

GIANTS NECK BEACH ASSOCIATION

Incorporated 1941

East Lyme, Connecticut

BYLAWS

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NOTE: As used within these Bylaws, the terms "Board of Governors" and "Governing Board" are interchangeable and both refer to the governmental body elected by the Giants Neck Beach Association membership.

BYLAWS

ARTICLE 1 – MEETINGS

SECTION 1. The annual meeting of the Giants Neck Beach Association shall be held on the third Saturday in June each year. The Governing Board shall hold an open meeting in July and August for all members of the Association under regulations of Section 3.

SECTION 2. Special meetings of the Association may be called by the Governing Board in accordance with Section 3.

SECTION 3. The Governing Board shall call and warn all meetings of the Association by posting notice on one or more official signboards located at conspicuous places within the territorial limits of the Association and in the town clerk's office of the Town of East Lyme at least seven days before such meetings are to be held giving the time, place of the meetings, and the purpose for which they are called. Such notice shall also be sent to Association members at their last known address. Association Members are responsible for notifying the Secretary of address changes, both email and U.S. mail.

SECTION 4. No fewer than 15 of the legal voters of the Association shall constitute a quorum for the transaction of business at any meeting of the Association and, if 15 voters shall not be present at such a meeting, the presiding officer may recess such a meeting from time to time until at least 15 voters shall be present or may adjourn the meeting.

SECTION 5. Any qualified member of the Association shall be entitled to vote at any meeting of the members provided that he or she is actually present at the meeting. The use of proxies, powers of attorney or other delegations of the voting power are expressly prohibited.

SECTION 6. Upon a petition filed with the President and the Secretary of the Governing Board, signed by 15 members of the Association, calling for a special meeting of the Association for any lawful purpose, the Governing Board shall, within 21 days, warn such a special meeting as provided in Article 1, Section 3.

SECTION 7. Association members shall pay a fee for any application for changes to the Bylaws, Ordinances or Zoning Regulations of the Association that may require a public hearing.

SECTION 8. The Board of Governors shall hold a public hearing before amending Bylaws, Ordinances or Zoning Regulations. Any such public hearing shall be noticed in the same manner as the warning of meetings of the Governing Board in Section 3, except that public hearings to consider the amendment of Zoning Regulations shall be noticed in accordance with the provisions of the Connecticut General Statutes.

ARTICLE 2 – GOVERNING BOARD

SECTION 1. The property and affairs of the Association shall be under the care and management of the Governing Board of seven members.

SECTION 2. A term on the Governing Board shall be for three years and no member shall be elected for more than two consecutive three-year terms. Members shall be elected as outlined under Nominating Committee.

SECTION 3. Any vacancy in said Board, occurring during the year, shall be filled by the vote of a majority of the remaining members, and such members so elected shall hold office for the unexpired portion of the term.

SECTION 4. A quorum of the Governing Board shall be four members. If no quorum is present to vote, those in attendance may adjourn the meeting to a specified future date.

SECTION 5. Members of the Governing Board are expected to attend all meetings. To be able to determine if a quorum will be present, those unable to attend are expected to notify the secretary in advance of the meeting. Three consecutive absences of a member from Governing Board meetings will be considered sufficient grounds for the Board to declare a vacancy.

SECTION 6. In January of each year, the Secretary shall publish and notify Association Members of the regular meetings for the ensuing year.

ARTICLE 3 – OFFICERS

SECTION 1. The officers of the Association shall be elected from the members of the Governing Board at a meeting held immediately after or as soon as possible after the annual meeting.

SECTION 2. It shall be the duty of the President to preside at all meetings of the Association and the Governing Board. The President shall have general supervision of the Association and authority in the name of the Association to enforce all regulations and ordinances of the Association where the Governing Board has determined that there is a violation. The President shall appoint all permanent and special committees whenever, in the opinion of the Governing Board, such committees are needed. Committees shall have no fewer than three and no more than five members, unless expressly authorized by the Board of Governors' President. Membership on the Nominating Committee and the Zoning Commission must have the approval of the Governing Board.

SECTION 3. The Vice President shall perform the duties of the President in the absence or inability of the President to act. In the absence of both the President and the Vice President, the Governing Board members present at the meeting may nominate and elect a president pro tem.

SECTION 4. The Secretary shall keep a record of the minutes of all meetings of the Association and the Governing Board, provide a copy to the town clerk of the Town of East Lyme within 48 hours following a meeting, and be prepared to make copies available upon request. The Secretary shall keep current at all times a list of Association members with their last known address. The Secretary shall also perform other such duties as described in the Special Acts of the legislature, or as directed by the Governing Board.

SECTION 5. The Treasurer shall have charge of the collection and disbursement of all monies, and no payments shall be made by him except on vouchers approved by the President. He shall, before the first of July in each year, render a tax bill to every member of the Association, who is liable for taxes, for the amount of taxes due in accordance with the tax list. The Treasurer shall render a report to the Association at the annual meeting and a monthly report to the Governing Board showing all monies received and disbursed and the balance on hand at that time. The Treasurer shall be bonded by the Association, for the faithful performance of duties. The Treasurer shall also perform other such duties as required by the Special Acts of the legislature, the bylaws of the Association, and as directed by the Governing Board.

ARTICLE 4 – FISCAL YEAR

SECTION 1. The fiscal year of the Association shall begin on the first day of July of each year. (General Statutes, Section 7-381)

ARTICLE 5 – ZONING COMMISSION

SECTION 1. The Zoning Commission shall consist of five Association members and three alternates appointed annually by the President with the approval of the Governing Board. No member of the Governing Board shall serve on the Zoning Commission.

SECTION 2. The Zoning Commission shall elect a Chairperson.

SECTION 3. The Zoning Commission shall meet on the second Saturday of each month, unless there are no applications or other business.

SECTION 4. A quorum of the Zoning Commission shall be three members.

SECTION 5. There shall be a Zoning Enforcement Officer appointed by the Board of Governors' President with the approval of the Governing Board. The Zoning Enforcement Officer shall ensure compliance with all Zoning Regulations and all decisions of the Zoning Commission. If compliance is not forthcoming, the Zoning Enforcement Officer shall inform the Zoning Commission Chairperson of the violation. If compliance is not forthcoming, the Zoning Enforcement Officer may issue a cease and desist order and shall inform the Zoning Commission Chairperson of the violation, who, in turn, shall report the violation to the Governing Board for appropriate action.

SECTION 6. The Zoning Enforcement Officer shall have the right to enter any building under construction or upon any property for the purpose of inspecting the same or enforcing any provision of the Zoning Regulations.

SECTION 7. Should an application be denied by the Zoning Commission, the applicant may appeal to the Zoning Board of Appeals for a final decision.

SECTION 8. Each application to the Zoning Commission shall be accompanied by the appropriate application fee, in accordance with a Schedule of Fees to be adopted by the Governing Board, to cover expenses incurred by the Zoning Commission in processing the application.

ARTICLE 6 – ZONING BOARD OF APPEALS

SECTION 1. There shall be a Zoning Board of Appeals elected at the annual Association meeting. The board shall consist of five members and three alternates. The alternates shall be designated to act in the place of regular members who may be absent or excused because of a conflict of interest. No member of the Governing Board or Zoning Commission shall serve on the Zoning Board of Appeals.

SECTION 2. Initially one member and one alternate shall be elected for a one-year term, two members and one alternate elected for a two-year term, and two members and one alternate shall be elected for a three-year term. Thereafter, each member and alternate as required shall be elected for a three-year term.

SECTION 3. Interim vacancies shall be filled by action of the Governing Board.

SECTION 4. Members of the Board of Appeals shall elect a Chairperson as soon as possible after the annual Association meeting. A Secretary other than a member of the Board of Appeals shall be appointed and shall keep a permanent record of the proceedings of the board meetings showing the vote of each member upon each question or, if absent or failing to vote, shall record same. If the Chairperson shall be excused because of a conflict of interest, a temporary chairperson shall be selected from the remaining members.

SECTION 5. The meetings of the Board of Appeals shall be held at the call of the Chairperson and at such times as the Board may determine. A petition to the Board must receive at least four affirmative votes to be approved. A quorum shall be in accordance with State statutes.

SECTION 6. The powers and duties of the Zoning Board of Appeals shall include:

- a. To hear and decide appeals where it is alleged that there is a question of interpretation of any order, requirement, or decision made by the Zoning Commission or the Zoning Enforcement Officer.
- b. To hear and decide all matters including special exceptions provided for by the specific terms of the zoning ordinance or regulation.
- c. Decisions of the Zoning Board of Appeals will be governed by the Connecticut General Statutes.
- d. To determine and vary the application of the Zoning Regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of the Zoning Regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare preserved.

SECTION 7. Each application to the Zoning Board of Appeals shall be accompanied by the appropriate application fee, in accordance with a Schedule of Fees to be adopted by the Governing Board, to cover expenses incurred by the Zoning Board of Appeals in processing the application.

ARTICLE 7 – COMMITTEES

SECTION 1. The President shall appoint all permanent and special committees whenever, in the opinion of the Governing Board, such committees are needed. All committees shall be advisory to the Board of Governors and may not act for the Board of Governors unless expressly authorized by the Board of Governors to do so.

SECTION 2. Committees shall have no fewer than three and no more than five members unless expressly authorized by the Board of Governors' President.

SECTION 3. Nominating Committee:

- a. A Nominating Committee composed of three Association members, appointed by the President with the approval of the Governing Board, shall present, in the call to the Annual Association Meeting, a slate of names of eligible members to fill the number of vacancies on the Governing Board and a slate of names of eligible members to fill the vacancies on the Zoning Board of Appeals.
- b. Each slate, with the terms to be served, shall be presented to the Association membership at the Annual Meeting.
- c. Nominations from the floor shall be in order provided that the nominee has agreed to allow his or her name to be placed in nomination.
- d. Members of the Governing Board and members of the Zoning Board of Appeals shall be elected by those present and voting, provided a quorum is present.