

VENICE BEACH CITIZENS ASSOCIATION

CONSTITUTION AND BY- LAWS

APPROVED OCTOBER 9, 2017

**Modifications -- June 14, 2011
January 14, 2012
July 7, 2016
October 9, 2017**

CONSTITUTION

ARTICLE I: NAME, AUTHORITY AND PURPOSE

SECTION 1: Pursuant to and in accordance with the Articles of Revival, No. 81/4/649, 650, 651, 652, Recorded in Liber-2203, folio 625, August 21, 1975, the name of the organization is "The Venice Beach Citizens Association," hereafter referred to as the Association. The boundaries of Venice Beach are those defined in the records of Anne Arundel County, Plat 370, folio 7, dated August 28, 1929.

SECTION 2: The purpose of the Association, a nonprofit corporation, shall be the promotion and protection of the general interest, welfare, and properties of the members of the community of Venice Beach, Anne Arundel County, Maryland, and the promotion and protection of the community property owned/maintained by the Association.

The additional purposes as specified by the Venice Beach Special Community Benefit District program of Anne Arundel County, Maryland are to support an erosion program, construction, maintenance, improvement of, and snow removal from non-county-owned roads, streets, beach, alleys, sidewalks, curbs, street or road signs and lights, traffic control devices, bulkheads, drainage ditches, and culverts; acquiring, improving, and maintaining community property, both real and personal, or any interest in real property necessary to accomplish community-wide projects; providing special police protection; and the funding of administrative expenses to carry-out these purposes, including but not limited to, mailing expenses, secretarial costs, insurance costs, fidelity

bond costs, audit fees, attorney's fees, court costs, the repayment of any loan, and other payment of other expenses necessary for the administration and implementation of these purposes.

The additional purposes as specified by the Venice Beach Shore Erosion Control District program of Anne Arundel County, Maryland are to pay for all aspects of the design, construction, inspection, maintenance, financing, and implementation of Shore Erosion Control Projects, as defined by Maryland law, in the district to prevent, halt, or retard erosion of shorelines and deposit of eroded sediments into waterways in the district, including the payment of all necessary administrative and incurred costs, fees, repayment of any loan, interest thereon, and any necessary insurance cost.

ARTICLE II: MEMBERSHIP AND VOTING

SECTION 1: Membership of the Association shall consist of voting and associate members (see sec. 3) and shall be limited to those persons, age 18 and over, who meet the conditions set forth in sections 2 and 3 of this Article.

SECTION 2: A voting member shall consist of a person owning improved and/or unimproved property. Each property entitles one vote on tax issues and, if dues are paid, one vote on non-tax issues.

The number of votes may not be increased by aggregating improved and/or unimproved property.

SECTION 3: Associate members shall consist of those persons who are not owners of real property in Venice Beach and who, as residents of Venice Beach, form part of the population of the community as commonly understood. Such members shall be entitled

to all rights and privileges of participation in the Association except that they shall neither hold office in the Association nor vote.

SECTION 4: A voting member, by giving advance written notice to the Secretary, may designate a person to cast a vote. No other type of proxy shall be recognized.

SECTION 5: Membership in the Association is open to individuals, as defined in Sections 2 and 3 of this Article and residing or owning property within the boundaries of Venice Beach, as defined in SECTION 1 of this Article.

ARTICLE III: BOARD OF DIRECTORS AND DUTIES

SECTION 1: The Board of Directors shall consist of six voting members elected by the voting membership and shall include, in addition, the President of the Association, who will vote only in the event of a tie; and shall also include the Treasurer as a non-voting member.

SECTION 2: The Board shall elect from its members a chairperson and a secretary, provided that the President of the Association may not hold either position.

SECTION 3: The duties of the Board shall be as listed in subsections (a) and (b) of this Section.

Subsection (a): The Board shall at all-time carry out the purpose set out in the Articles of Revival.

Subsection (b): The Board shall formulate new policy and interpret existing policy related to the Association. In addition, the Board shall formulate the budget and oversee other fiscal matters related to the Association.

SECTION 4: Four elected members shall constitute a quorum for a meeting of the

Board provided all members of the Board are notified of the meeting.

ARTICLE IV: OFFICERS AND DUTIES

SECTION 1: The officers of the Association shall consist of voting members and shall be: President, Vice President, Secretary and Treasurer. The line of succession shall be as listed.

SECTION 2: The President or the Board's designee shall officially represent the Association in all matters involving the U.S. Government, the State of Maryland, the County of Anne Arundel, and other parties external to the Association. In each case he/she shall report directly and expeditiously to the Board of the Association. In addition, he/she shall preside at all meetings of the Association and perform the ordinary functions of the presiding officer. The President shall appoint all committees, and shall be a non-voting member of all said committees.

SECTION 3: The Vice President shall preside at all meetings of the Association in the absence of the President and coordinate the activities of all standing and special committees. He/she shall be a non-voting member of all committees.

SECTION 4: The Treasurer shall receive, give receipt for, and keep a record of all monies turned over to him/her by the Association and its members, as well as funds coming into the Association from external sources, including, but not limited to, returns from the Special Community Benefits District Tax and/or The Shore Erosion Control District Tax, rebates from sums paid out and collections for authorized purposes. Treasurer shall adhere to all Anne Arundel County and Maryland laws and rules for administering the Special Community Benefit District tax funds and the Shore Erosion Control District tax funds.

The Treasurer shall pay all obligations and bills approved by the Association by check drawn by him/her and countersigned by the President the Treasurer shall keep a record of all financial transactions of the Association and shall report to the Association at each regular meeting. In addition, all monies shall be suitably banked, and all financial records and funds should be transferred to the newly elected officer at the expiration of the then current Treasurer, within ten (10) days.

SECTION 5: The Secretary shall: make and keep accurate records of all proceedings of the Association; read the minutes of the previous meeting at each meeting; notify members of all meetings; maintain minutes and financial reports; facilitate all correspondence of the Association and report same at regular meetings; maintain a file of incoming and outgoing mail. The Secretary shall be a member of the Historical and Archival Committee and supervise the deposit of copies of records (Association and committee minutes, reports, audio and text, etc.) in the Association's archives.

SECTION 6: The President, in appropriate consultation with the elected officers of the Association is authorized to enforce the by-laws and rules adopted by the Association.

SECTION 7: The Association shall purchase and maintain liability insurance for the community assets and the board and officers.

ARTICLE V: ELECTIONS AND TERMS OF OFFICE

The election of officers and members of the Board of Directors of the Association shall be held by written secret ballot at the June annual meeting. Terms of office for the Board members shall be three years and staggered so that no more than two

members rotate off during a single year. The tenure of office for each officer of the Association shall be two years.

ARTICLE VI: MEETINGS

The Association shall hold four (4) regular meetings after due and sufficient notice to all qualified members. Two of those meetings shall be convened on or about the first week-end in June and on or about the first week-end in September. A third meeting shall be held in January to approve the Association's budget, followed by a regular meeting. The fourth meeting shall convene on or about the second weekend in April. Interim/special meetings may also be held on the request of the Board or a petition signed by at least ten voting members of the Association. The definition of a quorum shall be defined in the By-Laws. The Secretary shall inform all members at least ten (10) days in advance of all regular meetings.

ARTICLE VII: AMENDMENTS

The Constitution and By-Laws may be amended by two-thirds of the total voting membership of the Association. The written amendment shall be submitted to the Association for review by the Constitution and By-Laws Committee. After review, the amendment for consideration will be provided in writing by the Constitution and By-Laws Committee to all members of the Association at least ten days prior to the next regular or special meeting to be discussed and voted on at said meeting.

ARTICLE VIII: RECALL/ REPLACEMENT OF OFFICERS OR DIRECTORS

Any elected officer or member of the board may be recalled and the office declared vacant, for malfeasance, misfeasance, or nonfeasance, by a two-thirds vote of the membership by secret ballot at any regular or special meeting, provided that such person is given an

opportunity to respond to allegations and that a quorum is present. Written notice of the recall vote must be provided to all members at least ten (10) days prior to the meetings.

Replacement of a board member or officer of the Association shall occur at the next regular or special meeting of the Association.

ARTICLE IX: COMMITTEES

SECTION 1: The standing committees of this Association shall be: the Roads and Beach Committee, the Security and Environment Committee, Grievance Committee, Amenities Committee, Historical and Archival Committee, the Constitution and By-Laws Committee and the Nominations and Elections Committee.

SECTION 2: Special committees for specific purposes may be appointed at the discretion of the Association or the President as occasion demands. A special committee may not be assigned functions normally the duties of a Standing Committee. A special committee shall be automatically discharged when the purpose for which it was formed has been fulfilled and the report received.

SECTION 3: Each committee shall choose its chairperson.

BY -LAWS

Election and Tenure of Office

The election of officers of the Association and members of the Board of Directors shall be held regularly at the June annual meeting by written secret ballot.

Membership Dues

The dues for voting membership in the Association shall be set with ten days advance notice by vote of the majority of the membership present on the recommendation

of the Board of Directors and shall be payable within forty-five (45) days following the annual June meeting. Any member more than thirty days in arrears in payment of dues shall be held not financial and be denied the privilege of voting and discussion in meetings of non-Special Community Benefits District matters.

Quorum

The presence of thirteen (13) members shall constitute a quorum at any regular or special meeting of the Association. The presence of a majority of a committee's membership shall constitute a quorum for any regular meeting.

Expulsion of Members

A member may be expelled from the Association by a vote of two-thirds of the voting members at a regular or special meeting for continued and flagrant violation of the Constitution and By-Laws, provided that such member be given the opportunity to respond to the allegations and a ten-day advance notice is given to the membership.

Duties of Committees

All committees shall submit a written report to the Association at the June meeting. The standing committees are:

1. The Road and Beach Committee shall be responsible for the maintenance and use of the following roads: Chesapeake, Wilder, Beal, Clark, Taylor, Walnut Drive, Westover, and Wayman. The committee shall be responsible for the maintenance and use of the community beach area and all community maintained property that abuts Oyster Creek and the Chesapeake Bay. The committee shall perform the routine administrative functions necessary to accomplish these responsibilities and shall develop proposals for new action and implement such proposals as are approved by the Association.

2. The Security and Environment Committee

shall be responsible for the privacy, security, protection, and welfare of the residents and the private and community maintained property located in the subdivision known as Venice Beach.

3 The Grievance Committee shall be responsible for encouraging a harmonious relationship among all residents and facilitating the resolution of complaints and/or disagreements that may occur between residents or property owners of Venice Beach. The committee shall develop procedures as necessary to be approved by the Association.

4. The Nominations and Elections Committee shall determine which offices are open for election, notify the membership and invite candidates who must agree to serve before nominations occur; shall prepare and distribute the ballot for offices at least one month prior to the June meeting and provide for nominations and discussion from the floor; shall be responsible for monitoring the voting and counting of the ballots; and shall announce the results of voting at the meeting.

5. The Historical and Archival Committee shall establish and follow rules for the collection, cataloguing and preservation of records of the Association; shall be responsible for any exhibition of the Association's records; shall be responsible for any archival collaboration with any external groups.

6. The Amenities Committee shall express the sympathy of the community when adversity occurs for any of its members or other persons approved by the Association; shall welcome and give to new residents an overview of the community and its programs, a copy of the Constitution and By-Laws with the names of the Directors and Officers of the Association; and so inform members of the Association of these actions.

7. The Constitution and By-Laws Committee shall be responsible for advising and

recommending changes on matters pertaining to the Constitution and rules governing the Association.

ADDITIONAL RULES

1. Venice Beach is a community of privately owned properties with a Community Association which manages and maintains water access, the road network, street lighting and beach preservation and erosion control. The use of the beach, roads and amenities shall be limited to property owners, residents, and their bona fide guests. Property owners, residents, and bona fide guests shall be responsible for following all rules and regulations established by the community By-laws.

2. All persons must adhere to state and county traffic laws and community rules and regulations when operating vehicles within Venice Beach. The speed limit on all Venice Beach roads shall be 15 miles per hour, except for authorized emergency vehicles.

3. Pedestrians shall have the right of way on all Venice Beach roads.

4. There is a "No Parking" "Tow Away Zone" on Wayman Avenue and Westover Lane. All towing shall be at the vehicle owner's expense and the vehicle owner shall be solely liable for any damage to the vehicle.

5. The operators of all vehicles must obey posted parking signage throughout the community. Parking on Chesapeake Avenue or water access streets shall be limited to the cars of owners, residents and their bona fide guests when no space on the owner's / resident's property is available. Such parking should be in the immediate vicinity of the owner's / resident's property, and shall be confined to the south/Oyster Creek side of Chesapeake Avenue. No daily/regular parking on water access streets. Vehicles must not be parked in a manner that infringes upon

or blocks access to other owner's/resident's private property, water access streets, driveways, and must allow for the free passage of traffic (especially emergency vehicles).

6. Personal property may not be stored on community maintained property or right of ways. There shall be no parking of boats, trailers, trucks or commercial vehicles on any road or other community maintained property, with the exception of trucks and commercial vehicles immediately involved in work on a resident's property or on community maintained property. Vehicles and personal property stored on community maintained property may be subject to removal without notice at the owner's expense.

7. Driving of motor vehicles, including golf carts, by any unlicensed driver is prohibited on all Venice Beach roads and other community maintained property. Any driver with a learner's permit must be accompanied by a licensed driver.

8. Use of mini-bikes, trail bikes, and other motorized recreational vehicles, excluding golf carts and motorized lawn equipment, not generally permitted on public roads, shall be prohibited on Venice Beach roads and other community maintained property.

9. Residents shall be fully responsible for the care, confinement, noise, and control of their pets.

10. County ordinances with reference to dogs must be obeyed.

11. No more than two dogs shall be walked by a single person. And no dog shall be permitted to run loose on the streets or on the beach area or on other people's property at any time.

12. People who walk their dogs are required to clean up after them.

13. Large animals, including but not limited

to horses, cows, deer, goats and sheep, shall not be kept anywhere within Venice Beach.

14. Small pets, including but not limited to chickens, ducks and rabbits, shall not be permitted on community maintained property and must be strictly confined to the resident's own property.

15. Continuous loud and/or excessive noise, which is an annoyance to residents of the community and cause for complaint, shall be prohibited between 11 p.m. and 8 a.m.

16. The sale of illegal substances and/or alcoholic beverages is prohibited in Venice Beach. No illegal substances shall be consumed on Venice Beach community maintained property.

17. All unauthorized picnicking, drinking of alcoholic beverages, and overnight sleeping on community maintained property are prohibited.

18. The chairman of any meeting of the Association or committee thereof shall preserve an objective attitude in all cases and at all times. Any speaker making offensive statements shall be declared out of order and deprived of the floor. Similar violations in the minutes and written reports shall be stricken.

19. Non-Property owners are prohibited from anchoring boats in front of community maintained properties on Oyster Creek without the Association's approval. Prior approval must be obtained from the Board of Directors and Association members before installation of piers, buoys, or mooring poles on or in front of these areas. In the event that approval is granted, the applicant must first give written assurance that their moored boat will not impinge on the adjoining property owners' waterfront space as the boat swings with the wind and the tide.

20. No commercial activities shall be

conducted on Venice Beach community maintained property unless approved by the Board. Anne Arundel County zoning code will control other commercial activities.

21. All Board meetings shall be open to all members of the Association. Comments and information may be provided by non-Board members prior to the meeting or as requested by a Board member during the meeting. These same rules apply to all Committee meetings.

22. Issues not covered by this document shall be referred to Robert's Rules of Order.

NOTE: Charter forfeited 4/18/73. Articles of Revival (under Section 85) Recorded Circuit Court, Anne Arundel County, 1995 October, P.M. 2L25 Book 81, page 652 Recorded in Liber-2203, Folio 4/625; the Charter Records of the State Department of Assessments and Taxation of Maryland.

COMMITTEE MEMBERS

**Joseph E. Harris
Michael D. Jordan
Michael E. Mason**

Approved October 9, 2017