

**BY-LAWS  
OF  
TAMARAC LAKES ASSOCIATION, INC.**

**ARTICLE I**

**Definition**

These by-laws govern the general purpose, day to day business affairs, and all other activities of the Tamarac Lakes Association, INC., herein after referred to as “TLA”.

**ARTICLE II**

**Purpose**

- A. To receive ownership of properties surrounding or adjacent to homeowners’ lots; to supervise, administer, and maintain these properties so as to protect the natural resources and promote safe, healthful, and harmonious living for all members; and to approve, order and/or assume responsibility for any structure or improvements upon these properties.
- B. To promote the collective interests and rights of all members.
- C. To arrange social and recreation functions for all members.

**ARTICLE III**

**Membership**

Section 1. Every present and future owner of a residence in the development known as Tamarac Lakes (to include Tamarac, Tamarac II, The Woods at Tamarac, Mallard Lakes, Roundtree, and other as yet unnamed subdivisions) is entitled to become a TLA member.

Section 2. A member is defined as:

- a. A homeowner within Tamarac Lakes who has joined TLA by deed restriction, contract, sales agreement, or by membership agreement.
- b. A resident tenant leasing from a member homeowner.
- c. Any resident or non-resident who may be appointed as an honorary member by unanimous approval of the Board of Directors and two-thirds (2/3) of the members present at the next regular or special meeting.

Section 3. Once having joined, membership is permanent and may not be revoked. Membership in TLA shall terminate only when home ownership or tenancy is given up.

## **ARTICLE IV**

### **Membership Privileges**

Section 1. The following privileges are available to every member in good standing.

- a. Voting rights in the amount of two (2) per residence. Tenants may vote only if voting rights are assigned by voter members.
- b. The use of TLA owned, operated, or leased facilities and properties, in accordance with any rules and regulations pertaining to such use.
- c. Participation in TLA sponsored social and recreational activities.
- d. The opportunity to run for, or hold office on the TLA Board of Directors.

Section 2. Membership privileges may be suspended by the Board of Directors for any member who:

- a. is delinquent in the payment of any dues or assessments; or
- b. willfully violates any rules or regulations governing the use of TLA owned, operated, or leased facilities or properties.

## **ARTICLE V**

### **Dues and Assessments**

Section 1. Membership is payable by January 31<sup>st</sup> of each year and will be voted upon at the general Membership Meeting dealing with the annual budget.

Section 2. After January 31<sup>st</sup>, any member not having paid the required dues shall be considered delinquent. After thirty (30) days written notice of such delinquency, given by the Board of Directors to all members, all membership privileges may be suspended and appropriate legal action initiated. A late fee, equivalent to an additional one half (1/2) of the annual dues, may be assessed.

Section 3. The payment of reasonable attorney's fees and costs of collection incurred in the collection of unpaid dues and assessments shall be borne by the debtor member.

Section 4. In the event that dues and assessments have been paid by the seller at the time of the termination of his/her membership by sale of his/her lot or residential unit, any such buyer shall acquire the benefit of such paid-up dues and shall be entitled to the rights and privileges that shall flow therefrom, provided the buyer has executed a contract with TLA.

Section 5. Owners of a lot or residential unit in the development known as Tamarac Lakes who have an option to join TLA will be subject to the following rules:

- a. A period of up to six (6) months from settlement date to sign membership contract for new residents without penalty.
- b. Those residents who do not sign membership contracts until after six (6) months from settle date, or by contract by TLA, shall be subject to a penalty equivalent to one (1) year's current annual dues.

## **ARTICLE VI**

### **Board of Directors**

Section 1. TLA shall be governed by a Board of Directors consisting of seven (7) voting TLA members, elected as follows:

- a. A President, a Vice President, a Secretary and a Treasurer, each elected annually.
- b. Three (3) Trustees, one elected each year for a three-year term.

Section 2. Election of officers will take place no later than September 15<sup>th</sup> of each year. Election of candidates shall take place at a General Meeting no later than September 15<sup>th</sup> of each year called for this purpose. Candidates will be selected by a Nominating Committee and by nomination from the floor. Voting shall be closed ballot at the time of the meeting or by proxy. Ballots shall be counted by three (3) persons selected by the Board of Directors. Terms of the newly chosen Board will begin on November 1<sup>st</sup> of the same year.

Section 3. A Board of Directors meeting must be held monthly and may be called at any other unscheduled time at the discretion of the President or any two (2) members of the Board of Directors. Each member of the Board must be given forty-eight (48) hours notice of any meeting.

Section 4. Any member of the Board of Directors who shall absent himself or herself from two (2) consecutive monthly meetings of such Board, unless he or she shall present at the next meeting an excuse for his or her absence satisfactory to the President, shall be deemed to have resigned as a member of said Board and cease to be a member thereof.

Section 5. The Board of Directors shall have the power to manage all the affairs of TLA and make all contracts necessary for the proper transaction of business, including legal counsel, when deemed appropriate.

Plans made by the Board for determination of dues and assessments, as well as the disbursement of association funds, must be submitted by December 1<sup>st</sup> of each year at a General Membership Meeting. These plans must be approved by two-thirds (2/3) of those members in attendance at the General Membership Meeting. This meeting must consist of a proper quorum, and be preceded by a minimum of seven (7) days written notice to all members. This notice must include the proposed budget and other issues to be voted upon.

For emergency situations, the Board of Directors may transfer budgeted funds from one category to another to meet the need at hand. Should such action be necessary, the membership will be informed in the next TLA monthly newsletter.

At the end of each calendar year, the Board shall submit to the general membership a complete accounting of funds – to include a completed audit statement issued by a qualified individual other than an officer of TLA. All rules and regulations made or approved by the Board are subject to final approval at the next regular or special meeting. Board approval will stand until such meeting is held.

Section 6. Any resolution brought before the Board shall be considered approved only when receiving four (4) or more affirmative votes.

Section 7. The President shall exercise the duties usually devolving upon that office; shall be an ex-officio member of all committees; shall preside at all regular and/or special meetings of the Board of Directors; shall appoint members of any special committees as may be necessary or advisable from time to time.

Section 8. The Vice President shall, during the absences or disability of the President, assume the duties and responsibilities of the President.

Section 9. The Secretary shall keep the minutes of all meetings of the members and the Board of Directors; shall keep a membership list and Corporate Seal; shall attend to all correspondence; shall provide notification of meetings; and shall attend all meetings of the Board of Directors and members.

Section 10. The Treasurer shall have custody of all funds of TLA and shall disburse checks signed by the Treasurer and one additional designated Board Member; shall keep a list of all members; shall send out bills for dues when and as the same shall become due and payable; shall collect the dues for TLA and shall report to the Board of Directors all members whose dues are more than thirty (30) days in arrears; and shall attend all meetings of the Board of Directors and members. The Treasurer shall furnish a bond in such an amount, with or without security, as shall be approved by the Board of Directors, the cost thereof to be paid by TLA.

Section 11. No officer of TLA shall draw a salary or any other compensation whatsoever. Employees of TLA may be employed by the Board of Directors and shall be entitled to compensation when and as directed by the Board of Directors.

Section 12. Vacancy in any office or on the Board of Directors shall be filled by appointment of the Board of Directors subject to approval at the next regular or special meeting.

## **ARTICLE VII**

### **Committees**

#### Section 1.

- a. The **Beach Committee** shall be responsible for the care and maintenance of the Tamarac Lakes Beach(es) and all fixed appurtenances thereto. This committee's responsibility includes, but is not limited to, the establishment of all beach rules and regulations.
- b. The **Water Control Committee** shall be responsible for the flow and control of water through the lakes and the raising and lowering of all waters, including the supervision of all dams, spillways, and overflows.
- c. The **Property Committee** shall be responsible for the care and maintenance of all other owned, operated, or leased property or equipment.
- d. The **Civic Committee** shall be responsible for monitoring community action and keeping the Board and membership informed on items related to the interests and rights of all TLA members.
- e. The **Membership Committee** shall be responsible for maintaining current membership records of the Association and for distributing a current membership directory to all members, preferably once a year.
- f. The **Social Committee** shall be responsible for arranging social functions for all TLA members.
- g. Other committees may be formed as deemed necessary by the Board of Directors.

#### Section 2.

- a. Rules and regulations made by all Committees are subject to the approval of the Board of Directors.
- b. There shall be minimum of three (3) members per committee.

- c. All committees shall be considered dissolved on October 31<sup>st</sup> of each year.
- d. Committee Chairpeople shall be appointed in November of each year by the newly chosen Board of Directors.

## **ARTICLE VIII**

### **General Membership Meetings**

Section 1. General Membership Meetings must be held at least twice annually, one of which shall include acting upon the proposed dues and budget. Seven (7) days written notice must be given to all members noting the date, time and place of such meetings, as well as the subject(s) to be discussed.

Section 2. To constitute a quorum at a membership meeting, there shall be in attendance at least forty (40) of the voting members and four (4) of the Board of Directors. If only one (1) person in attendance from a household, he or she will have two (2) votes and be counted as two (2) voting members for quorum purposes if the person so desires. Where less than a quorum is present, the meeting shall be adjourned by those present until such time or place as may be directed by the Board of Directors.

Section 3. In the conduct of all meetings, in case of dispute of procedural disagreements at meetings, of either the members or the Board of Directors, "Roberts' Rules of Order" shall prevail.

## **ARTICLE IX**

### **Amendments**

These by-laws may be amended, wholly or in part, by a two-thirds (2/3) concurrence of those members voting on the issues at hand either in proxy or in attendance at a General Membership Meeting, providing there is a minimum of 250 votes cast on a proposed by-law change or amendment. All members are to be provided with a minimum of seven (7) days notice of this meeting, along with a written ballot to vote on the proposed amendments.

## **ARTICLE X**

### **Validation**

Any section of these by-laws found to be null and void shall not affect the other sections.

## **ARTICLE XI**

These by-laws supersede all other by-laws and contracts heretofore in existence.

Amended: September, 1993