

# MAPLEWOOD HOMEOWNERS' ASSOCIATION BYLAWS

Approved by the voters of the General Membership Meeting on  
November 14, 2000

## ARTICLE I: NAME

This association is incorporated under the laws of the state of Missouri and shall be known as Maplewood Homeowners Association.

## ARTICLE II: DEFINITION AND PURPOSE

The Maplewood Homeowners Association is an organization of the owners of land in the subdivisions of Maplewood and Quail Run and is served by volunteers. Our purpose is to develop and promote practices, which will mutually benefit the membership of the association and the immediate community.

## ARTICLE III: MEMBERSHIP

**Section One: Eligibility** Membership is restricted to owners of land included in the subdivisions of Maplewood and Quail Run.

**Section Two: Fees and Dues** Fees to cover the cost of trash service, street lighting and general operation of the association are to be assessed monthly. Dues are to be determined by the general membership.

## **ARTICLE IV: OFFICERS**

**Section One: Number** The officers of the association shall be a President, a Vice-President, a Secretary, and a Treasurer.

**Section Two: President** The President will be the principal executive officer of the association and will supervise and direct all business and affairs of the association. The President will:

- a. Open the meeting at the appointed time by taking the chair and calling the meeting to order
- b. Announce in proper sequences the business that comes before the members
- c. Recognize members who are entitled to the floor
- d. State and put to vote all motions that arise in the course of the proceedings and announce the result of each vote
- e. Respond to inquiries of members relating the parliamentary procedure or factual information bearing on the business of the meeting
- f. Declare the meeting adjourned when the assembly so votes
- g. Appoint committees, standing or special, as the membership or the Board deems necessary to carry on the work of the association

**Section Three: Vice-President** In the absence of the President or his/her inability or refusal to act, the Vice-President will perform the duties of the President. In the event of disqualification of the President, the Vice-President will assume all duties and responsibilities of the President.

**Section Four: Secretary** The Secretary will:

- a . Keep a record of all the proceedings of the association (minutes)
- b. Keep on file all committee reports
- c. Keep the association's official membership roll
- d. Make the minutes and records available to members upon request
- e. Notify officers, members-at-large, and committee members of their election or appointment; furnish committees with whatever documents required for the performance of their duties; and have on hand at each meeting a list of all existing committees and their members
- f. Maintain a record book, or record books, in which the bylaws and minutes are entered, with any amendments to these documents properly recorded, and have the current record book(s) on hand at each meeting
- g. Send out to the membership (or see that it is sent out) a notice of each meeting, known as the call of the meeting, and conduct the general correspondence of the association
- h. Prior to each meeting, prepare an order of business for the use of the presiding officer, showing, in their exact order, under each heading, all matters known in advance that are due to come up
- i. Call the meeting to order in the absence of the President and Vice-President
- j. File the annual state incorporation papers (due by August 31)

- k. Be responsible for keeping a record of attendance by name and address for all meetings
- l. Serve as the Publication Director and make available information to the general membership in a timely manner
- m. Be responsible for announcing and receiving all contract bids affecting the Maplewood Homeowners Association
- n. Read into the November minutes, the auditor report

**Section Five: Treasurer** The Treasurer will:

- a. Charge and custody of all funds of the association and will be accountable to the Board of Directors
- b. Ensure all disbursements to be signed and co0signed by the President and Treasurer unless the President is unavailable, then each officer in succession can sign.
- c. Ensure proper tax forms (if any) will be filed in a timely manner
- d. Ensure that the account will be audited prior to the election of officers in the month of October by an outside source
- e. Have the auditor's report mailed/given to the association secretary, who would read the report into the November meeting minutes prior to the officer election
- f. Maintain current bulk mail rate with the U.S. Post Office
- g. Pursue all legal remedies for collection of past dues and other monies

## **ARTICLE V: MEETINGS**

**Section One: General Business Meetings** General business meetings shall be held in February, May, August, October, and November. Special meetings of the members may be called by the President, by two or more Directors, or by not less than one-fifth of the members. The purpose for calling a special meeting shall be stated in the notice.

**Section Two: Notices of Meetings** Written or printed notices stating the place, day and hour of the meeting shall be mailed or delivered not less than five (5) days before the date of the meeting to each homeowner residing within the subdivisions of Maplewood and Quail Run. All meetings shall be held at such place as is determined by the Board of Directors.

**Section Three: Agenda of Meetings** An agenda shall be provided at all meetings to those members attending.

**Section Four: Voting** Each member will be entitled to cast one vote (no more than two votes per household) on all matters brought before a business meeting. A majority vote of the members present at any meeting will be necessary for the adoption of any matter voted upon.

*a. Majority vote:* A majority vote is a majority of eligible votes cast, not counting blanks and abstentions

*b. Changing a vote:* Any member may change his or her vote before the results are announced, except when the vote is taken by ballot. When the ballots have been collected after voting, it is too late for a vote to be changed.

*c. Ballot Voting:* The ballot is used for voting in elections and when it is desirable to conceal one's vote. Its use may be ordered on any motion by a majority vote. Marked but invalid (illegal) votes are counted in the total votes cast to determine a majority; blank votes are ignored in the total count.

d. *Voting by Absentee*: Any member may give his or her vote by absentee vote. This vote will address a specific issue and must be received by the association no later than the day of the meeting.

## **ARTICLE VI: BOARD OF DIRECTORS**

The Board of Directors shall consist of the President, the Vice-President, the Secretary, the Treasurer, and five (5) members-at-large.

**Section One: Eligibility** Any person elected or appointed to the Board of Directors must meet the qualifications as described below.

a. *President*: The President must be a member of the Association and must have served at least one term (12 months) in another elected position on the association's Board of Directors, be a member in good standing, and have no felony convictions. (Approved in February 1999 general meeting)

b. *Vice-President*: The Vice-President must be a member of the Association for at least six months, must have attended at least two general meetings prior to being elected, must be a member in good standing, and have no felony convictions. (Approved in February 1999 general meeting)

c. *Secretary, Treasurer, and Members-At-Large*: The Secretary, Treasurer, and members-at-large must be members of the association in good standing, no felony convictions, and have attended at least two general meetings prior to being elected.

**Section Two: Powers** The management of the property, business, and affairs of the association is vested in the Board of Directors.

**Section Three: Duties** By the 15<sup>th</sup> of January following their election, each Board shall have developed a plan of action for their year of

service, along with a budget to implement the plan. This plan and budget shall be placed on the agenda for approval by the membership at the regular meeting in February. It will be the duty of the Board to see that the approved plan is implemented in a timely manner.

**Section Four: Board Meetings** The board shall meet once each month. They shall set up a calendar for their meetings for the next year indicating date, time, and place no later than December 15. Board meetings shall be open to the membership.

**Section Five: Special Meetings** Special meetings of the Board may be called at the request of any two (2) Directors or by the President. Notice of any special meetings shall be given to each Director at least two days (48 hours) prior to the meeting.

**Section Six: Quorum** A majority of the Board of Directors shall constitute a quorum for the transaction of business.

**Section Seven: Vacancies** In the case of the death, resignation or disqualification of one or more of the Directors, a majority of the remaining Directors may appoint a successor (or successors) which must be approved by the general membership to fill the vacancy until the following election. Disqualification shall consist of three (3) consecutive unexcused absences total from regular board meetings (per term), becoming ineligible for membership, or moving out of the Maplewood or Quail Run subdivisions.

**Section Eight: Compensation** No compensation shall be received by any officer or member-at-large for serving on the Board of Directors for any other reason except reimbursement for approved and documented expenses.

## **ARTICLE VII: ELECTIONS**

**Section One: Election and Term of Office** The officers and members-at-large of the association will be elected annually by the membership as detailed below.

- a. Nomination of officers and members-at-large at October general meeting.
- b. Election of officers and members-at-large and the transfer of duties shall be effective at the November general meeting.
- c. Election of officers and members-at-large shall be by ballot to serve for one year or until their successors are elected, with members having the privilege of voting for “write-in” candidates.
- d. Newly elected officers will preside at the December board meeting.

## **ARTICLE VIII: DISCIPLINE**

The disciplinary procedures in *Robert’s Rules of Order* shall prevail.

## **ARTICLE IX: COMMITTEES**

Committees, standing or special, shall be appointed by the President as the membership or the Board deems necessary to carry on the work of the association.

## **ARTICLE X: OFFICIAL PUBLICATION**

“The Leaf” is the official publication of the association and, as such, may be used as official notification of meeting (see Article V, Sections



1-3). Other times as deemed appropriate by the Board may be published for the information of the membership. Preparation of the official publication (newsletter) shall be the responsibility of the Publications Committee, who is appointed by the Board of Directors.

## **ARTICLE XI: MAPLEWOOD/QUAIL RUN ANIMAL CONTROL LAW**

**Section One:** According to the declarations of restrictions found in the various subdivisions of Maplewood and Quail Run, “no noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.” The Homeowners’ Association interprets this restriction to include animals at large. All animals in Maplewood and Quail Run subdivisions are to be under the owner’s supervision at all times, either confined to the owner’s property by means of physical restraint or accompanied by the owner and under his or her control when off the owner’s property. Any animal not so confined or supervised shall be deemed at large.

**Section Two:** A homeowner wishing to make a complaint about a specific animal at large shall notify any member of the association’s Board of Directors. If the Board determines that the animal is at large, the Board will inform the owner of the animal in writing if the animal’s owner is known. From that point forward, the Secretary of the association shall keep a record of all such warnings issued.

**Section Three:** If a second complaint is received on a specific animal, the association’s Board of Directors shall determine that the animal remains at large and is not properly controlled. The Board of Directors will then arrange for the Pettis County Sheriff’s Department, in the discretion of the officer responding to the call, to impound the animal at the Sedalia Animal Shelter. After an animal has been impounded once,

no further warnings will be issued, and the Board of Directors will arrange for the Pettis County Sheriff's Department to impound the animal if it is subsequently found at large.

**Section Four:** If an animal is at large and presents a threat to any person, anyone who is a resident of either Maplewood or Quail Run subdivisions may call the Pettis County Sheriff's Department requesting impoundment of said animal.

**Section Five:** If it is not possible, after a reasonable effort, to determine the ownership of an animal about which a complaint is received, the Board of Directors will arrange for the animal to be taken to the Sedalia Animal Shelter following the initial complaint.

**Section Six:** No animal shall be released by the Animal Shelter without a receipt from the Homeowners' Association for an animal control fee.

## **ARTICLE XII: FISCAL YEAR**

The fiscal year for the Maplewood Homeowners' Association shall begin on January 1.

## **ARTICLE XIII: AMENDMENT OF BYLAWS**

These bylaws can be amended at any regular business meeting of the association by a majority vote provided that the amendment has been submitted in writing to all members no less than five (5) days before the date of the meeting.

## **ARTICLE XIV: UNLICENSED AND DISABLED VEHICLES**

**Section One:** The Maplewood Homeowners' Association interprets the provision found in the various subdivision restrictions that "no noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood, to mean that unlicensed or disabled vehicles, or any portion thereof, shall only be kept on any lot completely inside a garage."

**Section Two:** The term "vehicle" shall be defined as any motor vehicle or trailer, as defined in the *Revised Statutes* of the state of Missouri.

**Section Three:** Upon receiving a complaint from any resident, the Board of Directors shall send a written warning by registered or certified mail to the owner(s) of the residence where an unlicensed or disabled vehicle is not stored completely inside of a garage. If the unlicensed or disabled vehicle, or portion thereof, has not been removed from said lot or stored completely inside a garage within five (5) days after the warning has been mailed, the Board of Directors shall proceed to have said nuisance removed, with court costs and attorney's fees levied against said lot owners.

**Section Four:** The association, or any of its Board of Directors, shall not be held responsible for any charges resulting from any removal or impoundment.

**Section Five:** Sections 1-5 of this article may not be repealed, amended or revised within five (5) years of enactment.

## **ARTICLE XV: NO PARKING ZONES**

There is no parking on the grassy areas on any of the cul-de-sac islands throughout the Maplewood or Quail Run subdivisions.