

# CONSTITUTION

## CARLINGWOOD COMMUNITY ASSOCIATION

(adopted December 1, 1986, as amended October 11, 1988, October 10, 1990, and October 1, 1996.)

### Article 1:            Name

The Association shall be known as the "Carlingwood Community Association" and is referred to hereinafter as the "Association".

### Article 2:            Boundaries of the Association

The Association includes the area bounded by: the centre line of Haymarket Street from Iroquois Road to Saville Row; the centre line of Saville Row from Haymarket Street to Neepawa Avenue; the centre line of Neepawa Avenue from Saville Row to Lockhart Avenue; the centre line of Lockhart Avenue from Neepawa Avenue to Honeywell Avenue; the centre line of Honeywell Avenue from Lockhart Avenue to the lot line between 2113 Honeywell Avenue and 2123 Honeywell Avenue; the lot line north of Honeywell Avenue between 2123 Honeywell Avenue and 2113 Honeywell Avenue; the north rear lot line of Honeywell Avenue from 2113 Honeywell Avenue to Sherbourne Avenue; the centre line of Sherbourne Avenue from Honeywell Avenue to Manitou Drive; the east rear lot line of Manitou Drive; the south/west rear lot line of Neepawa Avenue from Manitou Drive to Iroquois Road; and the east rear lot line of Iroquois Road from Neepawa Avenue up to but not including Somerset Towers.

### Article 3:            Community

The residents of the area defined by the Association's boundaries constitute the "Community".

### Article 4:            Objectives

The objectives of the Association are:

- (a) to promote and protect the interests of the Community, including its amenities and quality of life;
- (b) to monitor governmental agencies at all levels on those matters affecting the Community;

- (c) to keep the Community informed of all actions or proposed actions that could affect it;
- (d) to foster a sense of community;
- (e) to work with representatives of other community groups in the pursuit of common goals.

Article 5:            Membership

The membership of the Association shall include all residents of the area defined by the Association's boundaries who are at least eighteen years old.

Members who pay the voluntary annual contribution/assessment as set out in Section (c) of Article 10 herein shall be known as Supporting Members.

Article 6:            Executive

- (a) The affairs of the Association shall be administered by an Executive consisting of the following officers: a President; a Vice President; a Secretary; a Treasurer; the Immediate Past President; and up to eight other Directors.
- (b) The Executive shall carry out policies approved at General Meetings and, in the absence of such policies, take whatever action it deems appropriate to be in the best interests of the Community.
- (c) The Executive shall have the power to strike committees, to set their terms of reference, and appoint members to them as the need arises.
- (d) Each member of the Executive shall enjoy full voting rights.

Article 7:            Duties of Officers

- (a) The President shall:
  - (i) preside at all meetings except as provided for hereunder;
  - (ii) report to the membership on the activities of the Association at the Annual General Meeting (hereinafter referred to as the "AGM") or at such times as may be prescribed by the Executive;
  - (iii) vacate the chair while introducing business or speaking to a motion or amendment; and
  - (iv) perform such other duties as may be prescribed by the Executive.
- (b) The Vice President shall:
  - (i) assist the President;

- (ii) perform the duties of the President in the absence or disability of the President; and
  - (iii) perform such other duties as may be prescribed by the President or the Executive.
- (c) The Secretary shall:
  - (i) act as the clerk of all meetings and record the Minutes in books to be kept for that purpose;
  - (ii) if unable to attend a meeting, make arrangements for the Minutes of the previous meeting to be available and ensure that the books are properly updated after the meeting;
  - (iii) receive and record all correspondence for the Association;
  - (iv) issue Notices of Meeting; and
  - (v) perform such other duties as may be prescribed by the President or the Executive.
- (d) The Treasurer shall:
  - (i) receive and disburse funds on behalf of the Association and record all such transactions in books kept for that purpose;
  - (ii) issue numbered receipts for funds received and deposit the funds promptly as defined in subsection (iii) herein;
  - (iii) keep at least one account, and not more than three in the name of the Association at a Canadian chartered bank or an Ontario-regulated trust company covered by the Canada Deposit Insurance Corporation Act, ensuring that chequing privileges are secured and that, where possible, interest is paid on deposits.
  - (iv) prepare an annual financial statement for the Executive and for subsequent presentation at the AGM; and
  - (v) perform such other duties as may be prescribed by the President or the Executive.
- (e) The Immediate Past President shall:
  - (i) act as an advisor to the Executive to ensure continuity in policies and procedures; and
  - (ii) preside over the Nominating Committee appointed by the Executive.
- (f) The Directors shall:
  - (i) participate fully in the business of the Executive; and
  - (ii) perform such duties as may be prescribed by the President or the Executive.

**Article 8:            Nomination, Election, and Tenure of Executive Members**

- (a) The Executive shall be elected from the membership at the AGM and hold office until a new Executive is elected at the next AGM.
- (b) The Executive shall appoint a Nominating Committee at least one month prior to the AGM. This Committee shall consist of the Immediate Past President and at least one other member of the Association not including the President or Vice President. This Committee, chaired by the Immediate Past President, shall consider nominations for election to the Executive for the forthcoming year.
- (c) The committee shall arrange for someone not a member of the outgoing executive to preside at the AGM during the election of the new Executive. The Committee Chairman shall present the slate of willing candidates at the AGM.
- (d) Nominations by members present at the AGM shall be accepted from the floor provided they are accompanied by evidence that the nominee consents to being nominated.
- (e) Election shall be by a simple majority vote of the members present at the AGM.
- (f) Should a vacancy occur on the Executive during its term of office, or an office is unfilled at the AGM, a simple majority of the Executive in committee may appoint a willing members of the Association for the remainder of its term.
- (g) In the event that a member of the Executive fails to attend three successive meetings of the Executive, the member's office shall become vacant automatically, and the Executive shall fill the vacancy as set out in Section (f) of this Article.
- (h) No member of the Association shall hold the office of President for more than two consecutive terms, except as provided for in Section (f) of this Article.

**Article 9:            Meetings**

- (a) All meetings shall be conducted in accordance with the latest edition of Robert's Rules of Order.
- (b) All motions shall be decided by a simple majority vote.
- (c) Only Minutes of motions, and whether they carry or fail, must be recorded, unless a motion is carried to alter this procedure. Such a motion shall be for a single item only and shall explain the reasons for this change in procedure.
- (d) The AGM shall be held during the six weeks following Labour Day.

- (e) Other General Meetings may be called by either the President or a simple majority of the Executive in committee.
- (f) Special General meetings shall be called by the Executive at the written request of five or more members of the Association to discuss special business, and the meeting shall be restricted to that business only.
- (g) Members shall be given written notice of all General Meetings at least one week before such a meeting; the notice shall include an agenda.
- (h) Only members are entitled to vote at General Meetings. Each member is entitled to one vote.
- (i) Executive meetings may be called by the President or by a simple majority of the Executive. Unless otherwise agreed upon by the Executive, the Executive shall normally meet once each month.
- (j) The quorum for all meetings shall consist of fifty percent (50%) of the Executive membership.
- (k) In the absence or disability of the both the President and the Vice President, a meeting shall be chaired by a member of the Executive elected by Executive members present.
- (l) A record of attendance shall be kept for all meetings.

Article 10:            Financial Procedures

- (a) Cheques payable by the Association shall be numbered and signed by any two of the following Officers: the President, the Vice President, or the Treasurer.
- (b) Expenditures of the Association shall be authorized by the Executive, save that in exceptional circumstances, an expenditure may be authorized by the signing officers who shall report the circumstances and the expenditure at the first Executive meeting following such an expenditure.
- (c) Normal expenditures shall be met by means of a voluntary annual contribution by members, or by a voluntary annual assessment from each household within the boundaries of the Association. These amounts shall be fixed at the AGM.
- (d) The Executive shall be responsible for arranging the for the annual financial statement, prepared by the Treasurer.

Article 11:            Amendments to the Constitution

- (a) Notice of a proposal for amendment of the constitution shall be given in writing to the Secretary who shall place the proposal on the agenda of the first General Meeting to be held thereafter for which notice has not yet been given to the membership.
- (b) A decision on the proposal may be made by a simple majority vote of the members present at the General Meeting.

**Article 12: Disclaimer**

Nothing in this constitution shall be interpreted to mean that the Association shall endeavour to protect or represent the private interests of individual members except where they also fall within the interests of the Community.

**Article 13: Effective Date of the Constitution**

The constitution was adopted at the first AGM of the Association, which was held on December 1, 1986, and is effective from that date.