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As approved July 2, 1989 and amended by Special Resolution on August 2, 1992, April 28, 1998, April 17, 2002, April 14, 2009, August 8, 2015, March 26, 2019, August 15, 2020, and July 31, 2021.

The Burnt Birch Trailer Association is a society which was incorporated under the Societies Act of Alberta on March 30, 1984, Registration Number 50304537.

1. PURPOSE:

The purpose of the Association is to operate an RV park for the benefit of the Members and their guests. The Association is to operate the park in the manner directed by the Members, with the intention that income from fees shall be only that which is required for the proper operation of the Park, and not for profit. Income from the sale of use of RV sites shall be used to carry out capital improvements to the Park as required to provide those facilities needed for proper operation and enjoyment of the Park. So far as possible, costs shall be distributed on an equitable basis among the Members.

2. MEMBERSHIP:

2.1 Any person, being of the full age of 18 years, may become a Member by favorable vote in any meeting of the Board, provided that the applicant is or immediately becomes a user of an RV site. Failing approval by the Board, the applicant shall have their application placed before the next general meeting of the Association for approval or rejection by a simple majority of the Regular Members in attendance.

2.2 There shall be two classes of Members, Regular Members and Associate Members.

3. MEMBER'S RIGHTS:

3.1 Each Regular Member of the Association shall have the right to use from the Association one or more designated RV sites. Regular Members shall have full voting privileges at the meetings of the Association; shall have the right to stand for election to any office in the Association, and if elected, hold that office in the Association. In the event of the death of a Regular Member(s), their designated RV site becomes the exclusive use of their Associate Member(s). Bylaw #15.1 shall apply.

3.2 Associate Members shall NOT have voting privileges or hold office, but will have all other privileges of membership.

3.3 All Members shall have the right to reasonable joint use of those areas of the Park which are not designated for the exclusive use of any Member or employee. The right to improve RV sites is restricted by legislation and Rules and Regulations.

3.4 The books and records of the Association may be inspected by any Member of the Association at any time upon request to the Officer(s) having charge of the same, who shall provide access in a reasonable time. Members of the Board shall have access to such books and records at all times.

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4. MEMBER'S OBLIGATION:

Each year Regular Members shall pay the costs assigned to their RV site(s). All Members shall also have an obligation to ensure that their conduct, and that of their guests, is such that it does not unreasonably interfere with the enjoyment of the Park by other Members or their guests. Members shall follow all Rules regarding site improvements as set down by legislation and the Association. Members shall provide assistance from time to time in maintaining the Park and operating the Association.

5. TERMINATION OF MEMBERSHIP:

5.1 Memberships are not transferable. RV site use may be transferred to another party (refer to bylaw #19.2). Termination of the Member's interests as user of an RV site shall automatically terminate their membership.

5.2 Any Member wishing to withdraw from membership may do so upon a notice in writing to the Board through its Secretary.

5.3 Members in arrears:

- a) If any Member is in arrears for fees or assessments for any year on July 31st, such Member shall be automatically suspended and shall thereafter be entitled to NO membership privileges or powers in the Association. Due notice specifying their membership status as well as the consequences shall be delivered by double-registered mail to the last known address of that Member.
- b) In the event that the Member remains in arrears as of January 31st of the next year, that Member shall be automatically expelled from the Association and Bylaw #6.2 enforced.

5.4 Any Member upon two-thirds vote of all Members of the Association in good standing may be expelled from the membership for any cause (other than Bylaw #5.3a or #5.3b) which the Association may deem reasonable. Such vote shall be by secret ballot.

6. DISPUTES:

6.1 Unresolved disputes between Members, or between the Association and Member(s) or former Member(s), shall be settled as follows:

- a) Disputes Between Members – Mediation shall be conducted by a committee of three (3) impartial Regular Members in good standing agreed by both parties. If a resolution cannot be achieved through internal mediation, a decision shall be made by the Board based on evidence presented by the internal mediation committee.
- b) Disputes Between Members and The Board – The dispute shall be settled by external mediation. If a resolution cannot be achieved through external mediation, the dispute shall be settled by arbitration under the Arbitration Act of Alberta. There shall be no recourse to further action following arbitration.

6.2 Any Member who loses their membership as set out in Bylaw #5.2, #5.3b, or #5.4, shall automatically lose the use of, or interest in any, RV site(s) previously held. The Member shall be required to remove any personal property from the RV site within thirty (30) days of being given notice of the loss of membership. Failing to comply, the Board may order the property removed and disposed of at the former Member's risk and expense.

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6.3 Any fees or assessments that remain unpaid pursuant to these Bylaws, shall constitute a lien and encumbrance on the property situated on the Association's premises, of the Member in arrears, and the Member grants to the Association the right to distrain the goods and chattels so situated for the monies then unpaid together with interest and costs, and grants to the Association the right, power, and authority to have said goods seized and sold pursuant to the provisions of the Civil Enforcement Act, RSA 2000, Chapter C-15 of the Statutes of Alberta as amended.

7. MEETINGS:

- 7.1 The Association shall hold an annual meeting on or before May 31st in each year. Written notice shall be provided to all Members, at least twenty-one (21) days prior to the meeting. At this meeting, there shall be elected a Board of Directors (eight to ten persons) consisting of a President, Vice-President, Secretary, Treasurer, Sales Director, Maintenance Director, and not less than two, not more than four, Bylaws Directors, as decided by the Members at any Annual General Meeting. The Officers and Directors so elected shall form a Board, and shall serve until their successors are elected and installed. Any Member in good standing shall be eligible to any office in the Association. A financial statement audited and signed by the society's Auditor shall be presented to the Treasurer.
- 7.2 Elected Officers and Directors will serve a one or two year term and may serve two consecutive terms. After a leave of one year, previous Board Members will be eligible for nomination and election to any position on the Board. Any vacancy occurring on the Board during the term between Annual General Meetings may be filled by appointment from the general membership by the Board.
- 7.3 General meetings of the Association may be called at any time by the Secretary upon the instruction of the President of Board. Written notice shall be provided to all Members at least eight (8) days prior to the meeting.
- 7.4 A special meeting shall be call by the President of Secretary upon receipt of a petition signed by one-third of the Members in good standing, setting forth the reason for calling such meeting. Written notice shall be provided to all Members at least eight (8) days prior to the meeting.
- 7.5 Thirty (30) Members in good standing shall constitute a quorum at any meeting.

8. VOTING:

Any regular Member in good standing shall have the right to vote at any meeting of the Association. Such voting may be in person or by proxy. Proxy must be given in writing to the attending Member. The proxy is void if the regular Member attends the meeting. If it is the intention of the Member to mail in the vote, it must be received by the Secretary at least eight (8) days prior to the meeting.

9. BOARD OF DIRECTORS:

9.1 Board of Directors, Executive Committee, or Board, shall mean the Board of Directors of the Association. The Board shall, subject to the Bylaws or directions given it by majority vote at any meeting properly called and constituted, have full control and management of the affairs of the Association.

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9.2 Meetings of the Board:

- a) Shall be held as often as required, but at least once every three months, and shall be called by the President. A special meeting of the Board may be called on the instructions of any two (2) Members thereof provided they request the President in writing to call such meeting and state the business to be brought before the meeting. Meetings of the Board shall be called with adequate notice. Any four (4) Members of the Board shall constitute a quorum.
- b) May be held by telephone in order to make decisions which cannot reasonably be delayed until a regular meeting of the Board. Such telephone meetings shall be made by polling available Members of the Board (minimum five) for an opinion and must be ratified at the next meeting of the Board.
- c) Meetings may also be held using virtual technology. Any such technology used must be identified in the meeting minutes and must meet all other board meeting stipulations.

9.3 PRESIDENT

The President shall be ex-officio a Member of all Committees. The President may, when present, preside at all meetings of the Association and of the Board. In the President's absence, the Vice-President may preside at any such meetings and in the absence of both, a chair may be elected by the meeting to preside thereat.

9.4 SECRETARY

- a) It shall be the duty of the Secretary to attend all meeting of the Association and of the Board, and to keep accurate minutes of the same. The Secretary shall have charge of the Seal of the Association. Whenever used, it shall be authenticated by the signature of the Secretary and the President, or in the case of the death or inability of either to act, be discharged by such officer as may be appointed by the Board. The Secretary shall have charge of all the correspondence of the Association and take direction from the President and the Board.
- b) The Secretary shall also keep a record of all the Members of the Association and their addresses; send all notices of the various meetings as required and shall collect and receive the annual dues and assessments levied by the Association. These funds will be promptly forwarded to the Treasurer for deposit in a suitable institution.
- c) The Secretary shall submit required documents to the Registrar as per the Societies Act.

9.5 TREASURER

The Treasurer shall receive all monies paid to the Association and shall be responsible for the deposit of same in whatever financial institution the Board may order. The Treasurer shall properly account for the funds of the Association and keep such books as may be directed. The Treasurer shall present a full detailed account of receipts and disbursements to the Board whenever requested. The Treasurer shall prepare for submission to the Annual General Meeting a statement duly audited as hereafter set forth of the financial position of the Association and submit a copy of the same to the Secretary for the records of the Association.

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10. AUDITING:

10.1 The Association's income, disbursements, assets, and liabilities, shall be audited at least once each year by a duly qualified accountant or by two (2) Members of the Association elected at the Annual General Meeting for that purpose

10.2 The fiscal year (as per the Societies Act) of the Association shall be March 1st to the last day of February.

11. REMUNERATION:

The Board may contract services totalling more than \$1,000.00 from a qualified member, not currently on the Board, providing the internal quote is submitted with a minimum of three (3) external quotes and offers the best option for the project. All contractors must have current WCB coverage.

12. BORROWING POWERS:

For the purpose of carrying out its objects, the Association may borrow, or raise, or secure, the payment of money in such a manner as it thinks fit and in particular by the issue of debentures, but this power shall be exercised only under the authority of the Association. In no case shall debentures be issued without the sanction of a Special Resolution of the Association as set down in the Societies Act.

13. BYLAWS:

The bylaws may be rescinded, altered or added to by Special Resolution. A Special Resolution requires twenty-one (21) days notice in writing of the meeting be given to all regular Members, setting down the reason for the meeting and the proposed bylaw changes; and approval by not less than 75% of the Members who vote. No bylaw is official until accepted and registered by the Registrar under the Societies Act.

14. BUDGET:

14.1 OPERATING:

The operating budget for the following year shall be completed on or before April 30th of each year for presentation at the Annual General Meeting, and shall be included in the notice of that meeting. It shall include an estimate of all routine operating expenses projected for the coming year, and the proposed annual fee as set out in bylaw #15.3, to be assessed to each Member for the twelve month period of camping site usage from July 1st of the current assessment year through to May 31st of the following year. The budget may be revised by the membership at the Annual General Meeting.

14.2 CAPITAL PLANS:

The Board shall present a proposed list of capital works, with an indication of the order in which they expect to carry out the work, and the estimated cost of each. The Board shall seek approval to generate and spend such funds as are available and shall carry out work insofar as possible, in the order approved at the Annual General Meeting.

14.3 Budgets must be approved by majority vote at the Annual General Meeting.

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15. FEES:

15.1 MEMBERSHIP:

The membership registration fee shall be \$15.00 for each regular Member and \$5.00 for each associate Member on the membership register. An associate Member may become a regular Member for a fee of \$10.00 when and if allowable.

15.2 RV SITE TRANSFER:

All RV site transfers (including BBTA owned sites) shall be subject to a transfer fee payable to BBTA as set out by the Association.

15.3 ANNUAL RV SITE FEES:

a) A reference fee shall be calculated based on budgeted maintenance revenues and expenses according to the following:

$$\text{Reference Fee} = \text{Total Maintenance Fees} - \text{Power} \\ \text{Primary Sites} + (70\% \times \text{Secondary Sites})$$

An annual assessment fee shall be levied on each Member owned RV site based upon the reference fee. Primary RV sites shall be assessed at 100%. Because of limitations imposed on secondary RV sites, they shall be assessed at 70%.

- b) Primary RV sites shall also be levied a power fee based on the estimated yearly power cost divided by the total number of primary sites divided by the total number of Primary Sites.
- c) RV sites which are not properly maintained will be assessed a clean-up fee as determined by the Board after due notice has been given to the Member.
- d) Any other fees assessed to the site.
- e) Annual fees shall become due and payable upon mailing to the last known address of the Member, a statement of the total fees and assessments due. Such fees shall be paid by June 30th of each assessment year.

15.4 MEMBERS IN ARREARS:

Any Member who is late in paying the annual fees or assessments shall be charged an additional \$150.00 per lot in arrears on August 1st which provides one month grace to make account current.

16. MEMBERSHIP REGISTER:

16.1 The Secretary shall maintain a Membership Register, which shall contain the following information:

- a) Name and address of Member.
- b) Type of membership.
- c) Home telephone number (or business, if no home phone).
- d) Date of membership.
- e) Date membership ceases.
- f) Number(s) of the RV site(s) used by the Member.

16.2 Both present and past Members names shall be on the register

16.3 The Members who signed the petition for incorporation of the Association shall be indicated as Founding Members.

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17. PROPERTY:

The property owned by the Association shall be marked off into designated RV sites and shall not be subdivided or sold. Although the Member shall be the exclusive user of one or more of such RV sites, the property shall remain that of the Association. The number of designated RV sites shall be no more than that allowed by the current development approval from the County.

18. VACANT RV SITES:

18.1 Vacant RV sites may only be occupied or rented on a temporary basis as a guest of the Association.

18.2 The necessary registry and fees must be paid to the Park Manager.

19. RV SITES:

19.1 Member RV sites shall not be sub-rented.

19.2 Use of RV site is transferable as per Transfer Policy. Use of RV site is transferable upon approval of an application in writing to the Board, signed by the former and proposed user, and subject to acceptance of the proposed user into membership in the Association and payment of the membership fee.

19.3 A primary RV site shall be:

- a) Serviced by a standard 30 amps RV receptacle.
- b) Services by a water connection from BBTA's water system.
- c) Numbered as per the official map of the Park.
- d) For the exclusive use of no more than two (2) regular Members, their associate Members or their guests.

19.4 A secondary RV site shall be:

- a) Bound to the same Members of a primary site.
- b) To provide extra space and temporary RV parking on a daily fee basis.
- c) Numbered as per the official map of the Park.

20. RULES AND REGULATIONS:

20.1 The Board shall maintain a set of Rules and Regulations to govern the conduct of Members, guests, and employees while on the Association property, which shall be submitted for approval by the membership at a duly constituted meeting of the Association. These Rules and Regulations may be adopted, revised, or rescinded by majority vote at any such meeting.

20.2 When a Member plans to deviate from the Rules and Regulations, the Member must receive majority approval for such deviation at an Annual General Meeting. The Member's proposed motion defining the deviation shall be submitted to the Board by January 15th of the current year so that it can be included with the notice of meeting for the Annual General Meeting which is mailed to all members. This procedure also applies to a Member who may be out of compliance with the Rules and Regulations because of policy changes and is seeking approval for the deviation.