

***Fairview Beach
Resident's Association, Inc.***

BYLAWS

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Table of Contents

Article I > Naming Convention	4
Article II > Purpose	4
Article III > Membership	4
Article IV > Governing Body	5
Section 1. Officers	5
Section 2. Board of Directors	6
Section 3. Nominations, Elections, and Terms of Service	6
Section 4. Eligibility for Office in the Association	7
Section 5. Vacancy	7
Section 6. Removal from Office	8
Article V > Financial Policies	9
Section 1. Dues	9
Section 2. Authorized Expenditure Limits	9
Section 3. Financial Requests	9
Article VI > Meetings	10
Section 1. General Membership Meetings	10
Section 2. Board of Directors Meetings	10
Article VII > Committees	10
Section 1. Welcoming and Nominating Committee	10
Section 2. Events Committee	10
Section 3. Shoreline Maintenance Committee	11
Section 4. Audit Committee	11
Section 5. Golf Cart Committee	11
Section 6. Information Technology Committee	11
Section 7. Special Committee(s)	12
Article VIII > Parliamentary Authority	12
Section 1. Parliamentary Authority	12
Section 2. Parliamentarian	12
Article IX > Dissolution	12
Article X > Amendments and Notice	13
Section 1. Amendments.	13
Section 2. Notice	13
Article XI > STANDING RULES	13
Section 1. Beaches	13

Section 2. Boat Ramp	14
Section 3. Common Areas	14
<i>BY-LAWS LIST OF CHANGES</i>	15

Article I > Naming Convention

The organization shall be known as the Fairview Beach Resident's Association, Inc. hereafter known as the Association.

Article II > Purpose

The purpose(s) of the Association shall be:

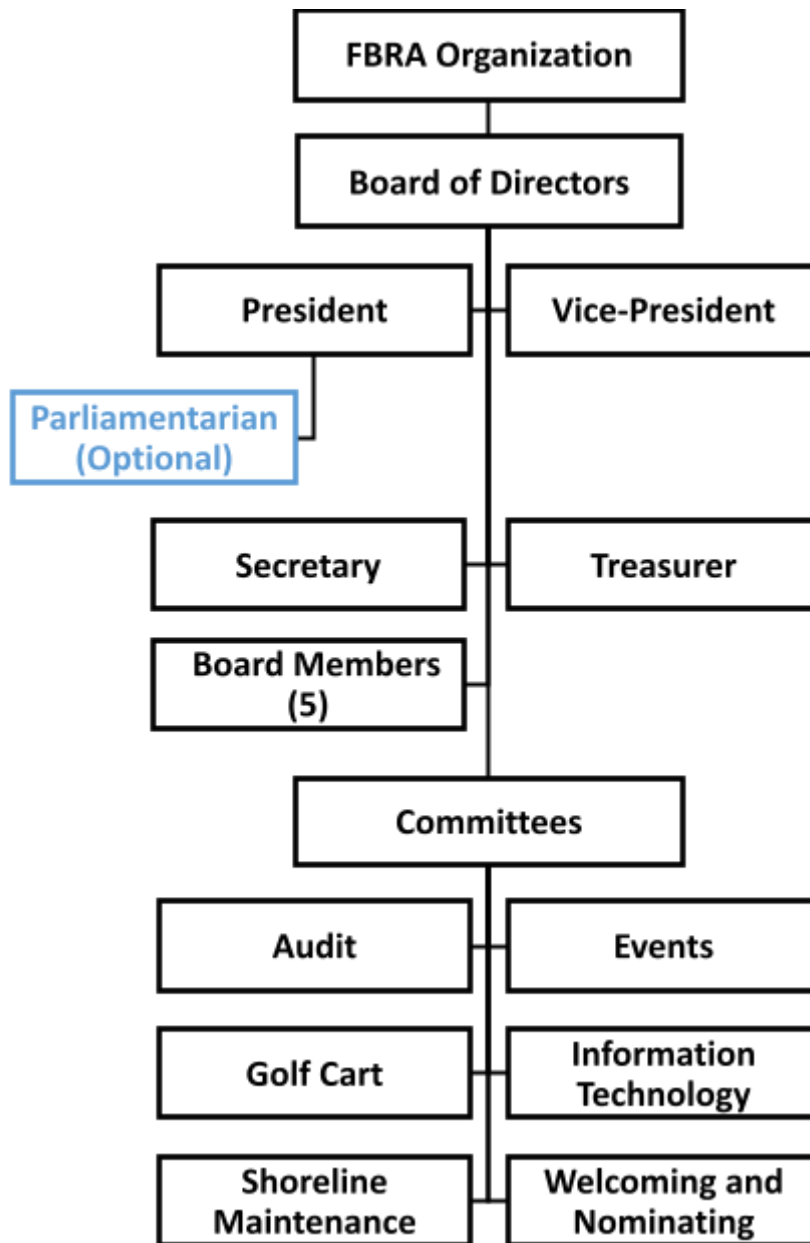
- To stimulate interest in the Fairview Beach community, which includes the beaches, common areas, residences and unimproved lots; and to promote the improvement, development and preservation of property in a manner to enhance its general appearance and reputation that will preserve and enhance property values.
- To promote and foster among the members a closer community bond and fraternity for their joint and mutual benefit; and to encourage participation in community affairs and foster community pride.
- To engage with and encourage the King George County Administration and the state of Virginia to provide all services due Fairview Beach as a community; to solicit the county, state and/or any other organization for the betterment of the residents, community, and the areas as directed by the Association; and to inform all residents in a timely manner of community, county, state and/or civic news that may have an impact on them as citizens.

Article III > Membership

Membership shall be open to all property owners and residents from Fairview Drive through Twelfth Street including the Fairview Beach Marina, Dauphin Landing, Smith's Wharf Road on the west side of Fairview Drive and Grandview On the Potomac. Exceptions to the membership requirements can only be granted with a two-thirds vote of those present and voting on the motion for a membership exception. Hereafter, all these areas will collectively be referred to as Fairview Beach.

Each house or property shall have a maximum of one membership for the owner/s of the property as well as one membership for any tenants residing in the property full time. Each eligible individual shall be limited to one membership. In the case of 2 co-owners of 2 separate properties, they may have two separate memberships, one per person per property, so long as the required dues are paid for each membership. For example, a husband and wife who own two properties in Fairview Beach may have two memberships, the husband for Property A and the wife for Property B. Each owner or resident, whose annual dues have been paid, shall be a member in good standing and have one vote per membership on all matters coming before the Association. Members are encouraged to pay annual dues to support the maintenance of the beaches and the common areas and the administrative costs of the Association.

Article IV > Governing Body



Section 1. Officers

The officers of the Association shall consist of a president, vice president, secretary and treasurer, all of whom shall be members in good standing.

The **president** shall conduct all association meetings and appoint all committee membership with all standing committees requiring approval by the board of directors. The president shall be the chief executive officer executing his/her duties within the provisions of the bylaws. The president shall not have a vote except where the votes are equally divided.

The **vice president** shall perform the functions of the president in the event the president becomes unavailable. The vice president shall execute his/her duties within the provisions

established by the bylaws. The vice president shall assist and provide support to the president, other officers and the board of directors.

The **secretary** shall record minutes of all Association meetings and board of director's meetings. The secretary shall maintain a record of all Association business and events. The secretary shall archive all Association records.

The **treasurer** shall collect all monies paid to the Association. The treasurer shall pay out funds as directed by the president, board of directors and/or the general membership. The treasurer shall perform all transactions within seven (7) days after receipt. The treasurer shall keep current and accurate records and provide monthly reports to the president, secretary and to the general membership at Association meetings. The Treasurer shall maintain a membership list.

The term of office for each officer shall be two (2) years. The terms of office shall be staggered with the election of the vice president and the treasurer in odd numbered years and the election of the president and the secretary in even numbered years.

Section 2. Board of Directors

The board of directors shall be composed of the four (4) elected officers and five (5) elected board members, all of whom shall be members in good standing. Each board member shall be elected for a two-year term. The term of office of board members shall be staggered with the election of three (3) board members elected in even numbered years and two (2) board members elected in odd numbered years.

The president shall not have a vote on the board of directors except where the votes are equally divided.

The immediate past president shall be a non-voting member of the board of directors for one year unless the past president is no longer a member of the Association. The board of directors and elected officers shall consist of not more than one (1) member per household. An attempt shall be made to elect board members from all sections of Fairview Beach as defined in Article III, paragraph 1.

Section 3. Nominations, Elections, and Terms of Service

The nominating committee shall present its slate of nominees, one or more per office, to the board of directors prior to its presentation to the Association membership. The nominating committee shall present, in writing, by mail, or by email for those members who have provided an email address, its slate of nominees to the general membership at least twenty-one (21) days prior to the August elections. Nominations from the floor will be accepted on the day of the elections.

The president shall appoint an election officer at, or prior to, the Association meeting preceding the election. The election officer, who must be a member of the Association, will be the point of contact for any member requesting an absentee ballot and will verify voter eligibility. Absentee ballots will be available beginning at the meeting preceding the election and may be obtained from the election officer, whose contact information will be included on all notices about the election. Absentee ballots must be obtained from the election officer and absentee votes must be received by the election officer seven days prior to the election. Write in candidates will be allowed. The election officer will keep a record of all absentee voters to prevent duplicate votes at the election meeting.

The election officer shall present the list of nominees, including nominees from the floor, for every individual office before the vote for that office. After that vote, the election officer shall solicit floor nominations for the next position. The order of elections shall be President, Secretary, and then Board Members in even years. The order of elections shall be Vice President, Treasure, and then Board Members in odd years. Officers and directors shall be elected based on the candidate (for one office) or the candidates (for more than one office) who receive the highest number of the votes cast at the election at the association meeting and the votes cast via absentee ballot."

The election of officers and board members shall take place at the August meeting of the Association with the officers and board of director member's term of service commencing on October 1 of the elected year.

All Association members who have paid their dues by August 1 shall be eligible to vote for officers and board members at the elections at the August meeting of the Association.

Section 4. Eligibility for Office in the Association

Candidates for office in the Association are required to be a member in good standing of the Association. Candidates must be a property owner or resident of Fairview Beach as described in Article III. Candidates for office of president shall demonstrate that he/she has been an active member of the Association for a minimum of one (1) year.

Section 5. Vacancy

In the event the president leaves office prior to completing his/her term, the vice president shall immediately assume the presidency. A special election shall be held to elect a vice president within four months of the vacancy. When a vacancy occurs in any office or on the board of directors other than the presidency and other than expiration of the term, the vacancy shall be filled by appointment by the board of directors and the appointed person will serve until the next regularly scheduled annual election, at which time any unexpired term will be filled by a vote of the membership.

Section 6. Removal from Office

The following procedure provides a means for removal of an officer(s) or a member(s) of the board of directors of FBRA from office.

An officer(s) and/or member(s) of the board of directors may be removed from office for just cause. Just cause may include, but is not limited to the following:

- Neglect of duties in office
- Continuous violation of the bylaws of the Association
- Hindering the work and/or projects of the Association
- Any act that damages the good name of the Association
- Willfully withholding pertinent information relevant to the operation of the Association from the membership of the Association
- Misrepresentation of information presented to the membership
- Misrepresentation of the Association to outside group(s)
- Using the office for personal gain and/or political purposes
- Misuse of funds of the Association
- Defrauding and/or stealing
- Malfeasance of office
- Conviction of a felony

Procedures for the removal of an officer(s) or member(s) of the board of directors:

CHARGES

A written complaint must enumerate in detail all charges brought against the person and must be filed with the president of the Association. If the charges are made against the president of the Association, then the written complaint must be filed with the vice president of the Association. This complaint must be kept in the strictest confidence.

INVESTIGATION

The president of the Association will then appoint a committee consisting of not fewer than three (3) members and not more than five (5) members to investigate the charges presented in the written complaint.

NOTIFICATION

After the investigation, the appointed committee shall recommend to the officers and board of directors whether or not the charges are sufficient for action. If charges are deemed sufficient for removal, the secretary shall send a registered letter to the accused with a copy of all charges. The member charged shall have the opportunity to submit a written defense to these

charges and/or appear before the appointed committee, officers and board of directors to answer these charges.

HEARING

If exoneration or resignation does not resolve the charges, the appointed committee shall set a day, time and place for a hearing open to the general membership. The accused shall be notified by registered mail and shall have at least 15 days to prepare for the hearing. The accused has the right to be present, present a defense, and to have an attorney present.

All members of the Association shall be notified at least 30 days prior to the meeting informing them of the time, date and place of the hearing.

DECISION & PENALTY

At the conclusion of the hearing the membership of the Association shall vote by secret ballot whether the accused shall be removed from office. For removal, a 2/3 vote of the membership present is required.

Article V > Financial Policies

Section 1. Dues

The Association shall operate on a fiscal year – defined as January 01 – 31 December. Membership dues for each year shall be established by the board of directors and any changes must be approved by the general membership at the September meeting of the Association. It is expected that members pay dues during the month of January.

Section 2. Authorized Expenditure Limits

The president, with the concurrence of a majority of the Board of Directors, via email or otherwise, is authorized to expend Association funds not to exceed \$1,000.00 for any purpose designed to benefit Fairview Beach. All such expenditures shall be reported at the next Association meeting following the expenditure. This amount will not be exceeded without prior approval of the general membership.

Section 3. Financial Requests

Whenever possible, all financial requests will be presented at a general membership meeting for approval by a majority present at the meeting.

Article VI > Meetings

Section 1. General Membership Meetings

Meetings shall be held the fourth Saturday of each month from April through October, except for the May meeting which shall be held on the third Saturday of May. Other meetings may be

called as deemed necessary by the board of directors. These called meetings shall be announced and the general membership notified at least 14 days prior to the meeting.

Section 2. Board of Directors Meetings

The board of directors shall meet regularly, as deemed necessary. These meetings may be called by the president or upon the request of the majority of the board of directors, to conduct the business of the Association. Six (6) officers and board members shall constitute a quorum. An annual planning meeting should be held with the officers of the board and any other members deemed necessary to planning the events for the coming year. This meeting may determine which events will be held and will establish a calendar for the year. Roles and responsibilities with the Association will be discussed.

Article VII > Committees

All standing committees including the chairperson shall be appointed by the President and approved by the board of directors at the beginning of the president's term of office. Each committee shall consist of at least 3–5 members in good standing of the Association and the committee chairperson shall be involved in staffing the committee. Of the members appointed, every effort shall be made to obtain representation from throughout the community.

Section 1. Welcoming and Nominating Committee

The committee's primary responsibilities shall include:

- Welcome new homeowners and residents to the community by providing them with information about Fairview Beach and about the Association.
- Recruit new members
- Communicate with the membership Seek candidates for association offices
- Seek volunteers for association activities and events

Section 2. Events Committee

The events committee will be responsible for planning and conducting community events and activities. The events committee will designate an event coordinator for each event. The event coordinator, in communication with the events committee, will be responsible for organizing volunteers and executing the specific event.

Section 3. Shoreline Maintenance Committee

The shoreline maintenance committee shall consist of at least three (3) general-membership members. The committee shall work with the Fairview Beach, LLC in all matters concerning shoreline maintenance, erosion, and preservation of the shoreline owned or managed by Fairview Beach, LLC. The primary responsibilities include:

- Beach maintenance
- Jetty maintenance
- Boat ramp maintenance
- Pier maintenance
- Bulkhead maintenance

Section 4. Audit Committee

The audit committee shall consist of at least three (3) persons who will conduct and/or oversee an annual audit of the Association's finances in accordance with the Association Financial Policy

Section 5. Golf Cart Committee

The Golf Cart Committee shall consist of the President of the Association and 3 members appointed by the President who will be ratified by the Board of Directors. The members of the committee will serve an unspecified term of office. The primary responsibilities of the Golf Cart Committee shall include:

- Ratification of Golf Cart status each year with King George County
- Yearly registration of Golf Carts
- Design and production of all forms necessary for registration of Golf Carts
- Design and purchase of Golf Cart decals each year
- Production and distribution of Golf Cart requirements and regulations each year

Section 6. Information Technology Committee

The primary responsibility of the Information Technology Committee shall include:

- Maintaining the application(s) that support the following:
 - FBRA website – fairviewbeach.org
 - Accounting System
 - Electronic storage of FBRA official documents and important historical information such as annual and historical membership information
 - Other

Section 7. Special Committee(s)

Special and/or ad-hoc committees may be appointed by the president and/or the board of directors as the need arises.

Article VIII > Parliamentary Authority

Section 1. Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised will act as a guideline for this Association in all cases in which they are applicable and in which they are not inconsistent with these bylaws and any special rules this Association may adopt.

Section 2. Parliamentarian

A parliamentarian may be appointed by the president of the Association and ratified by the board of directors to serve an unspecified term of office. The parliamentarian will not be an officer nor serve on the board of directors of the Association. Eligibility for office will be current membership in the Association and knowledge of parliamentary law and procedure. The primary responsibilities of the parliamentarian are as follows:

- Serve as an advisor to the president and aid the president in the interpretation of Rules of Procedure and the accompanying Documents of Authority.
- Serve on the bylaws committee and help write and amend bylaws to be presented to the membership

During meetings, the parliamentarian will call to the president's attention procedural errors, inform the president of Rules of Procedure, and help interpret these rules when necessary.

Article IX > Dissolution

The Internal Revenue Service determined on August 31, 2000 that the Association is a "Section 501 (c) (7) organization" and is exempt from federal income tax under section 501 (a) of the Internal Revenue Code. The Association may be dissolved at any time by recommendation of the board of directors approved in writing by more than two-thirds of the members. In the event of the dissolution of the Association, whether voluntary or involuntary or by operation of law, none of the assets of the Association shall be distributed to any member, but after payment of all lawful debts of the Association, the property and assets shall be given to a charitable organization or organizations of the kind described in Section 501 of the Internal Revenue Code, such organization or organizations to be selected by the board of directors.

Article X > Amendments and Notice

Section 1. Amendments.

All proposed changes to the bylaws, including an explanation of such changes, must be first presented at any official meeting of the Association. If the proposed amendment is agreed to by a majority of those present at the meeting, it shall be presented to the membership in

writing, by mail, or by email for those members who have provided an email address, at least twenty-one (21) days prior to a final vote. The bylaws may be amended by a two-thirds (2/3) vote of the general membership present at the meeting.

Section 2. Notice

When members of the Association are entitled to written notice of any action or event, such notice shall be provided via email to those members who have provided an email address. For those members who do not have email addresses, written notice will be provided by regular mail. In all cases, notice will be valid if provided twenty one (21) days in advance of the vote or event.

Article XI > STANDING RULES

Section 1. Beaches

The beaches are for the sole and exclusive use of the residents and property owners of Fairview Beach and are not available for use by the general public. Guests must be invited by a property owner or resident and must park and use the facilities at the resident's property. Guests must be invited by the property owner for the specific day or days in question. Blanket or open ended "invitations" are not valid to permit guests to use beaches, common areas and the boat ramp.

Residents and property owners are responsible for their invited guests and must ensure that the beaches and parking areas remain litter free. The Association provides trash removal service on the beaches seasonally, from Memorial Day through Labor Day. The trash containers are not to be used for household trash.

Dogs are required to be under the control of the owner at all times at Fairview Beach in compliance with county and state regulations. In the event that your dog or cat defecates on the beach or on any property that is not owned by the owner, the owner is responsible for proper removal and disposal.

Fires on the beaches shall be maintained under control at all times and shall not be near jetties or bulkheads. Fires for the purpose of burning yard debris or household trash are forbidden on the beach or in the right of ways from First Street through Eleventh Street.

Residents and their guests shall remove all trash and personal items from the beach when leaving the beach areas.

Section 2. Boat Ramp

The boat ramp is maintained by the Association for the exclusive use of property owners and residents and is not available for use by the general public. The Association provides

maintenance of the boat ramp as well as providing for the streetlight at the boat ramp. A membership card may be required for use of the boat ramp.

Unattended vehicles, boats or trailers left in the boat ramp area are not authorized and may be towed at the owner's expense. There are no parking facilities at the boat ramp. Users must return vehicle and trailers to their own residence.

Section 3. Common Areas

The common areas are those areas that border the beaches and the open grassy areas running west from Fairview Drive to Sixth Street between Fairview Drive and Riverview Drive. These areas are for overflow parking and community events. Permanent parking of any vehicle, boat or boat trailer, or camper in this common area is forbidden. The common areas are not to be used for disposal of personal yard debris or for the burning of personal yard debris or household trash. These common areas and the areas and beaches to the north of waterfront properties between Seventh Street and Eleventh Street and the right of ways at Eighth, Tenth, and Eleventh Streets are for the exclusive use of property owners, residents and their invited guests. These areas are not, however, for the exclusive use of any particular property owner or resident. The residents adjacent to the common areas voluntarily maintain the area.

BY-LAWS LIST OF CHANGES

Date	Article	Section	Description
09/29/13	All	All	New baseline
10/27/18	All	All	New baseline
09/21/22	III	5	Modify terms