

# **BY-LAWS**

## **OAK GROVE BEACH COMMUNITY ASSOCIATION, INC.**

### **I. PERTINENT CHARTER PROVISIONS**

#### **A. Membership**

Limited to "members of the body politic" (Oak Grove Beach Community Association, Inc., or OGBCA) who are "owners of record of any land within territorial limits of Oak Grove Beach Community Association, Inc."

#### **B. Object and Purpose of Association**

"...to provide for the preservation, maintenance, improvement and development of the open spaces, land, adjacent ponds and waters and beach areas.....as a residential community and to promote health, safety, welfare, protection, education, enjoyment, recreation, comfort and convenience of all owners of record of any land within the territorial limits and the inhabitants thereof."

The Association has the power to enact By-laws, ordinances, make reasonable rules and regulations in respect to the use by its members of its beach areas, etc., and has power to enforce any expressed or implied restrictive covenant or other valid restriction in deeds and contracts.

### **II. MEMBERSHIP**

No individual or corporation shall or may become a member of the Oak Grove Beach Community Association, Inc. with the rights and privileges attendant upon such membership, by reason of purchase of land within the territorial limits of OGBCA, where such purchase involves ownership of any tract of land which fails to meet the minimum requirements for approved building lots within such territorial limits, as established by the Town of East Lyme or by the Association, whichever are more restrictive.

Note: This has reference to ownership acquired after May 14, 1973. Individuals who owned smaller lots in the territory prior to May 14, 1973 retain their membership. The By-law is directed primarily at attempts to create rights to membership by multiple joint ownership and/or subdivision of existing lots.

Tenants of members, occupying the resident owner's premises in Oak Grove Beach shall be entitled to the same privileges as the owner, except the right to vote at meetings.

A. No new associate memberships shall be sold. Those persons who are presently associate members may continue to purchase associate memberships provided that they live within walking distance of OGBCA. The beach privileges of associate members shall extend only to the immediate family of the associate member and his/her bona fide guests. Tenants of associate members shall not be entitled to the use of the beach. The yearly price of such associate membership and the number of beach tags allowed to each such associate member shall be determined annually by the Board of Directors. Associate membership privileges cease if payment of fees lapses or the property is sold to a non-family member.

Such associate memberships may be revoked at any time, if it is determined that the member, or a member of a family holding associate membership disregards or fails to observe By-laws or regulations.

B. No partnership or corporation which is, or hereafter becomes, the owner of record of any property in OGBCA, shall, solely by reason of such ownership have, or exercise, or assert the

right to place on association property any of its officers, directors, stockholders or members who are not individually owners of record of property in OGBCA which meets the minimum approved building lot requirements established by the Town of East Lyme, or by the Association, whichever are more restrictive.

Note: This By-law, in conjunction with others, is intended to forestall the proliferation of beach users through joint ownerships of fractional ownerships of property where such joint or fractional ownership extends beyond one family or two related families. In questionable cases, the affect on the beach population shall be the prime factor.

### **III. BOARD OF DIRECTORS**

A. The officers and affairs of the Association shall be under the care and management of the Board of Directors, constituted as prescribed by the Articles of Incorporation.

The officers of the Association shall consist of a president, a vice-president, secretary and treasurer, elected by the Board, who shall hold office from annual meeting to annual meeting next following, or until their successors shall have been elected. The president and vice-president shall be selected by the Board from its own members. The meeting of the Board for the election of officers will be the next scheduled board meeting. The Board may appoint such additional officers as it may from time to time deem necessary and define their duties.

B. The President shall preside at the meetings of the Association and the meetings of the Board. Subject to the Board he shall be the chief executive of the Association and shall have general supervision over and control of the affairs of the Association and responsibility for the enforcement of its By-laws, ordinances and other regulations. It shall also be his/her duty to cast the deciding vote on all questions in which there may be an equal division of votes.

C. The Vice-president, in case of the absence or disability of the president, shall exercise the powers and discharge the duties of the president.

D. The Secretary shall make and keep the records of the meetings of the Association and the Board of Directors and shall give notice thereof as required by these By-laws. The Secretary shall post all Board minutes on the Association website and shall submit to the Town Clerk of East Lyme all required documents. The Secretary shall be the custodian of the documents and records of the Association, except those in the custody of the Treasurer.

E. The Treasurer shall receive, keep and disburse the cash, funds, notes and other assets of the Association, as directed by the Board of Directors, and shall keep proper books of account which shall be open to inspection by the members of the Association at any reasonable time. The Treasurer shall report upon the financial condition of the Association as requested by the Board of Directors. The Treasurer, may on behalf of the Association, draw, sign and endorse checks, drafts, notes and bills of exchange, and no other officer shall have such authority except that the Board may grant such authority for a particular purpose to another officer. The Treasurer shall submit an annual financial report to the annual meeting.

F. Special meetings of the Board of Director of the Association shall be held at the call of the President, or any four (4) members of the Board.

G. Regular meetings of the Board of Directors shall be held at least once each month during the period from May through September in each year, and at other time at the call of the President, or any five (5) members of the Board, provided five (5) days notice shall be given, unless such notice be waived by a majority of the Board. Five (5) members shall constitute a quorum for the transaction of business at the meetings of the Board. No vote shall be cast by proxy at any meeting of the Board.

H. The Board, to be nine (9) in number, shall be elected by the members of the Association from its own number to terms of three (3) years, three (3) to be elected each year at the annual meeting. Not less than five (5) members of the Board shall be permanent residents of OGBCA.

I. Any vacancy on the Board shall be filled by appointment by the Board, such appointment to continue to the next annual meeting, but until such vacancy shall be so filled, the remaining Directors shall constitute the Board.

J. There shall be the following Standing Committees of not less than three (3) members each, whose actions and recommendations shall be subject to the approval of the Board: Finance Committee, Beach Committee, Social Activities Committee and By-laws Committee.

1. The President shall appoint these committees no later than two (2) weeks after the annual meeting of the Association. The term of office shall be for a period of one (1) year. Each committee shall number at least one (1) permanent resident of OGBCA.

2. The President may appoint other special committees of not less than three (3) members from time to time as determined by the Board. The term of office of these special committees will end on the date of the next annual meeting of the Association following their appointment.

3. Not later than one (1) month prior to the annual meeting, the President shall appoint a Nominating Committee of three (3) members to present the slate of Directors at the annual meeting.

The **Finance Committee** shall be charged with the following duties:

1. To examine the financial condition of the Association at least once a year and to report to the Board its findings and recommendations.

2. To arrange for adequate insurance coverage to protect the property of the Association against loss or damage by fire or other insurable loss, including public liability, and to arrange for such other plans of insurance as the Board may direct.

3. To prepare an annual budget for the fiscal year ending June 30<sup>th</sup> and to recommend the annual mill rate for approval to the Board of Directors and to the membership at the annual meeting.

The **Beach Committee**, subject to the approval of the Board, shall make, carry out and enforce rules and regulations in respect to the use by the members of the Association of its beach areas, waterfronts, ponds, open spaces and other real and personal property of the Association, which rules and regulations, when approved, will be binding on the members of the Association. In the event of violation of any rule or regulation and, after warning by a member of the Beach Committee, the violator may be subject to a penalty as may be determined by the Board. It shall also be the duty and responsibility of the Beach Committee to control and maintain the physical assets of the Association. The Beach Committee shall also purchase supplies and equipment as the Board may direct, not exceeding the amount in the annual budget without Board approval.

The Raft Sub-Committee reports to the Beach Committee. The mission of the Raft Sub-Committee is to keep itself informed of the condition of the swimming raft and all moorings, chains, swim lines, ropes, markers and attachments that comprise the safe swimming area off the main beach.

The Raft Sub-Committee will also be responsible for the installation, removal, maintenance and storage of all swimming area equipment.

The Raft Sub-Committee must give the Board of Directors advanced notice regarding their financial needs.

The **Social Activities Committee** shall plan, propose, coordinate and supervise all social activities, programs and events of the Association. It shall also be the duty of the Social Activities Committee to publicize the activities, programs and events of the Association, and also to inform members about coming events.

The Sunshine Sub-Committee reports to the Social Activities Committee. The mission of the Sunshine Sub-Committee is to keep it informed of the death or serious illness of any resident member of the OGBCA. Upon being notified, the Secretary, on behalf of the OGBCA Board, will send a letter of condolence to the next of kin of the deceased member. In addition, the Sunshine Sub-Committee will arrange for the seriously ill or the next of kin of the deceased to get either a flower arrangement, or, a fruit basket, or, a donation. None will be in excess of \$50.00. The Sunshine Sub-Committee will determine which gift would be the most appropriate.

The Awards and Recognition Sub-Committee reports to the Social Activities Committee. The mission of the Awards and Recognition Sub-Committee is to identify any volunteer outside of the Board who has contributed with physical labor, or other means, outstanding assistance to the OGBCA and consequently is deserving of recognition and the presentation of a meaningful award. Upon being notified, the Secretary, on behalf of the OGBCA Board, will arrange for a framed "Certificate of Recognition" to be prepared for presentation to the deserving member either during the Annual Meeting or the Annual Picnic.

K. Each present, former and future Director or officer of the Association shall be indemnified by the Association against any reasonable expenses, including court costs, attorney's fees and incidental expenses, necessarily incurred by him/her in connection with the defense of settlement of any action, suit or proceeding in which he/she is made a party by reason of his/her being or having been such Director or officer.

## **IV. ASSOCIATION MEMBERSHIP MEETINGS**

A. The Annual Meeting of the Association shall be held prior to Memorial Day at an appropriate time and location to be determined by the Board of Directors.

B. Notice of annual or special meetings of the Association shall be given by email (unless written notice has been requested) to each property owner in OGBCA of the day, hour and place of such meeting, and in the case of a special meeting, its purposes, at least ten (10) days prior to the date of the meeting. It is the responsibility of each property owner to update a Board member of any email or home address changes.

C. Fifteen (15) members of the Association eligible to vote shall constitute a quorum for the transaction of business at any meeting of the Association, but a lesser number may adjourn the meeting upon affirmative vote of a proper motion to adjourn.

D. Special meetings of the Association may be called by a request in writing to any Director of the Association signed by seven (7) members of the Association.

E. A majority of all votes cast by members of the Association present in person or by written notarized proxy shall be required for action on all matters that come before any meeting of the Association and shall determine any question.

F. Any members, or representative authorized in writing by any such member may inspect the books of the Association at any reasonable time.

G. Roberts' Rules of Order Revised, and as amended, shall be the recognized parliamentary authority by which meetings of the Association and the Board shall be regulated and conducted.

H. The By-laws of this Association may be amended or repealed and new By-laws may be adopted at any annual or special meeting of the Association, provided that notice of the proposed amendment, repeal, or new By-law(s) shall have been given in the call of such meeting.

## **V. PARKING**

No Parking lots shall be established within the territory of OGBCA hereafter and any such lot already established may not be extended within such territory.

Note: This provision does not apply to the normal parking of vehicles of owners, tenants or guests on their property or public streets. It is primarily directed at the use of any property as a conduit for bringing non-members to the beach areas.

## VI. ZONING

Purpose: for the purpose of protecting and promoting public health, safety and welfare, and for the purpose of preventing the overcrowding of land and avoiding undue concentration of population.

A. All land lots and areas contained within the legal and zoned limits of the OGBCA shall be designated as residential, and are subject to the following regulations with regard to buildings and structures constructed within said limits. For the purposes of these regulations, the zoned area of OGBCA, as determined by Charter, is co-terminus with the legal limits of the OGBCA.

B. The following uses of buildings and/or land and no others are permitted, and these are in addition to the Town of East Lyme and the State of Connecticut Zoning and Building Laws:

1. Single-family detached dwellings;
2. Semi public uses limited to boating or swimming clubs.

## VII. RENTAL RESTRICTIONS

In order to maintain our residential community spirit in a safe and comfortable climate, the Association recommends that all rentals be a minimum of seven (7) consecutive nights. Limited exceptions for local weddings, graduations etc. will be allowed with Board approval. Landlords remain responsible for tenant behavior related to excessive noise, street blocking parking, property encroachment and related East Lyme laws. Police, landlords and any known intermediate rental companies may be notified of illegal activity.

Originally adopted:	1969
Revised:	05/14/1973
Revised	07/21/1979
Revised	06/21/1986
Revised	06/21/1989
Revised	05/21/1994
Revised	05/22/2004
Revised	05/08/2008
Revised	05/25/2019
Revised	05/28/2022