

BY-LAWS OF THE  
PEORIA PARK CIVIC ASSOCIATION, Inc.  
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BY-LAWS OF THE  
PEORIA PARK CIVIC ASSOCIATION, Inc.  
Revised and Amended 4/23/02

## **ARTICLE I: NAME AND AUTHORITY**

### **Section 1. Organization Name**

The name of this organization shall be the Peoria Park Civic Association, Inc.. Hereafter referred to as the "Association."

### **Section 2. Incorporated**

The Peoria Park Civic Association is a non-profit corporation incorporated in the State of Colorado.

## **ARTICLE II: PURPOSE AND POLICY**

### **Section 1. Purpose**

The mission of the Peoria Park Civic Association is to enrich the homeowners' community experience by promoting a strong social connection; to make Peoria Park a desirable and safe community; and to make proactive decisions regarding Peoria Park and the surrounding community.

### **Section 2. Goals**

#### **A. Interests of Residents**

The Association will protect and promote the best interests of the residents of Peoria Park.

#### **B. Relationship of Residents**

The Association will promote a better community and civic spirit, pride, and foster good will and friendship among the residents of the community.

#### **C. Actions**

The Association will provide a means for the exchange of ideas, suggestions, and complaints; investigation and action in the areas of government, education, recreation and civic concerns.

#### **D. Affiliations**

The Association may affiliate, assist and/or encourage other organizations with similar purposes, if deemed necessary for the promotion of common objectives

#### **E. Communications**

The Association will disseminate information and news in any manner deemed necessary to keep the membership alert and well informed, within a budget pre-approved by the Directors.

#### **F. Awareness of Covenants**

The Association will be responsible for developing an awareness of the Peoria Park covenants (and all subsequent filed amendments for filings 1, 2 and 3) registered with Arapahoe County in 1978 by the Centex Corporation and included in the deed of each Peoria Park property. The covenants are the duly recorded instrument for administration and supervision of an Architectural Committee and for enforcement of covenants and restrictions pertaining to the land.

## **G. Architectural Committee**

Refer to Declaration of Protective Covenants, Conditions and Restrictions in Peoria Park Subdivision - Filing no's. 1, 2 & 3 and all subsequent filed amendments

### **Section 3. Policy**

The Association shall be a non-profit, non-commercial, non-partisan, non-racial, and non-sectarian organization.

## **ARTICLE III: MEMBERS**

### **Section 1. Who May Become A Member**

Any adult of any household owning, leasing or renting property in Peoria Park community is eligible to become a member of the Association.

### **Section 2. How To Become A Member**

Membership in the Association is available by compliance with Section 1 above, complete application and the payment of the annual dues to the Association.

### **Section 3. Rights of Members**

Any member in good standing shall be entitled to all rights and privileges of the Association, including the rights to vote and hold elective and appointive office to the Association's Board of Directors or committees, other than the Architectural Committee. Voting privileges, except for the Architectural Committee, are limited to members in good standing, which status includes, but is not limited to the timely payment of dues (See Article III, Section 4).

### **Section 4. Dues**

The amount of the dues shall be determined by the Board of Directors at the regular April meeting. Dues are payable at any time during the year, are not pro-rated for part of a year, and cover the period March 15 to March 15. Dues are to be limited to \$10.00/household until March 15, 2003 at which point they will be raised to \$20.00/household.

## **ARTICLE IV: ELECTION OF DIRECTORS, VOTING AND PROXIES**

### **Section 1. Election of Directors**

At the regular April meeting of Association, members in good standing of the Association are requested and encouraged to attend and exercise their right and privilege to vote on candidates for the Association's Board of Directors. A Director shall be elected by majority vote.

### **Section 2. Voting**

Only members in good standing, as substantiated by a roster maintained by the Treasurer, shall be voting members of the Association. Voting shall be by show of hands, unless a secret ballot is requested. Each household has one vote.

### **Section 3. Proxies**

No voting member shall be permitted to vote by proxy for election of Directors or on any subject submitted to vote. Absentee votes are not considered proxies and are therefore acceptable, but must be submitted in writing to the President of the Association no earlier than ten (10) days prior to the date on which the vote is taken.

### **Section 4. Absentee Voting**

Any voting for election of Directors or any subject submitted for a vote can be handled in person, by mail, or by hand delivery of an absentee vote. This vote must be received, by the President, at least one day prior to the meeting but cannot be received more than ten (10) days prior to the day on which the vote is taken.

## **ARTICLE V: DIRECTORS**

### **Section 1. Number and Term of Directors**

The Board of Directors shall consist of the President, Vice-President, Secretary and Treasurer, and three (3) other members in good standing. Each Director shall be elected for a term of one (1) year: A Director must be a member in good standing for the term of his/her office and at the time of election. When this qualification ceases to exist, the President of the Board of Directors shall declare the office vacant at the next regular meeting of the Board.

### **Section 2. Power of the Board of Directors**

The board of directors is vested with the power to supervise and administer the business, property and affairs of the Association, except as otherwise provided in the Colorado Act. The business and property of the Association is listed by addendum incorporated by reference and attachment.

### **Section 3. Election of Officers**

The Board of Directors shall elect a President, a Vice-President, a Secretary and a Treasurer from among the members of the Board at the regular April meeting. The officers elected will take office immediately upon being elected and serve for a term of one (1) year. Nothing herein shall be construed to prevent the election of an officer to succeed himself or herself.

### **Section 4. Vacancies/Resignation**

In the event that a vacancy shall arise on the Board of Directors, the remaining Directors shall elect a member of the Association to fill such vacancy within 60 days. Any member of the Board of Directors may resign upon written notice to the Secretary of the Association, and the President at the next regular meeting of the Board will declare such resigning member's position on the Board vacant.

### **Section 5. Recall**

A Director may be recalled by a two-thirds (2/3) vote of the total Association membership present at any regular or special meeting. An officer may be recalled by a two-thirds (2/3) vote of the Directors. Notice will be given in writing ten (10) days prior to the recall vote. The recall will be performed without prejudice and the recalled individual will in no way hold others liable.

### **Section 6. Attendance**

If a Director is absent from three (3) consecutive meetings, and sufficient cause is not presented by that Director at the fourth (4<sup>th</sup>) regular meeting, such Director's position shall be declared vacant by the President and the vacancy thereby created shall be filled as provided in Section 4 above.

### **Section 7. Compensation**

The officers or Board of Directors shall not receive any stated salary for their services as such.

### **Section 8. Liability**

Each member off the Association agrees to hold all Directors and officers harmless for any acts or omissions done in good faith arising out of his/her service. The Association also claims, on behalf of the Directors, protections including, but not limited to, the Colorado Revised Statutes Annotated Paragraph 13-21-115.5 also known as the "Volunteer Service Act."

## **ARTICLE VI: OFFICERS**

### **Section 1. President**

The President shall be selected by and from the membership of the Board of Directors. It shall be the duty of the President to call all meetings of the Board of Directors of the Association; to enforce the By-Laws of the

Association; to appoint committees as provided in ARTICLE VIII of these By-Laws; to see that all orders and resolutions of the Board of Directors are completed; shall be a ex-officio member of all committees; shall act as a spoke person for the Association and appear on its behalf before other organizations; shall have the general powers and duties of supervision and management usually vested in the office of President of a corporation.

## **Section 2. Vice-President**

The Vice-President shall be selected by and from the membership of the Board of Directors. It shall be the duty of the Vice-President to perform the duties and exercise the powers of the President during the absence or disability of the President. The Vice-President shall be the chairperson of the newsletter committee and shall perform other duties as may be assigned by the President or by the Board of Directors.

## **Section 3. Secretary**

The Secretary shall be selected by and from the membership of the Board of Directors. It shall be the duty of the Secretary to give notice of all meetings; to attend all meetings and keep true minutes of the proceedings of all such meetings. The Secretary shall perform such other duties as may be delegated by the Board of Directors, including filing reports with Colorado Secretary of State and any other government agencies or entities as required by law, and shall be the person of record for official correspondence addressed to or for the Association.

## **Section 4. Treasurer**

The Treasurer shall be selected by and from the membership of the Board of Directors. It shall be the duty of the Treasurer to receive all dues and monies paid to the Association and to deposit the funds to the credit of the Association in a bank approved by the Board of Directors; keep in books belonging to the Association full and accurate accounts of all receipts and disbursements; draw checks for expenses authorized by the Board of Directors; be prepared to provide to the Directors at the regular meetings of the Board of Directors or whenever requested, an account of all financial transactions of the Association; submit an Annual Report of receipts, expenditures and balance on hand at the end of the fiscal year; maintain a roster, by street address, of all residents who have paid dues during the fiscal year. The fiscal is equal to the 12 months beginning January 1 and ending December 31. The Treasurer shall perform such other duties as may be delegated by the Board of Directors.

# **ARTICLE VII: MEETINGS**

## **Section 1. Board of Directors**

The Board of Directors shall meet monthly at such time and place as directed by the President. These meetings are open to all members of the Association.

## **Section 2. Association**

The Association will meet semi-annually in April and September. Notification of the meeting will be given by newsletter at least seven (7) days in advance.

## **Section 3. Special Meetings**

A special meeting of the Board of Directors and/or Association may be called at any time by the President, or by a majority of the Board of Directors, or when requested in writing by ten percent (10%) of the membership of the Association. Such special meetings will transact only the business for which such a special meeting is called. Notice of any special meeting will be given by written notice within seven (7) days of the proposed meeting.

## **Section 4. Order of Business**

The order of business at regular meetings of the Board of Directors shall be as follows:

- 1 Call to Order
- 2 Attendance Roster
- 3 Reading of Minutes of Previous Meeting
- 4 Report of Treasurer
- 5 Reports of Committees

- 6 Report of President
- 7 Old Business
- 8 New Business
- 9 Adjournment

## **Section 5. Quorum**

A majority of the filled positions of the Board of Directors shall constitute a quorum of the Board of Directors. One third (1/3) of the membership of the Association shall constitute a quorum of the Association.

## **Section 6. Rules of Parliamentary Procedure**

The rules of parliamentary procedure contained in Robert's Rules of Order (revised) shall govern all meetings of the Board of Directors and/or Association.

# **ARTICLE VIII: STANDING AND WORKING COMMITTEES**

## **Section 1. Zoning Committee**

At the regular April meeting of the Board of Directors, each year, the President shall appoint a Zoning Committee. It shall be the duty of the Zoning Committee to watch for, obtain information on and recommend action to the Board of Directors concerning any request for zoning change or variance in the Peoria Park area or immediate surrounding area. A one page written report will be delivered to the Board at the following April meeting.

## **Section 2. Civic Improvement Committee**

At the regular April meeting of the Board of Directors, each year, the President shall appoint a Civic Improvement Committee. It shall be the duty of the Civic Improvement Committee to observe ways and means to maintain and/or improve the parks, recreational facilities and other areas of interest in the community. A one-page written report will be delivered to the Board at the following April meeting.

## **Section 3. Newsletter Committee**

At the regular April meeting of the Board of Directors, each year, the President shall appoint a Newsletter Committee. It shall be the duty of the Newsletter Committee to obtain, assemble and publish a quarterly, or special newsletter, within the budget approved by the Directors, for distribution to all residents of the Peoria Park community. The objective of such newsletter is to keep residents informed of the activities of the Association and other information of interest to the residents. A one page written report will be delivered to the Board at the following April meeting.

## **Section 4. Dues Collection Committee**

At the regular April meeting of the Board of Directors, each year, the Treasurer shall assign each Director to a designated area in the Peoria Park community. It shall be the duty of the Director to contact each residence in that Director's area to collect the membership dues assessed by the Association for the fiscal year. All dues collected and addresses of those who pay dues will be submitted to the Association Treasurer. A one page written report will be delivered to the Board at the following April meeting.

## **Section 5. Nomination Committee**

At the regular March meeting of the Board of Directors, each year, the President shall appoint a Nomination Committee consisting of at least three (3) members of the Board of Directors. It shall be the duty of the Nomination Committee to nominate candidates for the Association Board of Directors positions at the regular April Association meeting. Nothing in the By-Laws shall prevent the nomination of candidates for these positions when properly made from the floor. Also, nothing herein shall be construed to prevent the nomination of a board of Director member to succeed himself or herself.

## **Section 6. Neighborhood Watch Committee**

At the regular April meeting of the Board of Directors, each year, the President shall appoint a Neighborhood Watch Committee. It shall be the duty of the Neighborhood Watch Committee to watch for, obtain information on and recommend action to the Board of Directors concerning any aspect of the City's Neighborhood Watch Program. A one page written report will be delivered to the Board at the following April meeting.

## **Section 7. Neighborhood Liaison Committee**

At the regular April meeting of the Board of Directors, each year, the President shall appoint a Neighborhood Liaison Committee. It shall be the duty of the Neighborhood Liaison Committee to maintain relations and enforce agreements with neighboring communities, organization or entities.

## **Section 8. Additional Working Committees**

The Board of Directors shall have the power to make and alter any By-Law(s) pertaining to abolishing a Working Committee or to provide for the formation of Working Committees.

## **ARTICLE IX: PROHIBITION AGAINST SHARING IN ASSOCIATION EARNINGS**

No member, Director, Officer, or volunteer of a committee, or person connected with the Association shall receive at any time, any of the net earnings or profit from the operations of said corporation, provided that this will not prevent the payment to any such person of such reasonable compensation for service rendered to or for the Association; and no such person(s) shall be entitled to share in the distribution of any assets upon the dissolution of the Association. All members of the Association shall be deemed to have expressly consented and agreed that upon such dissolution or winding up of the affairs of the Association, whether voluntary or involuntary, the assets of the corporation, after all debts have been satisfied, the remaining in the hands of the Board of Directors shall be distributed, transferred, conveyed, delivered, and paid over, in such amounts as the Board of Directors may determine or may be determined by a court of competent jurisdiction upon application the Board of Directors, exclusively to charitable, religious, scientific, literary or educational organization.

## **ARTICLE X: EXEMPT ACTIVITIES**

Notwithstanding any other provisions of the Bylaws, no member, Director, Officer, volunteer or representative of the Association shall take action or carry on any activity by or on behalf of the Association not permitted to be taken or carried on by a non-profit organization.

## **ARTICLE XI: AMENDMENT OF BY-LAWS**

These By-Laws may be amended, altered, changed, added-to or repealed at any regular or special meeting of the Board of Directors by a two-thirds (2/3) vote of the members of the Association present at such meeting, provided that notice of the proposed action has been given to all voting members at least thirty (30) days prior to the meeting at which such action is to be taken.