

Updated August 2015

DEAUVILLE BEACH & BAY ASSOCIATION, INC.

BRICK TOWNSHIP, N. J.

BY-LAWS

Article I - Name

This association shall be known as the DEAUVILLE BEACH & BAY ASSOCIATION, INC.

Article II - Purposes

The purposes of this Association are to promote the civic interests of the real estate owners and residents of Deauville Beach, New Jersey, and to do any and all things necessary to the improvement of Deauville Beach. This will be accomplished by means of annual dues and such reserve funds as may be determined by the Board of Governors.

Article III - Geographical Limits

Deauville Beach shall include all properties between the Atlantic Ocean on the East and Barnegat Bay on the West. Its Southern boundary shall include all properties North of the Southerly boundaries of Blocks 23, 24, 27, and 31 of the Tax Map of the Township of Brick, dated October 1, 1994, attached. Its Northern boundary shall include all properties on both sides of Lyndhurst Drive, all properties touched by the extension of Lyndhurst Drive in the Route 35 median strip, and all properties on both sides of Baytree Court.

Article IV - Membership

Sec. 1 There shall be three classes of membership:

- A. Owner (if single) or family membership
- B. Associate membership
- C. Seasonal or guest membership

A - Owner or family membership shall be limited to owners of residential real estate lying within the above defined geographical limits of Deauville Beach. Owner shall include those persons who lease land and own a home which has been erected thereon. This is the only class of membership entitled to vote.

B - Associate membership may be extended to residents of the Deauville Beach Area, only on specific approval of the Board of Governors. This class of membership shall be granted on an annual basis only and shall not exceed

ten per cent (10%) of the total Class "A" membership. Application for membership shall be accompanied by annual dues.

- C - Seasonal or guest membership may be made available, pursuant to Regulations issued by the Board of Governors, to tenants or guests of Class "A" members who are in good standing in the Association, or to such other persons as the Board of Governors may designate.

Sec. 2 In order to become a member of class "A", application shall be made to the Board of Governors, on forms approved by the Board of Governors. Applicants will be required to pay a Beach Purchase Assessment, as determined by the Board of Governors, if such assessment has not been previously paid by the preceding owner of the residence of the applicant. Each application shall be approved or disapproved by the Board of Governors.

Sec. 3 The privilege and benefits of class "A" membership shall apply to the owner, if single, or to the husband/ wife, and children of any single-family unit.

Sec. 4 Any member who shall willfully violate these By- Laws or any of the rules and regulations of the Association as such shall be promulgated from time to time by the Board of Governors, or shall be guilty of any misconduct detrimental to the Association, may be expelled from membership by the Board of Governors. The member shall be notified by five days written notice, addressed to his/her last known address, which notice shall set forth the reason for the proposed expulsion and state the time and place of hearing at which hearing all parties in interest shall be heard. Expulsion of a member in class "A" will require a majority vote of the assembled membership at the next meeting. A majority vote of the Board of Governors will be required for expulsion of members.

Article V - Dues and Fees

Sec. 1 Annual dues and fees shall be as determined by the Board of Governors.

Sec. 2 Annual dues are due and payable by May 15th. Upon payment of dues a member shall be entitled to exercise the privileges of membership in the Association, including voting privileges.

Sec. 3 Full payment of dues in arrears for the preceding year and the current year will restore said member to all privileges of the Association unless the Board of Governors takes prior action under Article IV (Membership) Sec. 4.

Sec. 4 Only members in good standing, their families and guests will be permitted to use the beach and property owned by or under the jurisdiction of the Association. Such members' access to and use of the beach and property owned by or under the jurisdiction of the Association, shall be subject to and governed by Regulations issued by the Board of Governors.

Article VI - Meetings

Sec. 1 There shall be two general membership meetings per calendar year, one in the spring (typically May) and the other in the fall (August or September). It shall be the duty of the President to call such meetings indicating the date, time and place.

Sec. 2 In addition to the two general membership meetings, special meetings of the Association may be called by majority vote of the Board of Governors, by the President of the Association, or upon written request of ten per cent (10 %) of the voting members of the association in good standing. The notice of a Special meeting shall be set forth the purpose for which said meeting is called and no other business shall be transacted at said Special meeting.

Sec. 3 The Order of Business at the general membership meetings shall be as follows:

- Roll call of Officers
- Determine if a quorum is present
- Minutes of the previous meeting
- Reports of Officers and Board of Governors as well as of any standing or special committees. These reports shall be submitted in writing and included in the permanent records of the Association.
- Communications
- Unfinished Business
- Election of Officers (Fall meeting only)
- New Business
- Announce date of next meeting
- Closing

Sec. 4 All meetings shall take place in Ocean County and shall be conducted according to Robert's Rules of Order.

Sec. 5 The Secretary of the Association shall notify all members by ordinary or electronic mail, addressed to their last known address, of the date, place and time of the semi-annual meetings, together with the meeting agenda, or any special meeting which may be called. Fifteen days' notice of the semi-annual meetings shall be given, and ten days' notice of any special meeting. Notice of a special meeting shall set forth the purpose for which said meeting is called.

Sec. 6 Twenty percent (20%) of class "A" membership of previous year's voting members is necessary for a quorum at any meeting.

Sec. 7 The right to vote at any meeting shall be limited to one adult member of each Class "A" family membership in good standing.

- Sec. 8 Election of officers shall be by majority vote of those present or represented by written proxy.
- Sec. 9 Annual and Special meetings of the Association are open to Class "A" and "B" members in good standing only. All other persons may attend and be heard at such Association meetings only with the prior approval of the Board of Governors. If such approval is given, the notice of the meeting shall include the identity of the persons attending and a short description of the purpose for their attendance.

Article VII - Governing Board of the Association

- Sec. 1 The Governing body of the Association shall consist of a Board of Governors composed of: President, Two Vice-Presidents, Secretary, Treasurer, One Preceding Past President and seven appointed members in good standing, including a Corporation Counsel. The Past President shall serve for a two-year term. The Appointed Governors shall serve for a one-year term, any or all may be reappointed. Only Class "A" members in good standing may serve as officers or governors.
- Sec. 2 The President, Vice-Presidents, Secretary and Treasurer shall be elected at the Fall general membership meeting each year for a term of one year or until their successors are elected and qualify.
- Sec. 3 The non-officer members of the Board of Governors shall be appointed by the elected officers.

Article VIII - Duties of Officers

- Sec. 1 The President shall preside at meetings of the Association and enforce the rules and regulations of the Association. He/she shall perform such other duties as shall be directed by resolution or motion of the Board of Governors. The President and Secretary shall sign all contracts on behalf of the Association only after approval of the Board of Governors. He/she shall be member ex-officio of all committees except the Nomination Committee.

The President shall each year, at least 60 days prior to the Fall general membership meeting, appoint a Nominating Committee of at least three Class "A" members of the Association, subject to the approval of the Board of Governors. Chairman of the Nominating Committee shall be selected by the Board of Governors. The Nominating Committee shall present for the Fall general meeting, nominations for Officers. The slate selected shall give consideration to geographic representation.

The slate selected by the Nomination Committee shall be presented in the announcement of the Fall general membership meeting. Nominations for all officers other than those

submitted by the Nominating Committee must be presented to the Association Secretary at least 48 hours prior to the meeting.

The President shall make such appointments as he/she deems necessary to effect proper functions of the Association subject to the approval of the Board of Governors.

- Sec. 2 The 1st Vice-President shall perform duties of the President in the absence of the President. He/she shall further assist in any duties designated by the President.
- Sec. 3 The 2nd Vice-President shall assist the President and the 1st Vice-President in any duties designated by the President and shall perform duties of the President in the absence of both the President and the 1st Vice-President.
- Sec. 4 The Secretary shall keep the Minutes and other official reports of the Association and notify members of all meetings. He/she shall, with the President, sign all contracts on behalf of the Association, subject to the approval of the Board of Governors. He/she shall keep all records, books, documents and papers relating to the Association in a safe place, designated by resolution of the Board of Governors. All such records, books, documents and papers relating to the Association shall be available for inspection by members of the Association at reasonable hours and time.
- Sec. 5 The Treasurer shall keep account of all moneys received by him, deposit same in the name of the Association in such depository as shall be designated by the Board of Governors. He/she shall not pay out or disburse any of the money of the Association except in such manner and for such purposes as shall be approved by the Board of Governors. At each meeting of the Board of Governors, he/she shall submit a detailed report of the financial condition of the Association for the fiscal year preceding.

Article IX - Board of Governors

- Sec. 1 The Board of Governors shall have power to manage the affairs of the Association, decide questions relating to the welfare thereto, and to authorize any contracts necessary for the transaction of the business of the Association. Each member of the Board of Governors shall actively assume all duties designated to him by the President.
- Sec. 2 The Board of Governors shall have the power to appoint a duly qualified Attorney to be known as Corporation Counsel, who may advise on all legal matters pertaining to the Association. If appointed, he/she shall be an active member of the Board of Governors and serve for one year or until a successor is appointed. He/she may be re-appointed at the pleasure of the Board of Governors.
- Sec. 3 The Board of Governors shall be required to hold at least two organization meetings and as many other meetings as necessary for the proper conduct of the Association business.

- Sec. 4 The Board of Governors may fill any vacancy among the members of their Board by a vote of the majority of the Board members present at a meeting of the Board of Governors and such appointment shall be for the balance of the term.
- Sec. 5 Seven members of the Board of Governors shall constitute a quorum.
- Sec. 6 Any member of the Board absent from two consecutive meetings and not giving proper notice to the Chairman, shall be dismissed from the Board.
- Sec. 7 The Chairman at all Board Meetings shall be the President and he/she shall call and give notice of such meetings. The Preceding Past President shall be Vice-Chairman and preside in the absence of the Chairman.

Article X - Fiscal Year

- Sec. 1 The fiscal year of the Association shall be from January 1 to the following December 31.

Article XI - Seal

- Sec. 1 The corporate seal of this corporation shall be the customary corporate seal bearing the name of the corporation as well as the date of the incorporation.

Article XII - Fund Solicitation

- Sec. 1 No solicitation of funds in the name of the Deauville Beach & Bay Association shall be made by any person except as approved by the Board of Governors as recorded in the minutes of this Board.

Article XIII - Amendments

- Sec. 1 Amendments to these By-Laws may be made only at an Annual meeting or at a meeting called for that purpose.
- Sec. 2 Any proposed amendments must first be submitted to the Secretary and signed by the proposer or proposers.
- Sec. 3 The Secretary shall then submit all such proposals to the Board of Governors, and if approved by a majority of the Board of Governors, notice of the proposed amendments shall then be given to all members by the Secretary at least fifteen days before the date of the meeting at which the proposed amendments are to be voted upon. Said notice shall be given by ordinary or electronic mail to the last known address of the members entitled to vote.

Sec. 4 A two- thirds vote of the members present or represented by proxy at said meeting shall be required to effect any such amendments.

Article XIV - Sale, Lease, Mortgage or Other Encumbrance of Beach Property

Sec. 1 The Board of Governors shall not be authorized to sell, lease, mortgage or otherwise encumber the real property owned by the Association (Property) without the affirmative vote of the members.

Sec. 2 If any proposed sale, lease, mortgage or encumbrance of the Property shall be approved by a majority of the Board of Governors, notice of the proposed sale, lease, mortgage or encumbrance shall be given to all members by the Secretary at least fifteen days before the date of the Annual or special meeting called for that purpose. Said notice shall be given by ordinary or electronic mail to the last known address of the member.

Sec. 3 A two-thirds vote of the members present or represented by proxy at said meeting shall be required to authorize the sale, lease, mortgage or other encumbrance of the Property.

Sec. 4 If any proposed sale, lease, mortgage or other encumbrance of the Property is approved by the Board of Governors and the Association members, the members individually and/or collectively shall have the right of first refusal as to any such sale, lease, mortgage or other encumbrance.

Article XV- Effective Date

These By-Laws shall be effective immediately upon adoption for the balance of the 2015 year and season.