

GORDON PARK HOUSING SOCIETY BYLAWS


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1. PART I - INTERPRETATION

- 1.1 "Director" means the directors of the Society for the time being.
- 1.2 "Society Act" means the Society Act of the Province of British Columbia from time to time in force, and all amendments to it.
- 1.3 "Registered Address" of a member means his address as recorded in the register of members.
- 1.4 "Society" means the Gordon Park Housing Society.
- 1.5 "Board" means the board of directors of the Society.
- 1.6 "Member" means a person who has signed membership agreements and contracts as designated by the board from time to time.
- 1.7 "Ordinary Resolution" means a resolution passed in a general meeting by the members of a society by a simple majority of the votes cast in person.
- 1.8 "Special Resolution" means a resolution passed at a general meeting by a majority of not less than 75% of the members present and voting.
- 1.9 "Accountant" means a person appointed to check the accounts of the Society.
- 1.10 "Membership" consists of all members in good standing of Gordon Park Housing Society (67 units).

2. PART II - MEMBERSHIP

- 2.1 Membership in this organization shall be open to all who are at least 50 years of age, and who agree with the constitution and bylaws of Gordon Park Housing Society, and are approved by the board for membership.
- 2.2 Subject to these bylaws, a person at least 50 years of age or older at the date of application, may apply to the board for membership in the Society.
- 2.3 Upon acceptance by the board and payment of applicable fee, that person shall be a member.
- 2.4 Membership fee, if any, in the Society shall be determined, from time to time, by the Board of Directors, at a general meeting.
- 2.5 Membership fee payable date, if any, shall be determined, from time to time, by the Board of Directors, at a general meeting.
- 2.6 A voting member will be a registered member:
 - (1) must be in good standing at the time of the vote; and
 - (2) must not be suspended or otherwise barred from attending meetings.
- 2.7 A non-voting member will be any member who is a registered member of the Society that does not have the power, right, or duty to vote. A non-voting member has the same rights, duties, and obligations as a voting member except that:
 - (1) A non-voting member shall not vote.
- 2.8 Every member shall uphold the constitution and these bylaws, pay all fees when they are due, comply with the rules and regulations and contractual terms as outlined in the membership contract, and as well as the rules and regulations designated by the board from time to time.
- 2.9 Members cease to be in good standing in the Society when any fees or charges are due and payable by them to the Society, which are more than 30 days overdue.
- 2.10 All members are in good standing except a member who has failed to pay his current membership fee or any other subscription or debt due and owing by him to the Society and he is not in good standing so long as the debt remains unpaid.
- 2.11 Members who have ceased to be in good standing shall not be entitled to vote or hold office in the Society,
- 2.12 A person shall cease to be a member of the Society:
 - (1) by delivering his resignation and transfer of his unit in writing to the Secretary of the Society, or by mailing or by delivering it to the address of the Society 30 days prior to resignation;
 - (2) on his death;

- (3) on being expelled; or
 - (4) on having been a member not in good standing for 3 consecutive months.
- 2.13 A member may be expelled from the Society, by a special resolution of the members, passed at a special meeting called for that purpose.
- 2.14 The notice of special resolution for expulsion shall be accompanied by a brief statement of the reason or reasons for the proposed expulsion.
- 2.15 The person who is the subject of the proposed resolution for expulsion shall be given the opportunity to be heard at the special meeting before the special resolution is put to a vote.
- 2.16 When a membership is terminated, the vacating member shall have the responsibility of finding a replacement member to occupy the unit. The Society will make all reasonable efforts to make the transition of membership as smooth as possible. An expelled member will have 30 days from date of expulsion to vacate the unit.
- 2.17 When a unit is transferred it includes the assigned parking space and storage unit. These will be identified on the transfer documents. If the purchaser find the parking space is in use by someone else on completion date, GPHS may have the vehicle towed at the seller's expense. GPHS may also remove and dispose of anything left in the storage area.
- 2.18 Prior to the unit being transferred the existing member must declare all upgrades to the unit that affect the building fabric. For example, glassed in balconies and tinted windows. Maintenance of these upgrades are the responsibility of the unit resident, not GPHS.
- 2.19 A membership will only be terminated and unit transferred when a vacating member has paid all monies owing to the Society.
- 2.20 Members must not allow or permit assignment, sublet, underlet or rent any unit for any reason. Any person residing in a unit that is not a member is considered to be an unauthorized occupant.
- 2.21 Only members of the Society shall reside in Phase I and Phase II of Gordon Park Housing.
- 2.22 The maximum number of habitants who shall reside in a unit is two (2).
- 2.23 Members must not allow or permit assignment, sublet, underlet or rent any unit for any reason. Any person residing in a unit that is not a member is considered to be an unauthorized occupant.
- 2.24 Members must not carry on and/or trade in any business or permit the carrying on of a business or trade in limited common property and or use any Society resources.

- 2.25 No member or members may construct or make alterations or changes to any of the limited common property areas without written approval by the Board of Directors.
- 2.26 All visitors must be approved by the Board if they stay for longer than a month at a time.
- 2.27 All electrical work that involves any rewiring must be done by a licensed electrician.
- 2.28 Motorized scooters are not allowed inside Phase 1 or 2, but storage is permitted in the parkade and garages.
- 2.29 Storage in the garages must not include flammable materials.
- 2.30 Members must keep any property stored in their garages within their half of the garage.
- 2.31 Handicap parking stalls are for loading and unloading only. No vehicle can be parked therefore more than two (2) hours at a time.
- 2.32 A new member replacing a vacating member will receive a copy of the promissory note relating to the unit. The vacating member will assign all of its right and interest in the promissory note to the new member. The promissory note will retain its original value regardless of the amount paid by the new member to the vacating member for his or her unit.
- 2.33 All members must pay to the Society their *pro rata* share of the City of Kelowna property taxes as determined in each year by the Society. All eligible members must complete and provide to the Society, prior to July 1 in each year, a home owner grant application form which the Society will submit to the City of Kelowna with the annual tax payment. Any member that does not qualify for the home owner grant exemption or who does not submit a completed home owner grant exemption form to the Society by July 1 in each year will be required to pay the full tax amount charged by the City of Kelowna for their unit.
- 2.34 There shall be no smoking of any substance on the Society grounds or buildings.
- 2.35 There shall be no pets allowed in the unit off a Member or on the Society grounds.
- 2.36 There shall be no barbecues allowed in the unit of a Member or on the Society grounds except as supplied by the Society on the common area patio.
- 2.37 There shall be no consumption of alcoholic beverages allowed in the common areas of the Society buildings or grounds.
- 2.38 Every Member must allow the Board of Directors or tradesmen authorized by the Board of Directors, access to their unit on 24 hours' notice to that Member in order for the Board of Directors or a tradesman authorized by the Board of Directors to conduct an inspection of the unit. In the event of an emergency the Board of Directors or tradesmen authorized by the Board of Directors are allowed access to a Member's unit without notice to the Member.

2.39 This is a non-profit, non-political and Christian organization. The association will carry out its functions based upon Christian principles or living and, in particular, with the following rules in mind, namely:

- (1) I am the Lord Thy God; though shalt not have strange gods before me.
- (2) Though shalt not take the name of the Lord Thy God in vain.
- (3) Remember to keep holy the Sabbath Day.
- (4) Honor thy father and thy mother.
- (5) Thou shalt not kill.
- (6) Thou shalt not commit adultery.
- (7) Thou shalt not steal.
- (8) Thou shalt not bear false witness against thy neighbour.
- (9) Thou shalt not covet thy neighbor's wife.
- (10) Thou shalt not covet they neighbor's goods.

This clause is unalterable.

2.40 In the event that the association should at any time be wound up or dissolved, the remaining assets after payment of all debts and liabilities shall be turned over to The Evangel Tabernacle Church of Kelowna, British Columbia.

This clause is unalterable.

3. PART III - MEETINGS OF MEMBERS

3.1 All meetings open to the Membership will commence with a prayer.

3.2 The Annual General Meeting of the Society shall be held in the Gathering Room on the second Tuesday of November each year:

- (1) If a change of date is deemed necessary by the board, the board may select another date and notify the members;
- (2) Annual General Meeting shall be held at least once in every calendar year and not more than 15 months after the holding of the last preceding Annual General Meeting.

3.3 The Secretary shall cause to be mailed to every member in good standing at his address as it appears in the membership roll book in this organization or hand deliver a notice telling the time and place of such annual meeting at least fourteen (14) days before the date of such meeting. Notice not requiring printed material for study may be posted on the bulletin board located in the building lobby.

3.4 The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate proceedings at that meeting.

3.5 General meetings of the Society shall be held at such time and place, in accordance with the Society Act, as the board decides.

3.6 Adjournment of a general meeting:

- (1) A general meeting may be adjourned from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place;

- (2) When a meeting is adjourned for ten (10) days or more, notice of the adjourned meeting shall be given as in the case of the original meeting;
 - (3) Except as provided in this bylaw, it is not necessary to give notice of adjournment or of the business to be transacted at an adjourned general meeting.
- 3.7 Notice of a general meeting shall specify the place, the day and the hour of the meeting and, in case of special business, the general nature of that business.
- 3.8 The board may require the president of the Society to call a Special Meeting of the membership at any time.
- 3.8.1 On written request from at least ten (10) percent of the voting members of the Society to the board, the board shall call a Special Meeting of the membership within twenty-one (21) days of the receipt of the request.
- 3.9 If a special resolution is to be presented at a meeting, the intent and purpose of the special resolution must be included in the notice of the meeting.
- 3.10 No business shall be conducted at a meeting if a quorum is not present.
- 3.11 A quorum for the transaction of business at any meeting of the Membership shall be thirty-four (34) voting members (a simple majority).
- 3.12 Voting:
- (1) Only members of the Society shall vote at any meeting of the Society, and each member shall have only one vote;
 - (2) Voting by proxy is not permitted;
 - (3) Only one vote per unit is permitted;
 - (4) A voting member's spouse, partner or co-tenant shall be entitled to attend meetings and take part in discussions.
- 3.13 The board shall determine the rules of procedure at all meetings.
- 3.14 If and when questions arise regarding procedures not comprehensively covered in the Society's rules or bylaws, Robert's Rules shall apply, provided that no Robert's Rules supersede the rules and bylaws of the Society. Copy of Robert's Rules of Order are kept in the office.

4. PART IV - ORDER OF BUSINESS

- (1) Roll call
- (2) Reading of the minutes of the preceding meeting
- (3) Reports of committees
- (4) Reports of the officers
- (5) Old and unfinished business

- (6) New business
- (7) Adjournments.

5. PART V - DIRECTORS AND OFFICERS

- 5.1 The number of directors shall be seven (7) or any number as may be determined from time to time at a general meeting by a majority vote.
- 5.2 Appointment of Directors:
 - (1) At least two (2) months before the Annual General Meeting, the board shall appoint a Nominating Committee comprised of three (3) members of the Society, one of them whom may be a board member, who shall serve as the Nominating Committee Chair until the Annual General Meeting. Two members of the Nominating Committee shall constitute a quorum;
 - (2) The deadline for accepting nominations for the Board of Directors shall be one week before the Annual General Meeting. The names of the people nominated shall be posted on the bulletin board in the building lobby one week before the Annual General Meeting. Nominations must be received by the Nominating Committee and will not be accepted from the floor during the Annual General Meeting.
 - (3) Directors shall be elected for two (2) year terms. No Director may serve more than two (2) consecutive terms. They then must take a break of at least one (1) year;
 - (4) Except in cases of acclamation, voting shall be by ballot, the number of successful candidates shall be determined by the candidates who receive the most votes until the positions are filled.
 - (5) A person shall be eligible to serve on the Board of Directors for as long as they wish to do so.
- 5.3 Vacancies in the Board of Directors shall be filled by a vote of the majority of the remaining members of the Board of Directors for the balance of the year. Should such nominee be unable or unwilling to serve, another member shall be appointed by the remaining directors.
- 5.4 Immediately following the Annual General Meeting, the retiring president shall chair the opening of the first meeting of the new board and conduct the installation of officers.
 - 5.4.1 New Board members shall sign a Conflict of Interest Waiver at the first board meeting held immediately following the Annual General Meeting.
- 5.5 No employees of the Society shall be eligible to become a director.
- 5.6 A board member intending to move out of Gordon Park Village shall advise the board of his intention to move and shall submit a resignation at least six (6) weeks in advance of the intended move.
- 5.7 If at any time there are insufficient elected members volunteering to serve on the Board, then the Board may appoint a vacating Board member to serve an additional year should the vacating Board member agree.

- 5.8 The board shall meet at least monthly unless otherwise decided by the majority of the board. The first order of business at the first meeting of the board after the Annual General Meeting shall be the four directors.
- 5.9 The quorum for a meeting of the board shall be four (4) directors.
- 5.10 The duties of the officers shall be:
- (1) to manage and administer the affairs of the Society and do all such acts on its behalf as are not required to be exercised or done by the Society at a General or Special meeting;
 - (2) to make such rules and regulations as are not inconsistent with the constitution of the Society or these bylaws;
 - (3) to establish such committees as they may deem expedient for carrying out the purpose of the Society;
 - (4) to employ such persons as they deem necessary for the pursuance of the purpose of the Society;
 - (5) to give a full and complete report of their activities at the Annual General Meeting of the Society;
 - (6) to provide all members with a copy of the Society's financial statement at least ten (10) days prior to the Annual General Meeting;
 - (7) to present a balanced budget for approval or amendment at the Annual General Meeting;
 - (8) to establish an Operating Fund for expenses that usually occur at least once a year and a Contingency Reserve Fund for expenses that usually occur less often than once a year;
 - (9) to ensure all substantive work undertaken on common property is done by correctly licensed personnel who carry liability insurance for their work.
- 5.11 A resolution in writing and signed personally by each director shall be valid and effective as if it had been passed at a board meeting duly called and constituted. Decisions of such meeting shall be recorded in the minutes.
- 5.12 The board shall elect from their members a president, vice-president, secretary and treasurer, who shall be known as the officers of the Society.
- 5.13 The duties of the officers shall be:
- (1) President: To be the chief executive officer of the Society; and shall:
 - i) preside at all meetings of the board and of the membership and to call Special Meetings as required;

- ii) serve as an ex-officio member of all committees except the Nominating Committee;
 - iii) supervise the other officers in the execution of their duties;
 - iv) be present at each Annual General Meeting and prepare an annual report of the work of the organization;
 - v) appoint all committees, temporary or permanent;
 - vi) see all books, reports and certificates required by law are properly kept or filed;
 - vii) be one of the officers who may sign the checks or drafts of the organization; and
 - viii) have such powers as may be reasonably construed as belonging to the chief executive of any organization.
- (2) Vice-President: To generally assist the President and, in the event of the absence or disability of the President, to perform his duties and possess his authority.
- (3) Secretary:
- i) to keep or cause to be kept the minutes of meetings,
 - ii) to maintain the record of the Society;
 - iii) to conduct the correspondence of the Society
 - iv) to issue notice of meetings of the Society and directors;
 - v) to have custody of all records and documents of the Society, except those required to be kept by the Treasurer;
 - vi) have custody of the common seal of the Society;
 - vii) to perform other pertinent duties that may be assigned by the board; and
 - viii) to maintain the register of members.
- (4) Treasurer:
- i) to keep or cause to be kept a proper accounting of monies received and paid by the Society, as are necessary to comply with the Society Act and to report the same at the Annual General Meeting of the Society;
 - ii) to render financial statements to the directors, members and others when required.

- 5.14 In the absence of the secretary from a meeting, the directors shall appoint another person to act as secretary at the meeting.
- 5.15 The membership may remove a director before the expiry of his term of office by a special resolution at a General Meeting and, upon the removal of a director, may elect a successor to complete the term of office.
- 5.16 No member of the board shall accept any remuneration for services rendered to the Society and no member of the board or employees of the Society shall have any direct or indirect financial interest in any purchase order or contract entered into or issued on behalf of the Society or any facility operated by the Society unless such director or employee shall absent himself from the meeting while the matter is being discussed and while a vote is taken in any matter affecting such reimbursement in respect of expenses incurred with the board's approval in carrying out the business of the Society.

6. PART VI - STANDING COMMITTEE

- 6.1 The board may appoint such standing committees as may be deemed necessary and shall designate their powers and duties. Such committees shall limit their activities to the purpose for which they are appointed and shall have no power to act unless such power is specifically conferred by the board. All standing committees shall submit reports to the Annual General Meeting.

7. PART VII - FISCAL POWERS

- 7.1 The Society may borrow, raise or secure the payment of monies in such manner and amount as shall be sanctioned by resolution of the board. No debenture shall be issued without authority of a special resolution.
- 7.2 All Society funds must be held in guaranteed investments.
- 7.3 The Board is hereby authorized to engage in short term borrowing on behalf of the Society, pursuant to a resolution passed by the Board.
- 7.4 No single expenditure of more than five thousand (\$5,000.00) dollars shall be made without the approval of the membership at a Special Meeting, except in cases of emergency pertaining to the building repair or maintenance.
- 7.5 No single expenditure shall be made from the Contingency Reserve Fund without authorization by special resolution, except in cases of emergency likely to involve serious loss or injury.

8. PART VIII - ACCOUNTS OF THE SOCIETY

- 8.1 The fiscal year of the Society shall be the twelve (12) month period ending August 31 or such other period of twelve (12) consecutive months as may from time to time be approved by the Society.

- 8.2 At each Annual General Meeting, the Society shall appoint an accountant to hold office until he is reappointed or his successor is appointed at the next Annual General Meeting.
- 8.3 The board shall fill all vacancies occurring in the office of accountant between Annual General Meetings.
- 8.4 An accountant may be renewed by ordinary resolution.
- 8.5 An accountant shall be informed forthwith in writing of appointment or removal.
- 8.6 No director and no employee of the Society shall be the accountant.
- 8.7 The accountant may attend general meetings.

9. PART IX - INSURANCE & LIABILITIES

- 9.1 The board shall insure all Society property against major perils at full replacement cost and shall review coverage from time to time as building costs increase.
- 9.2 Liability insurance for at least two million (\$2,000,000.00) dollars shall be obtained to cover possible lawsuits.
- 9.3 If a contract is made by the Society's duly authorized agent on its behalf, then the Society will be liable under the contract.

10. PART X - THE SEAL

- 10.1 The seal of the Society shall be kept in the custody of the Secretary of the Society.
- 10.2 The seal of the Society shall not be affixed to any document or instrument unless authorized by the board and then only be and in the presence of such persons as shall be authorized to affix the seal of the Society.
- 10.3 Only the President or the Secretary are authorized to affix the seal of the Society.

11. PART XI - BYLAWS

- 11.1 On being admitted to membership, a member is entitled to and the Society shall give him, without charge, a copy of the constitution and bylaws.
- 11.2 The bylaws may be amended, rescinded, altered, and re-enacted at the Annual General Meeting or by Special Resolution.