

By-Law No. 1 - Schedule B Regulations

These regulations provide additional clarification and interpretation to the governance, restrictions and requirements of Harvey Lakeland Commonland Owners Association as described in By-Law No. 1.

A. Governance and Membership

1. General Membership Meetings

- a. The Annual Meeting is held each Fall. In addition, a general membership meeting is held each Spring.
- b. Notification of the date, time and location of each meeting shall be issued to Members at least 28 days prior to the meeting. Major items that Members would like included in the agenda must be received in writing by the Board 21 days prior to the meeting. The agenda shall be issued to Members at least 14 days prior to the meeting.

Also refer to: By-Law No. 1 - Section 8.

2. Election Of Directors

- a. At the Annual Meeting prior to the election of Directors, the Secretary shall read out the Director positions open for election along with the nominations and seconders for each position.
- b. Each candidate shall indicate whether they have read the Association's Articles of Incorporation and By-Law, including the schedules to the By-Law.
- c. Each candidate will be provided the opportunity to address the Members prior to the election. The time allotted for addressing the Members will be decided by the meeting Chair.

Also refer to: By-Law No. 1 - Section 2.

3. Voting Rights

- a. Members choosing to vote by proxy at General Meetings shall complete the General Meeting Proxy Form and deposit same with the Secretary prior to the meeting.
- b. Proxy holders with 3 or more proxies shall deposit all proxies held with the Secretary at least 24 hours prior to the meeting.
- c. A list of proxies received by the Secretary shall be announced at the beginning of the meeting.

Also refer to: By-Law No. 1 - Article 8.07.

4. Membership Dues And Fees

- a. Membership dues, fees, penalties and interest payable by Members shall be fixed from time to time by a majority vote of the Members present or represented by proxy at the Annual Meeting or other General or Special Meeting based on recommendations of the Board of Directors. These dues and fees are used to pay for Commonland property taxes, facilities, amenities and administration and to support and further the purposes of the Corporation.
- b. Dues and fees not paid within 30 days of request for payment shall be subject to a one-time 20% penalty and compound monthly interest charges at a rate equivalent to that charged by the Municipality of Trent Lakes for late payment of property taxes.
- c. In addition, a penalty will be charged to offset all costs incurred by the Corporation in the collection of delinquent dues and fees including, but not limited to, collection agency fees, legal fees and court costs.

Also refer to: By-Law No. 1 - Article 7.04.

5. Volunteers

- a. The development and maintenance of Commonland facilities and amenities is dependent on Members and Associate Members freely giving their time, knowledge and expertise.
- b. In addition, mechanized equipment is periodically required. Members and Associate Members may be appropriately compensated for the use of their personal mechanized equipment when required, authorized and used in Association activities.

6. Trespassers On Commonland

- a. Members and Associate Members have the responsibility and right to respectfully question the presence of individuals they do not recognize as Association Members or Associate Members (refer to [Ontario Trespass To Property Act](#)).
- b. In doing so Members and Associate Members should follow the guidelines below:
 - i. if there is any possibility of danger, call the Police
 - ii. direct the trespassers to leave, politely but firmly
 - iii. if trespassers refuse to leave, get their names and addresses if possible and the names of any witnesses. Note the facts surrounding the incident, including the date, time, and conduct of the parties involved
 - iv. contact one of the Directors and ask for guidance.

B. Financial Management and Insurance

7. Emergency Reserve Account

- a. The Board shall build and maintain an emergency reserve account equal to a minimum of the Association's annual operating (i.e. non-project) costs. This fund will be used only in the case of emergencies. An emergency is defined as a requirement for funds that was not budgeted and cannot be met by reducing spending in other discretionary areas of the budget.
- b. When the reserve has been used, in whole or in part, the Board shall act over the next year, or as soon as possible, to replace the funds in the reserve account.

8. Capital Reserve Account

- a. The Board shall build and maintain a capital reserve account equal to a minimum of the Association's annual funding allocation to projects. This fund will be used to supplement:
 - i. planned, future maintenance requirements whose costs exceed single year maintenance funding allocations; and
 - ii. projects whose costs exceed single year project funding allocations.
- b. When the capital reserve has been used, in whole or in part, the Board shall act over the next year, or as soon as possible, to replace the funds in the capital reserve account.

9. Reporting

The Treasurer shall send to Members as part of the materials for the Annual Meeting and Spring General Meeting:

- a. a statement of bills received and payments made;
- b. a reporting of the Emergency Reserve and Capital Reserve accounts; and
- c. a Project Report that includes estimates and actual costs for completed, in-progress, approved and planned projects.

10. Liability Insurance

- a. The Association shall maintain liability insurance that covers Members and Associate Members performing volunteer work (unpaid labour) on Commonland.
- b. Members and Associate Members shall ensure that anyone they hire to perform work (eg. dock or boat repairs) on Commonland provide evidence they meet all legislated safety and insurance requirements.
- c. Members and Associate Members are responsible for obtaining their own insurance coverage for personal property placed on their allocated Commonland dock space or finger dock.