

REVISED: September 2021

**BYLAWS
OF THE LAKEWOOD BAY COMMUNITY CLUB
OF LAKE OSWEGO, OREGON**

PREAMBLE:

The Lakewood Bay Community Club was established by the objectives set forth in the Deeds and Restrictions of the Lake Bay Homes, Book 274, page 17 to 24, Deed records of Clackamas County, Oregon. Easement is granted by Oregon Iron and Steel Co., Book 429, Page 218, to Lake Bay Homes and other described parcels.

A description of parcels with easement rights is described in Book 23, page 23, Record of Town Plats of Clackamas County.

LBCC is a registered non profit 501(c) (7) social club, for the mutual benefit of its members.

LBCC must adhere to the guidelines in accordance with IRS regulations for 501(c) (7) entities. IRS Form 990 must be filed annually. Officers should inform themselves of continuing updates to 501 (c) (7) and IRS Form 990.

Articles of Incorporation and Annual Reports must be filed with the Oregon Secretary of State, within the guidelines of that agency.

ARTICLE I

NAME

This organization shall be known as the **LAKWOOD BAY COMMUNITY CLUB**

(hereafter referred to as LBCC). The LBCC, is located at 602A Cabana Lane, Lake Oswego, Oregon 97034. The LBCC mailing address is P.O. Box 732, Lake Oswego, Oregon 97034.

ARTICLE II

OBJECT

The purpose of this Organization is to implement the objectives and manage the easement as set forth by its creation.

ARTICLE III

MEMBERS

A. The membership of this organization shall be limited to households within the Lake Bay Homes and other described parcels (hereafter referred to as LBH).

Section 1. *Members must be current with the LBH annual assessment, to be considered as “members in good standing”.*

Section 2. For the purposes of these Bylaws, a household or family *is* considered as **one “member”**, entitled to **one vote** in matters of club business”.

B. Assessments, Initiation Fees and Dues.

ALL members pay the LBH Annual Assessment, Easement General Membership and a third and separate fee to the Lake Oswego Corp, billed annually. Additional fees are posted annually for storage or boat moorage. First time members pay an additional Initiation Fee.

Section 1. *LBH ASSESSMENT FEE (Annual)*

Assessment applies to all properties in the LBH boundary, Book 23, page 23, Record of Town plats of Clackamas County, whose ***Deeds grant an easement to LBCC for access to lake privileges. Payment of fee does not entitle payer use of easement without payment of LBCC membership fees. This is an LOC rule.***

Fee is described in Declaration of Restrictions on Lake Bay Homes in Book 274, Page 17 Deed Records, Section 41.

The Fee may be adjusted by a majority vote of all eligible homes.

The LBCC Secretary/Treasurer shall prepare invoices for the LBH Assessment Fee in the Executive Committee approved format and mail them to all neighbors.

Failure to remit assessment may jeopardize your right to sell or transfer your property with “Lake Privileges”. Book 274, Page 22

Section 2. INITIATION FEE (One Time)

The fee shall be annually determined by the LBCC Board. This is a **one-time fee** per member and is required in addition to payment of the General Membership fee.

If a member is **inactive for 2 consecutive years**, to rejoin, the **Initiation Fee must be paid again** in addition to payment of the General Membership Fee.

In the event the eligible member changes, due to property sale rent or lease, the new eligible member must pay the Initiation Fee in addition to payment of the General Membership Fee to become a member.

Section 3. GENERAL MEMBERSHIP DUES (Annual)

The General Membership Dues shall be annually determined by the LBCC Board This is an annual fee.

Section 4. POWER BOAT SLIP FEE (Annual)

The Power Boat slip fee is in addition to membership fees for power boat moorage.

The Power Boat Slip Fee shall be annually determined by the LBCC Board.

The Secretary of the LBCC shall maintain a record of slips in use by location and a wait list for vacancies.

Moorage is subject to availability and strictly limited to size of boat, which is less than Lake Oswego limits. The LBCC has the right to determine the size of the boat allowed at the easement for each slip.

Members are entitled to no more than one Power Boat Slip per family household.

Our Easement is designated by the LOC for 14 slips only and we are not permitted to expand.

Section 5. CANOE / KAYAK FEE / SUP (ANNUAL)

The Canoe/Kayak/SUP Storage Fee is in addition to membership fees.

The Storage Fee shall be annually determined by the LBCC Board. Storage is subject to availability and the wait list.

Section 6. LOC BOAT LICENSING FEES/SWIM FEES (Annual)

Paid directly to LOC. Not part of any LBCC fee structure.

ARTICLE IV

OFFICERS

A. Officers and Directors. The officers of the LBCC shall be a President, a Vice-President, a Secretary/Treasurer, four Directors, and the previous President. These officers shall perform the duties described by these bylaws and by the parliamentary authority of Robert's Rules of Order Current Edition.

The President, Vice President, and the Secretary/Treasurer shall be known as the Executive Officers.

All Officers and Directors shall be known as the LBCC Board.

Section 1. Nomination Procedure, Time of Elections.

Nominations will be taken by mail, e mail, or from the floor at the Annual Meeting of eligible members.

Section 2. Election of Officers. Election of Officers shall be by the majority vote of members in good standing actually present at the meeting held for the purpose. If a position remains vacant, it may be filled by the Executive Committee at its next meeting. There is no vote by Proxy. Members must be present to vote.

Section 3. LBCC is to be governed by the LBCC Board. The LBCC Board takes office immediately following elections at the Annual meeting. The primary duties of the LBCC Board are to provide leadership in developing, maintaining, and operating the easement facilities, maintain a Capital Improvement policy, oversee club finances and comply with IRS 501 c (7) regulations.

The LBCC Board shall publish and distribute, annually, the Rules and Regulations for the LBCC for the daily operation of the Club facilities. All members shall be provided with a current copy of the By Laws and Rules and Regulations and Fee Schedules.

The LBCC Board shall enforce the established By Laws and Rules. By a majority vote of the LBCC Board, a member (household) may be suspended for repetitive (2) offenses. There is no refund of fees.

Vacancies to the LBCC Board are temporarily filled by a majority vote of the remaining Board members for the remaining term of the outstanding vacancy. All remaining Board members must vote for the nominated temporary candidate without abstention.

Only members with two prior years of LBCC Board experience, shall fill the President position.

LBCC Board members may be removed from office prior to expiration of their term at the Annual Meeting or Special Meeting, by a 2/3 majority vote of the membership, and provided the meeting notice specifies such business will be transacted.

Section 4. President. The President shall hold office for a term of three years or until a successor is elected. The President oversees the general functioning of the LBCC Board, LBCC business, Local, State, Federal, and LOC rules, regulations and statutes. The President is the official LBCC representative to the LOC. The President shall report the business of the LBCC Board to the general membership at the Annual Meeting, or from time to time by other means.

Upon the election of a successor the President shall become the Past President ex officio.

Section 5. Vice President. The Vice President shall hold office for a term of three years or until a successor is elected. The Vice President shall oversee the maintenance of the club facilities, and assist the President with any duties as otherwise assigned. In the absence of the President, the Vice President shall serve. The Vice President shall fill the unexpired term of the office of the President should such office becomes vacant due to resignation or death.

Section 6. Secretary/Treasurer. The Secretary/Treasurer shall hold office for a term of 3 years or until a successor is elected.

Is exempt from annual membership dues while serving per guidelines for 501 (c) (7) organizations, as reasonable compensation for performance of a necessary administrative service. The Secretary/Treasurer is not exempt from the LBH assessment

Is required to use the official PO Box address for the remittance of assessments and fees.

Maintains the minutes of all meetings.

Invoices LBH assessment fee to all eligible households within the LBH boundary, using the LBCC Board approved format. Collects and records LBH assessments using the LBCC Board approved format.

Invoices LBCC fees to all eligible households within the LBH boundary, using the LBCC Board approved format. Collects and records LBCC fees using the LBCC Board approved format.

Distributes easement fobs to eligible members after dues are paid and recorded.

Prepares operating statements, using the LBCC approved format, and submits to the LBCC Board and annually to the general membership, at the Annual Meeting.

At the discretion of the LBCC Board, and within 48 hours after notice by the President, the Secretary/Treasurer must submit financial records for inspection.

If incomplete records are presented, the LBCC Board may take control of the records and submit them for audit by a qualified committee. After completion of the audit, and if there are negligent omissions or statements, the Secretary/Treasurer will be removed from office at the discretion of the LBCC Board. Unaccounted funds must be returned to the Committee within 30 day or the person(s) responsible will be subject to legal action.

Section 7. Directors. There shall be four Directors elected, each to serve a term of 3 years or until a successor is elected. From time to time a Director may head a special committee project as determined by the LBCC Board

Section 8. Past President ex officio. The President upon a successor being elected shall become the Past President ex officio and a non-voting member of the LBCC Board. It is the duty of the Past President ex officio to assure that incoming Officers are familiar with all legal and practical responsibilities of their respective offices. The Past President will serve no more than a one (1) year term as President ex officio. The Past President is eligible to serve again as a Director or Executive Officer if so elected.

Section 9. The Easement will indemnify Board members and Officers for suit and claims in their capacity as directors. Indemnification is guaranteed by the club's insurance policy.

ARTICLE V

MEETINGS

A. Annual Meetings. The regular meeting of members shall be held on the **first Sunday in June**, and be known as the Annual Meeting. It is for the purpose of electing officers, receiving reports of officers and committees, and for any other business that may arise. **The date is determined after notification by LOC of current assessments and notices.**

Section 1. Notice of Annual Meeting. Notice of the time and place of the Annual Meeting shall be mailed or e mailed to all eligible members. Notice shall not be less than 20 calendar days prior to the meeting date.

Section 2. Quorum at Annual Meeting. Five member households shall constitute a quorum at the Annual meeting.

B. Special Meetings. Special Meetings of members may be called by the LBCC Board or by signed petition from 2/3 majority of the membership.

Special Meetings for all homes within the LBH boundary may be called by the LBCC Board or by signed petition of 2/3 of the eligible households.

Section 1. Notice of Special Meeting. Written notice of the time and place of a Special

Meeting shall be mailed to all households within the LBH designated boundary. Notice shall be postmarked not less than 20 calendar days prior to the meeting date and shall include a summary of items to be discussed or voted upon.

Section 2. Quorum at Special Meeting. 51% of the eligible households, in good standing, shall constitute a quorum at a Special Meeting.

C. Voting at Annual Meetings and Special Meetings. Voting at Annual Meetings and Special Meetings shall only be cast by members who are actually present and in good standing. Votes by proxy or by absentee ballot shall not be allowed.

D. LBCC Board Meetings. The LBCC Board Meetings shall periodically be called by the President. All officers and board members shall be notified of the time and place prior to the meeting. Four board members, containing at least two Executive Officers, form a quorum at an Executive Committee Meeting.

ARTICLE VI

FUNDS/CAPITAL EXPENDITURES/501C FUND REQUIREMENTS

A. All funds must be deposited in a FDIC insured institution, of the LBCC Board's choosing.

B. The President and Secretary/Treasurer will be registered as check signers.

C. A majority of the Board may approve funds for general operating expenses.

D. New Improvements requiring capital expenditures of more than \$5000, must be *planned in detail and* presented to the LBCC Board. *The LBCC Board reserves the right to ask for professional financial / legal advice for all capital improvement projects.*

E. Treasury balances exceeding \$5000 must be deposited to a savings account in the Club's name, at an FDIC insured institution, of the LBCC Board's choice.

F. *As stipulated in the Articles of Incorporation, and per 501 (c) (7) designation, if the LBCC is dissolved, the treasury balance will be distributed equally among the members in good standing.*

G. *The IRS requires 501 (c) (7) organizations to keep strict records. Failure to do so can result in taxation on cash assets. Officers should be current on IRS requirements for Capital accounts.*

ARTICLE VII

GUESTS, LBCC SPONSORED EVENTS

A. Rules regarding Guests are reviewed and published annually by the LBCC Board.

Section 1. At no time are guests permitted if not accompanied by a member.

Section 2. Members will be held responsible for guest conduct while on the premises. Conflicts arising from abuse of guest privileges will be resolved by the LBCC Board.

Section 3. Minors may not extend easement privileges to guests unless the minors are accompanied by an adult member.

Due to the changing nature of LOC Rules and Regulations, LBCC Rules and Regulations are written outside of the Bylaws, and reviewed annually. Please refer to annual updates.

ARTICLE VIII

POWER BOATS, CANOES, KAYAKS, SUPS

Due to the changing nature of LOC Rules and Regulations for Power Boats, Canoes, and Kayaks, LBCC rules and regulations are written outside of the Bylaws. Please refer to annual updates.

ARTICLE VIX

PARLIAMENTARY AUTHORITY

A. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the LBCC in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order which LBCC may adopt.

ARTICLE X

AMENDMENT OF BYLAWS

A. These Bylaws became effective upon approval by majority vote of members actually present and in good standing, at the Annual Meeting held September 2021.

B. Intent to amend the Bylaws must be announced by written notice prior to the Annual meeting or prior to calling a Special Meeting;

C. Amendments or changes to the Bylaws must be read at the Annual Meeting. Approval is by a

majority vote of members present at the Annual meeting or Special meeting. There shall be no vote by proxy or absentee ballot allowed.

D. All previous Bylaws, if any exist, are hereby repealed.