

## **BY- LAW NUMBER 5**

Being a by-law to amend some provisions of By-Law Number 1, and 2, of SUNSET VILLA ASSOCIATION (the "Corporation") WHEREAS the Corporation was incorporated by Letters Patent issued by the Lieutenant Governor of Ontario on August 23rd, 1950 and Supplementary Letters Patent issued May 2nd, 2006 and April 7<sup>th</sup>, 2013.

By-Laws Numbers 1, 2, 3 and 4 of the Corporation were passed by the members of the Corporation on April 1, 2007, and confirmed by the directors on April 1, 2007.

**AND WHEREAS** the Corporation, by virtue of the Supplementary Letters Patent has the following objects:

1. The establishment and maintenance of non-profit residential accommodation primarily for people of Danish descent or inter-marriage for the purposes of establishing a retirement community for people retiring due to age and other reason;
2. The establishment and maintenance of a community for cultural activities for people of Danish descent or inter-marriage;
3. The establishment and maintenance of recreation facilities for people of Danish descent or inter-marriage.

**AND WHEREAS** as ancillary to the above-noted objects, the Corporation has apartments available to rent to qualified tenants upon the terms and conditions contained in By Law Number 2; maintains a restaurant, and maintains a campground and park for the mutual benefit and enjoyment of the members of the Corporation and their guests upon the terms and conditions contained in By Laws Number 3 and 4 respectively.

**AND WHEREAS** it is required to enact some amendments to By-Law Number 1 and By-Law Number 2

**BE IT ENACTED** as a by-law of the Corporation as follows: 1. Section 6.03 of By Law Number 1 shall be amended to provide for the requirement that at least six (6) Directors of the Corporation shall be Danish, of Danish descent or related to persons of Danish descent by marriage so that the section shall now read as follows: "6.03 Elections At each annual meeting a number of Directors equal to the number of Directors retiring shall be elected for terms of two (2) years by and from the Members eligible to vote and to hold office.

**PROVIDED THAT**, of the nine (9) Directors on the Board at any time, at least six (6), including the President, shall be Danish, of Danish descent or related to persons of Danish descent by marriage."

2. Section 8.01 of By Law Number 1 shall be amended to allow for persons of non-Danish descent or persons not related to persons of Danish descent to be Voting Members of the Corporation so that the section shall now reads as follows: "8.01 Membership in the Corporation shall consist of such persons as are admitted as Members by the Board in its discretion, on an annual basis."

3. Section 1.01 of By Law Number 2 shall be amended to read as follows: "1.01 Applicants for residency at the Sunset Villa Apartments must be Voting Members in good standing (as defined by By Law Number 1) of the Corporation, and, in situations where the application is made by a couple, at least one of such applicants must be over the age of sixty (60) years prior to the time of the application being made."
  
4. Sections 2.01 and 2.02 shall be deleted and shall be replaced with a new section 2.01 which now reads as follows: "2.01 If no applicants meet the requirements as noted in Section 1.00 and there are expected to be periods of extended vacancy of an apartment(s) in the Sunset Villa Apartments, the Board may consider short-term rental for Members on a month to month basis at rates determined in each individual case, but not less than the rent paid by permanent residents. If so approved by the Board each Member in such case must sign a special tenancy form in addition to the tenancy agreement indicating agreement that it is a special arrangement and consenting to vacate such apartment upon the Board's direction (and with the Board's unfettered discretion to do so) upon a minimum of 60 days notice to such member by the Board of Directors."

This by-law number 5 shall come into force without further formality upon its enactment.

Passed at a meeting of the Directors of the Corporation by at least a 2/3 majority in attendance in person, properly called and upon proper notice, such meeting held on the 21st day of September, 2012.

Signed *Arlene Lange, Secretary*

Passed at a meeting of the Members of the Corporation by at least a 2/3 majority in attendance in person or by proxy, properly called and upon proper notice, such meeting held on the 7th day of April, 2013

Signed *Arlene Lange, Secretary*