maintenance and flowers at the entranceway. These expenditures may be approved in advance for future payment as the expenses are incurred. These payments should be reviewed and approved on an annual basis.

Article X

Conflict of Interest

Section I – Definition

A conflict of interest exists for an Association member or a Board member whenever that person holds a personal financial interest which shall be impacted by the action or inaction by the Association on a proposal before the membership or Board. Examples of a personal financial interest would include ownership, plans to purchase or involvement in a transaction to buy or sell property the use or control of which is under discussion by the Association or its Board of Directors.

Section II – Declaring the Conflict of Interest

Whenever a member or Board member determines that he/she has a conflict of interest relating to an item under discussion, he/she must inform the body (Association or Board) hearing the proposal that the conflict of interest exists.

Section III – Abstention from Voting

Members or Board members shall not vote on matters in which they have a conflict of interest.

Article XI

Grievance Procedures

Section I – Eligibility to File a Grievance

A person or group adversely affected by a decision or policy of the Association may submit in writing a complaint to the President of the Association.

Section II – Complaint Process

Within a reasonable time following the receipt of a complaint, the President shall arrange with the petitioner a mutually acceptable time and location for a review of the complaint by the Board. The Board will make a good faith effort to resolve the complaint with the petitioner.

Section III – Final Resolution

If an acceptable resolution is reached, it is to be ratified at the next regular meeting of the Board, and entered in the minutes of the meeting. If a resolution is not reached, the Board shall submit a report and recommendation to the membership and a final resolution of the complaint shall be by vote of a majority of the membership present at a general or special meeting.

Article XII

Non-Discrimination

The Association shall not discriminate against individuals or groups on the basis of race, religion, color, sex, sexual orientation, age, discrimination, national origin, familial status, income, or political affiliation in any of its policies, recommendations, or actions.

Article XIII

Amendment of Bylaws

These bylaws may be amended at any meeting by a two-thirds vote of the Board provided that the amendment(s) has been submitted in writing to the Board at the previous meeting.

Article XIV

Dissolution

Upon dissolution of the Copperwood East Neighborhood Association, no class of member shall have any right nor shall receive any assets of the Association. The assets of the Association are permanently dedicated to a tax-exempt purpose. In the event of dissolution, the Association's assets, after payments of debts, will be distributed to an organization which is tax-exempt under the relevant provisions of the Internal Revenue Code and which exists for community service and not religious purposes.

Article XV

Mailboxes, Support Posts and Newspaper Holders, Uniformity

Section I – Mailbox Authority, Uniformity and Ownership

All Mailboxes, posts, newspaper holders and any attachments to these items including address labeling shall be uniform in appearance throughout the Copperwood East Neighborhood. The Board of Directors by majority vote has the authority to replace said items. The Board has the authority to authorize complete, partial or individual replacement of mailboxes, support posts or newspaper holders and any attachments.

The ownership of the individual mailboxes, posts and newspaper holders is by each homeowner with ownership of common post structure shared as a percentage based on number of boxes per post.

In the event of damage to mailbox, post or newspaper holder, the individual homeowner(s) shall bear the cost of repairs or replacement. Damaged mailboxes, posts or newspaper holders will be repaired or replaced in a timely manner by the homeowner. If not repaired or replaced, the board will notify homeowner(s) who will have 30 days to complete repairs or replacement. If repairs or replacement are not completed to standards set forth by the Board, the Board will have repairs or replacements completed and bill the individual homeowner(s) for the cost of required repairs. In the event repair costs are unpaid by homeowner, the Board has the authority to authorize legal action deemed necessary for collection of repair costs.

Section II – Mailbox Standards

Mailbox, address placard, support post and newspaper tube chosen by board shall be determined as the standard style for neighborhood. If product is unavailable or discontinued by manufacturer then board may select similar style as new standard.

The current Board of Directors of the Copperwood East Neighborhood Association adopted the amended by-laws on the 4th day of April in the year of 2009.

Robert C. Iwrey (President)
Stephen Yen (Vice President)
Fred Walters (Treasurer)
Patrick Kelly (Secretary)
Jim Gandol (Board Member)

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