

Sample Neighborhood Association By-Laws

The following shall be known as the bylaws of THE SOME NEIGHBORHOOD ASSOCIATION a/k/a TCNA, the bylaws are the rules of self-government of the Neighborhood Association. These bylaws are the set of rules by which the Neighborhood operates on a daily basis, votes and settles disputes that may arise from time to time and they are binding on all those members associated with this Neighbor-
hood Association. If the By-Laws are found to be inconsistent with State Law, then State Law will over-
ride.

ARTICLE I.

Section 1. Name. The name of this organization shall be THE COMMONS NEIGHBORHOOD ASSOCIATION a/k/a TCNA, a nonprofit organization, hereinafter referred to as the Association. Section 2 Purpose. The purpose of the Association is to seek to improve the quality of life in the neighborhood in matters of land use, environmental protection, public services, consumer protection, preservation of the historic and unique character of the community; to provide support in other mat- ters of neighborhood concern and to promote and participate in the civic life of the City and County. Section 3. Objectives. The objectives of this 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 committees to investigate and make recommendations to the association on all matters of neighborhood concern.
4. Seek the improvement of dwellings by residents and absentee owners.
5. Establish mutual protection and safety.
6. Improve safety of the streets through better traffic control.
7. Facilitate the education of residents regarding available options relating to home ownership, zoning, rights, etc.
8. Work toward development and preservation of neutral green spaces, parks, trees, landscaping and general land use management.
9. Develop, adopt , and monitor a neighborhood plan, including an inventory of land uses and facilities.

ARTICLE II.

Section 1. Boundaries and Applicability. Boundaries are defined as East Shelby Drive to the North, Greens of Irene Golf Course to the West, Midsummer Commons P.D. – South to the South with Parcel ID Numbers D025600308,

Sample Neighborhood Association By-Laws

D025600313 and D025600307 to the East. These Bylaws and each provision thereof shall be applicable to all lots with voluntary homeowners, as defined within the residential subdivision known as MIDSUMMER COMMONS PHASE 1 and MIDSUMMER COMMONS PHASE 2., as shown on plat of record in plat of record in Plat Book Plat 200, Page 30 and Plat Book 210, Page 46, respectfully 217 at page 40 in the Register's office of Shelby County, Tennessee which is incorporated herein by reference and hereby made a part hereof.

ARTICLE III.

The following sections of this Article III shall apply to membership in the Association.

Section 1. Eligibility. Membership in the Association is voluntary and shall be open to the owner or owners of a lot , who have become such in compliance with all of the requirements and conditions contained in the Declaration of Covenants, including these By-Laws, shall be entitled to attend and vote at all meetings of the Association. Ownership of a lot shall be the sole qualification of the membership of the Association. Membership shall be issued upon payment of annual dues (see also Article III, Section 2 regarding eligibility to vote).

Section 2. Dues. Fiscal year of the Association shall be from January 1st to December 31st every year. An \$80.00 per household membership fee is required. This amount could change as per the Association needs, but only by a vote of the membership. All memberships expire at the end of each fiscal year. Dues are required to be paid within 30 days of the end of the Association fiscal year. If dues are not paid by the due date, the member loses all voting rights and rights to membership until all dues are paid.

Section 3. Voting Rights. The owner or owners of a lot, shall be entitled to one (1) vote at all meetings of the Association. Where two or more persons own a unit, the vote allocated to that unit shall be cast by the one authorized by such two or more owners, and in the event of failure of such authorization, no vote shall be recorded for that lot. Where only one of two or more owners of a lot is pre- sent in person at a meeting, such one shall be presumed to be authorized by all owners of said lot and

Sample Neighborhood Association By-Laws

shall be entitled to cast the vote with respect for that lot. Where one person or group of persons owns more than one lot, such person or group of persons shall be entitled to cast the vote with respect one vote for each lot owned.

Section 4. Lien and Other Rights. The Association shall have a lien on the outstanding memberships in order to secure payment of any sums which may become due from the holders thereof to the Association for any reason whatsoever. In addition, for such time as any sums may be due, the member who fails to pay such sum shall not be entitled to any rights or privileges appertaining to such membership.

ARTICLE IV.

Section 1. Place of Meeting. Meetings of the membership shall be held at the principal office or place of business of the Association or at such other suitable place convenient to the membership as may be designated by the Board of Directors.

Section 2. Annual Meetings. The annual meeting of the members of the Association shall be held at 7:00 p .m. on the third Thursday of July, each year, beginning the year after the first conveyance of common areas to the Association. At such meeting, there shall be elected by the members a Board of Directors in accordance with the requirements of Article V of these By-Laws. The members may also in the notice.

Section 3. Special Meetings. It shall be the duty of the President to call a special meeting of the members as directed by resolution of the Board of Directors or upon a petition signed by members representing at least twenty-five percent (25%) of the total number of votes outstanding having been presented to the Secretary, The notice of any special meeting shall state the time and place of such meeting and the purpose thereof. No business shall be transacted at a special meeting except as stated

Section 4. Notice of Meeting. It shall be the duty of the Secretary to mail a notice of each annual or special meeting, stating the purpose thereof as well as the time and place where it is to be held, to each member of record, at his address as it appears on such record as his/her last known place of address at least ten (10) days but not more than ninety (90) days prior to such meeting. Service may also be accomplished by the hard delivery of any such notice to the members at his last known address by deposit

Sample Neighborhood Association By-Laws

in the member's box or slot for the United States mail. Notice by either such method shall be considered as notice served. Attendance by a member at any meeting of the members shall be a waiver of notice by him of the time, place and purpose thereof.

Section 5. Quorum. The presence, either in person or by proxy, of members representing at least fifteen percent (15%) of the total votes entitled to be cast with respect to any question, shall be requisite for, and shall constitute a quorum for the transaction of business at all meetings of members. If the number of members at a meeting drops below the quorum and the question of a lack of a quorum is raised, no business may thereafter be transacted. At least three (3) members from the Executive Board must be present.

Section 6. Adjourned Meetings. If any meeting of members cannot be organized because a quorum has not attended, the members who are present, either in person or by proxy, may, except as otherwise provided by law adjourn the meeting to a time not less than forty-eight (48) hours from the time the original meeting was called.

Section 7. Voting. At every meeting of the members, each of the members shall have the right to cast his vote on each question. The vote of members representing a fifty-one percent (51%) majority of the total votes entitled to be cast shall decide any question brought before such meeting, unless the question is one upon which, be express provision of a statute or of the Charter, or the Declaration, or of these By-Laws, a different vote is required, in which case such express provision shall govern and control. No members shall be eligible to vote, either in person or by proxy, or to be elected to the Board of Directors, who is shown on the books or management accounts of the Association to be more than thirty(30) days delinquent in any payment due the Association.

Section 8. Proxies. Any member may appoint any other member or any other person permitted by law or by these By-Laws as his proxy. In no event may any member cast more than one (1) vote by proxy in addition to his own vote. Any proxy must be in writing and must comply with all requirements imposed by law or by these Bylaws.

Section 9. Whenever the vote of members at a meeting thereof is required or permitted to take any action in accordance with any statute, the Declaration, or these By-Laws, such meeting and vote may be dispensed with if all Members who would have been entitled to vote upon such action consent in writing to such action being taken.