

S-0020440
INCORPORATED
JULY 19, 1985

SOCIETIES ACT

PENTICTON & DISTRICT MANUFACTURED HOME OWNERS ASSOCIATION

CONSTITUTION

1. The name of the Society is Penticton & District Manufactured Home Owners Association.
2. The purposes of the Society are:
 - (a) To promote and protect the rights and interests of the members of the Society as owners and dwellers in manufactured homes.
 - (b) To take an active interest in the civic, social and moral welfare of the community.
 - (c) To promote and strive for the right of the members of the Society as owners of and dwellers in manufactured homes to be represented and vote on all matters in all levels of government, including matters involving taxation and money By-laws.
 - (d) To meet with owners of manufactured homes in other areas of British Columbia and Canada.
 - (e) To promote and encourage improvement in manufactured home development and technology.
 - (f) To represent manufactured home owners in meetings with owners, operators and developers of manufactured home parks and subdivisions, with officials of municipal, provincial and federal governments, and with other persons, corporations or groups in matters relating to manufactured home living.
 - (g) To conduct social events but the Society shall not own, operate and/or manage a social club.
- (3) That the said Society shall not, at present or in the future, operate, run, engage in, take part in, or allow to operate on premises under their control any games of chance, or mixed skill and chance and that this clause shall at all times remain unalterable.
- (4) The Society shall not be used for pecuniary gain or profit of its members and this provision shall remain unalterable.

BY LAWS

1. (a) "Association" shall mean the "Penticton & District Manufactured Home Owners Association".

(b) "Executive" shall mean the Officers elected under the provisions of these By-Laws to act as the Executive of the Association.

(c) "Member" shall mean a member of the Association as admitted pursuant to these By-Laws.

(d) "Manufactured" means a single family dwelling manufactured as a unit or units, intended to be occupied in a place other than that of its manufacture, and designed so that it may be drawn or moved from place to place.

(e) "Owner" means an owner or joint owner of a manufactured home and includes a purchaser or joint purchaser of a manufactured home under a conditional sales contract or a lessee or joint lessee of a manufactured home.

(f) "Manufactured or Mobile Home Park" means land used or occupied by any person for the purpose of providing spaces for the accommodation of two or more manufactured homes and for imposing a charge or rental for the use of such space.

(g) In these By-Laws, words importing the singular include the plural and vice versa; words importing the masculine gender includes the feminine and vice versa; and words importing persons include firms or corporations and vice versa.

(h) "Special Resolution" means a resolution passed by a majority of such members entitled to vote as are present in person at a General Meeting of which notice specifying the intention to propose the resolution as a Special Resolution has been duly given, such majority being seventy -five percent of the voting members.

(I) "Ordinary Resolution: means a resolution passed by the Association in a General Meeting and not requiring any particular majority.

MEMBERSHIP

(2) Memberships in the Association shall be restricted to persons over eighteen (18) years of age who are owner-occupants of a manufactured home ordinarily located in the District and the spouse of such owner-occupant, if residing in the manufactured home.

3. All members are in good standing except a member who has failed to pay his current annual membership fee or any other subscription or debt due and owing by him to the society and he is not in good standing so long as the debt remains unpaid.

4. Application for membership shall be made in such form as the Executive may prescribe, and shall be accompanied by a membership fee which shall be determined at the Annual Meeting.

5. Upon receipt of every application for membership in the Association together with payment of the prescribed membership fee, the Executive shall accept the same and shall cause the applicant's name to be entered on a membership roll to be kept by the Secretary and such membership roll shall constitute sufficient evidence of membership as therein set forth. The Secretary shall also issue a membership card to each member.

6. Upon payment of the annual membership fee, a member shall be entitled to attend and participate in the meetings of the Association.

7. All membership fees shall be due annually on January 2nd for the next ensuing year.

8. Any member at any time may withdraw from membership in the Association by giving the Secretary notice in writing of his intention to that effect, and forthwith upon receipt of such notice by an Officer of the Association, the member giving such notice shall cease to be a member, but no portion of any prepaid membership shall be refunded to the member resigning.

9. Upon a vote of two-thirds of the Executive, personally present, at any meeting called for such purpose, any member of the Association may be expelled from the membership of the Association for any reason which may be deemed reasonable by the Executive, but the Executive shall first give to such person the right to appear before the Executive and to be heard.

GENERAL AND SPECIAL MEETINGS. QUORAM. RIGHTS OF VOTING AND PROCEDURE

10. The Association shall hold an Annual Meeting of Members in the month of May in each year at such time and place as the Officers may designate, and the Association will hold General Meetings of the members, other than Annual Meetings at such time and place as the officers may decide.

11. At least fourteen (14) days notice of the time and place of holding an Annual Meeting or other meetings of the Association shall be given to all members.

12. A quorum of any meeting other than of the Executive shall be twenty (20) members entitled to vote. Members shall not be entitled to vote by proxy. Each member in good standing shall by presentation of his membership card, be allowed admission to the meeting and shall be entitled to one (1) vote.

13. The order of business at Annual Meetings of the Association shall be:

- (a) Reading minutes of the previous meeting;
- (b) Addresses and reports of Officers;
- (c) Reports of Committees;
- (d) Unfinished business;
- (e) New business;
- (f) Addresses and discussions;
- (g) Nominations and elections;
- (h) Adjournment.

14. Subject to Clause 11, the Secretary shall, upon being requested in writing to do so by five (5) Park Representatives, call a special meeting of the Association.

15. All meetings shall follow the rules of Parliamentary procedure and the President shall so indicate at the commencement of each meeting.

ELECTIONS

16. The Officers shall be elected at each Annual Meeting by a majority vote of the members in attendance and shall hold office in the following manner;

President One (1) year;

Past President shall serve as a member of the Executive for a period of one (1) following his term of office.

17. Any officer shall be eligible for re-election.

18. Notwithstanding anything to the contrary in these By-Laws contained, the vacating Officers, or such of them as have not had their places filled, shall continue in office until their successors are elected.

19. If any Officer shall fail to discharge the duties of the office for three (3) successive meetings, including Officers' meetings, without satisfactory excuse, the office shall be declared vacant by the President.

20. When vacancies occur in any elective office, the President may appoint a member to fill the unexpired portion of the term of the vacant office.

OFFICER'S MEETINGS

21. The affairs and powers of the Association, except such as are by statute or by these By-Laws expressly required to be exercised by the members or Officers shall be managed by an Executive who shall be the Officers of the Association and by one (1) representative from each park or sub-division recognized by the Association (called "Park Representatives").
22. The Executive shall meet at least six (6) times in any one year from the date of its constitution and at least two (2) days Notice shall be given of each meeting. Three (3) Officers and (2) Park Representatives personally present at a meeting shall constitute a quorum. Questions arising at any meeting shall be decided by a majority vote. In case of an equality of votes, the President shall have a second and casting vote.
23. The Officers may delegate any of their powers, except such powers as are by law or by the provisions here of reserved to them, to committees consisting of such members as they may appoint; any committee so shall exercise their delegated powers in accordance with any terms or restrictions that may be imposed by the Officers.
24. All acts done by any meeting of the Officers or of a committee of the Officers or by any acting as an Officer shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such Officer or person acting aforesaid, be as valid as if every such person had been duly appointed.

OFFICERS

25. The Officers of the Association and their duties and responsibilities are as follows:
 - (a) President

The President will be the chief executive officer of the Association and shall preside at all meetings of the Association, and shall exercise supervision and control of the business and Officers of the Association and its agents and employees. The President shall enforce the Constitution and ByLaws and shall decide all questions of order and procedure at any meeting of the Association. The President shall have a casting vote in any motion or election placed before the Association.
 - (b) First Vice-President

The First Vice-President shall be vested with all the duties of the President in the event of the absence, unavailability, disability or refusal of the President to act, or upon or under the directions of the President. The First Vice-President shall also have such other powers and duties, if any, as may from time to time be assigned to him by the Executive.

(c) The Second Vice-President

The Second Vice President shall be vested all the powers and shall perform all the duties of the First Vice-President in the event of the absence, unavailability, disability or refusal of the First Vice-President to act, or upon or under the direction of the First Vice-President. The Second Vice-President shall also have such powers and duties, if any, as may from time to time be assigned to him by the Executive.

(d) Secretary

The Secretary shall issue or cause to be issued notice of all meetings of the Officers and members when directed to do so; keep minutes of all the meetings of the Officers and members; have charge of the minute books of the Association; sign with the President or other signing officer or officers of the Association, such instruments as require his signature and perform other duties as the terms of his engagement call for or the Officers may, from time to time, properly require of him.

(e) In the absence of both the President and the two Vice-Presidents, the Secretary shall call any meeting to order and those present shall elect a Chaimant Pro Tern.

(f) Treasurer

The Treasurer shall have the care and custody of all the funds and securities of the Association and shall deposit the same, in the name of the Association, in such bank or banks or with such depository or depositories as the Officers may prescribe. He shall at all reasonable times exhibit his books, records and accounts to any officer of the Association, upon his application at such times as may be reasonable under the circumstances. He shall sign or countersign such instruments as require his signature and shall perform all the duties incident to his office as are properly required of him by the Association.

The Treasurer shall make an itemized statement for each General Meeting of the Association, of all the moneys received and paid out, and submit books and vouchers for inspection at any time when called upon and perform such other duties as the Association may require.

(g) Removal of Directors

A director may be removed from office by special resolution and another director may be elected, or by ordinary resolution appointed, to serve during the balance of the term.

PARK REPRESENTATIVES

26. (a) Each park or sub-division recognized by the Association shall place a member resident in such a park or sub-division on the Executive as its representative, (called a "Park Representative").

(b) Each Park Representative shall attend all meetings or shall appoint a member resident in the park or sub-division to represent him at such meeting or meetings. Any Park Representative failing to attend three (3) consecutive meetings of the Association shall be replaced as Park Representative by the members resident in the park or sub-division.

(c) At Executive meetings each Park Representative shall have one (1) vote.

(d) At the Annual Meeting or any General Meeting the Park Representative shall report to the members on such matters as may pertain to the business of the Association.

(e) Each Park Representative shall establish within each park or sub-division a committee of members to assist him in matters pertaining to the Association.

FUNDS. ACCOUNTS AND AUDIT

27. (a) The funds of the Association shall be deposited from time to time to the credit of the Association in a chartered bank or other similar institution.

(b) The cheques of the Association shall be signed by the Treasurer and one (1) of the President or Vice-Presidents. Subject to express provision herein the Executive may pass such resolutions for the conduct of banking business of the Association as it may from time to time consider advisable.

(c) The Association may from time to time borrow such amounts or amounts as the Executive may deem advisable and no debenture shall be issued unless the same is authorized by Special Resolution and all borrowings shall be in strict compliance with Section 35 of the Societies Act.

(d) The Association year and fiscal year shall be the calendar year.

(e) The Treasurer shall be bonded in such amounts as the Executive may deem advisable.

(f) The Executive may from time to time appoint as auditor or auditors to hold office for such period as the Executives may determine to audit the accounts.

REGULATIONS

28. The Executive may, from time to time, enact or amend regulations for the general management of the Association or any of its departments or activities. Such regulations shall not be inconsistent with these By-Laws, and shall become effective upon enactment by the Executive or at the time stipulated therein.

BOOKS AND RECORDS

29. The books and records of the Association may be inspected by members at any reasonable time at the office of the Secretary, or at the office of the Treasurer, as regards to financial matters.

SEALS

30. In the event the Society acquires a Seal, it shall not be affixed to any document except by authority of a resolution of the Executive.

ALTERATION OF BY-LAWS

31. These By-Laws may be altered or amended by a Special Resolution.