

Canterbury Woods Homeowners' Association By-Laws (Rev 4/01/2016)

Article I: Name

The name of this organization is the Canterbury Woods Homeowners' Association, formerly known as the Canterbury Square Recreation Association, Inc. Hereafter, the organization will be referred to as **Canterbury Woods Homeowners Association** or in the alternate, **CWHA**.

Article II: Purpose

The purpose of this organization is to establish and enforce the by-laws of the CWHA, to promote and sponsor the traditional social functions of the CWHA community and to ensure the maintenance and operation of the recreation areas.

Article III: Membership & Dues

Section 1 Only homeowners of record as listed on the property title and their spouse are considered to be members of CWHA. Dependent resident children are not considered members but are entitled to all the benefits and privileges of a member as are any dependent non-resident children, independent permanent resident children, permanent resident grandchildren and permanent resident parents.

Section 2 Each member family shall pay, annually to CWHA, the sum of \$235.00. Hereafter, this sum shall be known as dues. Dues are due and payable January 1 annually and are considered late if paid after March 31.

Section 3 Late fees of \$15.00 will be charged monthly beginning April 1 until such time as the dues and late fees are paid in full. Late fees will not be prorated if paid before the end of any month

Section 4 The amount of any Dues which are not paid by March 31st are delinquent and any such Dues, including any other charges thereon such as interest, late fees or the costs of collection (including attorney fees), if any, shall constitute and become a lien upon the lot of any Owner(s) so assessed or on the underling real property and the Board of Officers may cause to be recorded with the Cuyahoga County Recorder, a notice of the lien which shall state the amount of such lien, a description of the lot or other real property which has been assessed, and the name of the recorded owner thereon.

Section 5 The lien provided herein may be enforced by the Association, its attorney or other persons authorized by it at any time after failure of the responsible Owner to pay the charges when due, in any manner permitted by State law, including but not limited to an action at law against the Owner personally or through foreclosure of the lien against the property. Any interest, costs, and reasonable attorney's fees associated with the cost of collection shall be added to and shall become part of the lien against said Owner and his or her real property. No Owner may waive or otherwise escape liability for the Dues provided for herein by non-use of the Common Area or abandonment of his or her lot

Article IV: Voting Rights

Section 1 Voting rights are limited to the homeowners of record in good standing and their spouses. Members are considered to be in good standing if the 1st annual homeowners' dues are paid to date in full and they are not in arrears for any past dues or late fees.

Section 2 Members not able to attend the annual meeting will be provided one absentee ballot per household (if there are issues requiring a vote) as well as a copy of the information to be presented at the annual meeting. Proxy votes will not be allowed. The voted absentee ballots will be returned to the Board of Officers (a.k.a. Trustees) to be counted at the annual meeting. The results of voting will be recorded in the minutes of the annual meeting and reported in the CW Tales.

Section 3 Twenty-five percent (25%) or more of the total CWHHA eligible voting members must be present in person or have submitted a valid absentee ballot at a meeting to constitute a quorum. A valid absentee ballot is one submitted to a board member prior to the meeting and signed by a CWHHA member in good standing. The member's signature must be witnessed and verified by a current board member.

Article V: Board of Officers

Section 1 The Board of Officers shall consist of a President, Vice President, Secretary, Treasurer, Pool Manager and one (1) representative from each street in Canterbury Woods. Hereafter they shall be referred to as the Board.

Section 2 The position of Grounds Manager may be filled if there is an interest or those duties may be combined with any of the other Board positions.

Section 3 All Board positions are considered volunteer service. Any type of monetary compensation is prohibited. Section 4 All Board positions are served from January 1st through December 31st.

Section 5 Three or more officers at a meeting in person shall constitute a quorum.

Article VI: Conduct of Officers

All officers are to conduct themselves in ways that are not detrimental to CWHHA or its board members.

Article VII: Term Limits of Officers

Section 1 Board positions are limited to two consecutive terms in the same position. In the event there are no candidates for said position, then additional consecutive terms are permitted with a majority approval vote of the board.

Article VIII: Duties of the Officers

Section 1 Duties of the President

- A. Shall conduct and organize the monthly meetings of the board.
- B. Shall organize and preside over the annual meeting of the CWHHA.
- C. Shall ensure that all board members perform their duties as detailed in the By-Laws.
- D. Shall submit a "President" column each month for publication in the CWHHA Newsletter.
- E. Shall be responsible for enforcement of the CWHHA By-Laws and deed restrictions requiring payment of homeowners' dues.
- F. Shall file lawsuits in court, attend court hearings and/or place property liens as needed in the event of nonpayment of homeowners' dues.
- G. Shall file lawsuits for non-payment of dues in local court no later than August 1st of the current year in the event a homeowner has not arranged a payment plan or has deviated from a previously arranged payment plan.
- H. Shall solicit for board positions for the following year in the Newsletter no later than September 1 of the current year.
- I. Shall assume the duties of any board position in the event an officer voluntarily steps down or is removed from office until a replacement can be found.

Section 2 Duties of Vice-President

- A. Shall solicit homeowner volunteers to chair and/or assist with the three social functions identified in the by-laws as needed.
- B. Shall submit a "Vice-President" column each month for publication in the CWHHA Newsletter.
- C. Shall assume the duties of the President in the event the President voluntarily steps down or is removed from office until a replacement can be found.

Section 3 Duties of the Secretary

- A. Shall record, maintain and distribute minutes for all board meetings, including the annual meeting of the homeowners.
- B. Shall submit a "Secretary" column each month for publication in the CWHHA Newsletter unless the information is being published under one of the other board position's columns.

Section 4 Duties of the Treasurer

- A. Shall assist the President in the enforcement and collection of homeowners' dues.
- B. Shall notify delinquent homeowners, in writing, in a progressive manner and tone via certified mail for late payment of current year's dues. This process is to start no later than June 1st, of the current year.
- C. Shall maintain ongoing financial records, checking accounts, savings accounts, certificates of deposit, etc. in accordance with generally accepted accounting methods and practices.
- D. Shall be responsible for making all disbursements, deposits, etc. for CWHHA in a timely manner. This includes but is not limited to payroll, taxes, insurance, general bills, Workmen's Compensation, etc.
- E. Shall generate and provide a written financial report for the annual CWHHA meeting.
- F. Shall be bonded. The cost of bonding will be paid by the CWHHA.
- G. Shall provide the Pool Manager with a list of all CW homeowners in good standing with results of census to be used for distribution of pool tags in May.
- H. Shall submit a "Treasurer" column each month for publication in the CWHHA Newsletter.

Section 5 Duties of the Pool Manager

- A. Shall ensure the proper operation and maintenance of the development swimming pools and all associated machinery.
- B. Shall obtain annual certification and license of operation by the Cuyahoga County Board of Health.
- C. Shall notify Water Department and Telephone Company when to begin and end service.
- D. Shall purchase, as needed, all chemicals and supplies to maintain optimum operation of the pools.
- E. Shall contact a professional pool service company to arrange opening and closing service.
- F. Shall advertise for and hire all lifeguards.
- G. Shall schedule and supervise all lifeguards.
- H. Shall purchase all supplies needed to stock and clean restrooms.
- I. Shall purchase and distribute pool tags to CWHHA members in good standing.
- J. Shall ensure that lifeguards check pool tags and collect guest fees.
- K. Shall submit guest fees and other revenue to the Treasurer for deposit on a weekly basis.
- L. Receipts for purchases are to be submitted to the Treasurer for reimbursement.
- M. Shall provide the Treasurer with employee timesheets on a bi-weekly basis.
- N. Shall provide a list of "Pool Rules" to each CW homeowner with the May Newsletter.
- O. Shall submit a Pool Manager column for publication in the CWHHA Newsletter

Section 6 Duties of the Grounds Manager

- A. Shall ensure the maintenance of the CWHHA's grounds, equipment, structures, baseball diamond and playground equipment, excluding those facilities exclusively dedicated to operation of the swimming pools.
- B. Shall provide a list of "Recreation Grounds" rules to each CW homeowner with the March or April Newsletter.
- C. Shall organize the annual CW "Clean Up Day"
 - 2. Shall solicit bids for and hire lawn care service and/or for any other services as needed.
 - 3. Shall submit a "Grounds Manager" column each month for publication in the CWHHA Newsletter.

Article IX: Removal from Office

A board member may be removed from office by either a majority vote of current board members or a majority vote by the members of CWHA at a special meeting with the required quorum present

Article X: Social Functions

Section I. The Board will be responsible for organizing, promoting and holding the following traditional social functions·

Opening of the Pool Event
4th Of July Picnic
Closing of the Pool Event

Such other social events as the Board elects provided sufficient funds are available to support the event.

Section 2 The above social functions may be cancelled and/or others added as deemed desirable by the Board.

Article XI: Meetings

Section I The Board shall meet monthly during the calendar year in which they serve.

Section 2 An annual meeting of the membership of the CWHA shall be held in November of each year.

William Kerr, President