

Chartered Club By-Laws

The Granting of a Charter includes compliance with SCG&CC Charter Club Rules Regulations and Procedures. Club Specific Operating Policies and Procedures are required for all clubs.

ARTICLE I NAME AND PURPOSE:

The name of this Chartered Club shall be: Softball Club

The purpose of this Chartered club is: PLAY SOFTBALL for fun
AND EXERCISE

ARTICLE II: LEGAL REQUIREMENTS:

- A. The By-Laws and Policy & Procedures of this Chartered Club must fully comply with the Spruce Creek Golf and Country Club HOA By-Laws, Chartered Club Rules, Regulations and Procedures and Association and Facility Rules Regulations and Procedures. In the event of conflict between these documents, the governing documents of SCG&CC shall prevail.
- B. Chartered Clubs that fall under the Florida Gaming Laws will be required annually to submit a copy of Affidavit of Compliance, (CC14) signed by all officers of the Chartered Club with the Activities Director. All members must comply with the gaming laws. Failure to comply will result in suspension/dissolution of the charter club.

CC-3 Cont.

ARTICLE III: MEMBERSHIP:

Participation in some activities maybe contingent upon membership in a Charter Club.

- A. Membership is open to all residents in good standing of SCG&CC HOA, Inc.
- B. Charter Clubs may not set a precondition for membership. No Chartered Club member will be required to join any National, State or regionally affiliated organization.
- C. In some instances, National, State and regional membership may be required to compete in sanctioned tournaments or league play.
- D. Non Residents cannot become Club Members.
- E. All Charter Clubs, including those that do not charge dues must maintain a resident club membership roster.
- F. Charter Clubs may establish, by approved policy, specific limitations in member participation.

ARTICLE IV: OFFICERS:

- A. A Charter Club's Board of Officers is equal and no individual officer has veto power or mandating power over other officers.
- B. Generally a full set of Officers includes a President, Vice-President, Secretary and Treasurer. However, a club must have at least three officers, a single President whose office may not be combined with any other office. The following positions may be combined to meet the needs of the Chartered Club, Vice-President, Secretary and Treasurer. Clubs that are exempt from Financial Reporting may operate with two Officers, a President and Vice-President/Secretary. Secretarial duties may be assigned to a Club Member.
- C. Clubs may establish a Board of Officers who participates in decision making for the Club as defined in the Club Specific Policies and Procedures.
- D. Committees maybe appointed by the Club's Board of Officers to evaluate/ make recommendations regarding specific Club areas of interest.
- E. Officer Vacancies may be appointed by the Board of Officers for the remaining term. A simple majority vote of the Board of Officers is necessary to fill a vacancy.
- F. An Annual Certification of Officers Form must be submitted to the Activities Office within 14 days following the election or appointment of officers. If no election is required based upon Club Policy and Procedures an Annual Certification of Officers must be submitted to the Activities Office to "re certify" the current Officers by December 1st.
- G. Officers shall serve for terms as defined in the Club's Policy and Procedures
- H. Officers shall serve without compensation and may not serve as an independent contractor; however, officers may volunteer instructional services.

ARTICLE V MEETINGS:

- A. At a minimum, there will be two duly called general membership meetings conducted during each calendar year. One of these meetings shall be for the purpose of an election of officers, if applicable. These meetings require a fourteen (14)-day notice to all Club members. The notice of the meeting, is to specify the date, hour, purpose and place of the meeting. Non-members may be asked to leave during the voting process.
- B. The Chartered Club's Board of officers is responsible to meet as needed to ensure Chartered Club business is kept current.
- C. Minutes will be taken at all business meetings and approved by the membership. Minutes after approval will be forwarded to the Activities Director's Office. Minutes and correspondence shall be retained following record retention schedule.
- D. Roberts Rules of Order shall be used as a guide for parliamentary procedures in conducting all meetings. However, Chartered Club Rules, Regulations and Procedures, Chartered Club By-Laws, a Chartered Club's Policy and Procedures, Facility Rules and Regulations and HOA Rules and Regulations will take precedence over Roberts Rules of Order.

ARTICLE VI VOTING:

- A. A simple majority of members voting will be required to pass any motion with the exception of By-Law changes and Voluntary Club Dissolution, which requires the simple majority of the entire membership.
- B. Proxy voting will NOT be allowed.
- C. Absentee Voting may be used when a simple majority of the entire membership is required, such as a By-Law Change.
- D. E-Mail Voting Policy may be used when; simple majority vote of the entire membership is required. E-Mail voting policy may not be used for election of officers.
- E. Proposed By-Law changes must be publicized to the membership no less than fourteen (14) days prior to the vote.
- F. A more restrictive voting requirement other than those required in the Chartered Club Rules, Regulations and Procedures will be identified in the Club's Policy and Procedure Manual.

ARTICLE VII FINANCIAL:

Charter Clubs shall operate as a Not For Profit Organization in accordance with Florida Statutes, the Spruce Creek Golf and Country Club By-Laws, with controls, record retention and procedures as set forth under Charter Club Rules, Regulations and Procedures.

ARTICLE VIII DUES:

In order to initiate or change the amount of dues a club charges, a recommendation by the Charter Club Board of Officers must be made and approved by a simple majority of those voting at a duly called meeting.

ARTICLE IX CHANGES/AMENDMENTS:

- A. **Only** the Club Name and Purpose is subject to change or amendment. All other Club operations/business is subject to compliance with the SCG&CC Charter Club Rules and reflected in the Clubs Policy and Procedures.
- B. Any changes to the Chartered Club By-Laws must be submitted to the Activities Director for review prior to notice for a duly called meeting and requires a simple majority of the entire membership.
- C. After membership approval of the proposed By-Laws, a final copy will be submitted to CPAC by the Activities Director for approval.

ARTICLE X DISCIPLINARY ACTION:

Residents may be restricted in participation, sanctioned and or removed from the membership of the club for failure to observe proper behavior and decorum or violation of the Charter Club Rules, Regulations and Procedures, the Association and Facility Use Rules Regulations and Procedures or HOA By-Laws.

ARTICLE XI: DISSOLUTION:

Chartered Clubs may be dissolved under the provisions of SCG&CC Charter Club Rules, Regulations and Procedures.

The Activities Director will assist Chartered Clubs in all efforts relating to dissolution.

- A. In all situations, Chartered Clubs' approved debts must be satisfied by the ' prior to final dissolution.
- B. All remaining Chartered Club assets (monies and equipment) shall be transferred to the HOA.
- C. The distribution of Club assets will be overseen by the Activities Director.

CC-3 Cont.

The undersigned applicants(s) hereby submit and apply for a Club Charter pursuant to the foregoing application and have attached the Initial Membership roster and Club By-Laws.

Dated this 15th day of June, 2015, (year)

Applicant: _____
(please print name)

Signature: Jim De Lucia

Applicant: _____
(please print name)

Signature: _____

APPROVAL OF APPLICATION FOR CHARTER

The foregoing application and the attached By-Laws and Club Policies and Procedures are hereby approved and the Charter is hereby granted, subject to the Chartered Club Rules, Regulations and Procedures.

Dated this 18th day of August, 2015, (year)

SPRUCE CREEK GOLF AND COUNTRY CLUB HOMEOWNERS' SCG&CC, INC.

By: Judith Pano
Activities Director

By: Jim Pano
CPAC Chairperson