



The Constitution of the Savannah at the Vistas Homeowners Association

ARTICLE I NAME OF THE ORGANIZATION

The name of the organization shall be, The Savannah at the Vistas Homeowners Association, hereinafter referred to as the Association.

ARTICLE II AIMS AND OBJECTIVES

The Main objectives of the Association are:-

- a) To regulate the rights and obligations of the members, as co-owners of the property, and generally do all the things as may be necessary to preserve, maintain and administer the property.
- b) The Association shall, in relation to its property and affairs and for the purpose of carrying out its objects or performing any acts incidental thereto, have all the rights, powers and privileges which it would have possessed had it been a natural person of full legal capacity.
- c) The Association shall be a corporate body and shall continue in existence notwithstanding changes in its membership. Property acquired or held by the Association shall be held by it as a corporate body as distinct from being held by its members.
- d) The Association shall have the right to raise funds by means of levies as recorded herein.
- e) To encourage all members to take an active part in planning and carrying out approved activities and projects, including but not limited to the following:
 - i. to ensure and provide for the general maintenance, running and control of the estate in order to promote, advance and protect the communal interests of the owners.
 - ii. to control the maintenance, alteration, extension and renovation of all buildings and/or structures erected or to be erected on the development.
 - iii. to maintain all buildings, roads, storm-water systems and services and amenities on the common areas and to accept the responsibility for the maintenance of all services on the common areas.

- iv. to maintain or improve the development, living conditions, and the security, as well as safety of all residents and all Association rules and regulations shall be in harmony with this purpose.

ARTICLE III MEMBERSHIP

- a) Those persons residing for six month or more or owning residential property in the development shall be eligible for membership in the Association.
- b) Membership will automatically be conferred upon the Owner by virtue of his/her ownership of the property and he will remain a Member as long as he/she is an owner or co-owner.
- c) A corporate body shall be entitled to become a Member and shall be entitled to nominate a natural person to act on its behalf and such person shall be deemed to be a Member for the purpose being elected to the Committee and for the purpose of attending meetings. The person nominated may be altered from time to time.
- d) Non-resident property owners, upon payment of dues may vote and participate in association business, but may not hold office.
- e) The Secretary shall keep and maintain an up-to-date register of all Members, which shall be open to inspection at all times by Members, the Owner and the mortgagee of an undivided share.

ARTICLE IV POLITICS AND RELIGION

- a) The Association shall refrain from any political activity and from any sectarian activity, or any other activity that may cause disharmony or affect the goodwill of the citizens of the development regardless of their race, gender, religious or political persuasions or beliefs.

ARTICLE V OFFICERS AND COMMITTEE

- a) The Managing Officers of the Association shall consist of the Chairperson, Vice Chairperson, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and the Chairpersons for the following Sub Committees: Safety and Security; Public and Community Relations; Information Technology; Facilities and Asset Management; and Finance and Audit.

- b) The Management Committee shall consist of not less than Five (5) members but not more than Twelve (12).
- c) The Management Committee shall hold office for a period of one year or until their successors are elected, and are eligible for re-election.
- d) The Term of Office shall begin on January 2.
- e) Resignation from the Management Committee shall be done in writing addressed to the Secretary.
- f) Any member of the Committee may be removed by a resolution passed at a General Meeting.
- g) The Management Committee shall have the power to co-opt ordinary members of the Association to fill such vacancies thereon.

ARTICLE VI
ELECTIONS TO THE MANAGEMENT COMMITTEE

- a) At the Annual General Meeting of the Association, there shall be elected by secret ballot, a Chairperson, a Vice Chairperson, a Secretary, Assistant Secretary, a Treasurer, Assistant Treasurer and six other members to serve.
- b) Nominations for all offices shall be opened from the floor and shall be seconded.
- c) Each office on the Committee shall be balloted for separately.
- d) No individual may cast more than one vote for each office.
- e) Only ordinary members in good standing shall be eligible to vote.
- f) The newly elected Management Committee shall take office as per Article 5 (d) and the first meeting shall be held within Thirty (30) days from the date of the Annual General Meeting at which they were elected.

ARTICLE VII
DUTIES OF THE OFFICERS

- a) The Chairperson, as the Chief Executive Officer of the Homeowners Association, shall:-
 - i. Preside over all business meetings of the Association membership and the

Management Committee;

- ii. Supervise the affairs of the Association and report thereon at the Annual General Meeting or other meetings as he may be called to do from time to time;
- iii. Coordinate the work of the Management Committee;
- iv. Appoint Chairpersons and members of Standing Committees as provided for by the Bylaws, and appoint such other special committees as the Chairperson deems necessary to carry out the functions of the Association;
- v. Be ex-officio member of all committees.

b) The Vice Chair shall:-

- i. Preside at meetings of the Association and of the Management Committee in the absence of the Chairperson;
- ii. Assist the Chairperson in supervising the affairs of the Association
- iii. Assume the office of Chairperson in the event it becomes vacant and serve for the remainder of the unexpired term. An acting Vice Chairperson will then be appointed by the Management Committee to serve until the forthcoming annual meeting;
- iv. Assist other members of the Management Committee in coordinating activities of the Association.

c) The Secretary shall:-

- i. Keep minutes of meetings;
- ii. Give notice to members of all Regular Meetings, Special Meetings as well as the Annual General Meetings;
- iii. Collect, record, and disseminate all decisions made by the Association;
- iv. Be the custodian of all official records of the Association;
- v. Maintain records for the new Secretary in a bound and orderly form;
- vi. Maintain information about the Association's functions including its Constitution and Bylaws;

d) The Assistant Secretary shall:-

- i. Assist the Secretary in the performance of his or her duties, and in the absence of the Secretary, perform the duties attached to that office.

e) The Treasurer shall:-

- i. Be the custodian of the accounting records and keep a statement of income and expenditures:
 - ii. Ensure that funds lodged to the requisite bank account are credited to the owners' statements of account;
 - iii. Present periodic financial reports to the Management Committee:
 - iv. Present to the active membership an annual report of all financial transactions;
 - v. Submit financial records for audit when requested by the Management Committee;
 - vi. Maintain funds that are readily accessible to meet current expenditures;
 - vii. Invest excess funds as directed by the Management Committee;
 - viii. Be custodian of all records of membership.
- f) The Assistant Treasurer shall:-
- i. Assist the Treasurer in the performance of his or her duties and in the absence of the Treasurer, perform the duties attached to that office.
- g) The Chairperson of each Sub Committee shall:-
- i. Provide leadership to their committee in the area for which he/she are responsible;
 - ii. Provide regular progress reports

ARTICLE VIII COMMITTEE MEETINGS

- a) Ordinary Meetings of the Management Committee shall be held not less than once per month at such time and place as the Committee may from time to time decide;
- b) Special Meetings of the Management Committee shall be convened on the direction of the Chairperson or on the requisition of five of the members of the Committee;
- c) The quorum for meetings of the Management Committee shall be five;
- d) The Chairperson shall have a casting vote;
- e) Minutes of the proceedings of every meeting of the Management Committee shall be kept and shall be conclusive evidence of such proceedings upon being read and confirmed at a subsequent meeting.

ARTICLE IX
FINANCES

- a) The finances of the Association may be derived from maintenance fees, fundraising activities, donations, cess levied, grants, and from any other legal source consistent with the objectives of the Association.
- b) The solicitation of funds shall not be authorized without prior approval of the Management Committee.
- c) All funds received by the Association shall be deposited to the credit of the Association in such financial institution as the Management Committee may designate as appropriate.
- d) The Association shall only use its funds to accomplish the purpose and objectives specified in the Bylaws, and no part of said funds shall inure to the benefit of nor be distributed to the members of the Association.
- e) The funds of the Association shall be under the control of the Management Committee and the Financial Year shall be from the 2nd day of January to the 31st day of December each year.
- f) The funds of the Association shall be used to defray the normal expenses in connection with the work of the Association and for such other purposes as the Management Committee with the agreement of the Association may decide.
- g) The withdrawal of the Association's funds from any bank shall be made on the signatures of any two of the following: Chairman, Vice Chairman, Treasurer or Assistant Treasurer
- h) The Management Committee may authorize any officer or officers, agent, or agents of the Association in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association and such authority may be general or confined to specific instances.
- i) The Management Committee may from time-to-time cause an audit to be conducted of the Association's books and accounts. Such audits are to be conducted by a certified public accountant, and upon its completion, the audit report shall be presented to the Homeowners.
- j) The Association shall provide the latest financial statements upon demand by a member, which includes a balance sheet as of the end of the fiscal year, and a statement of operations for the year. The financial statements shall be accompanied by a statement from the Chairperson, or the person responsible for the Association's accounting records, stating the reasonable belief that they were prepared on the basis of generally-accepted accounting principles or if not describing the basis of preparation

and describing such differences from the preceding year.

ARTICLE X GENERAL MEETINGS

- a) The annual general meeting and a meeting called for the passing of a special resolution shall be called with not less than 21 (twenty one) days' notice, in writing.
- b) An extraordinary general meeting, other than one called for the passing of a special resolution, shall be called with not less than 14 (fourteen) days' notice in writing.
- c) The notice must specify the place, day, hour and business of the meeting. The notice must include an agenda setting out the items and general nature of the matters to be dealt with at such a meeting. In respect of any Special Resolution, the content, reasons for and effect of the proposed resolution must be specified in the notice.
- d) The accidental omission to give notice of any meeting or any resolution or to present any document required to be given or sent in terms of this Constitution, shall not invalidate the proceedings at, or any resolution passed at, any meeting. The non-receipt of notice of a meeting by any person entitled to receive notice shall not invalidate the proceedings at, or any resolution passed at, any meeting, provided that the Association made a reasonable attempt to give notice.
- e) No business shall be transacted at an annual general meeting or special general meeting unless a quorum of persons is present in person or by way of proxy at the specified time of commencement of business.
- f) The quorum necessary for the holding of any general meeting shall be forty percent (40%) of the total Members of the Association entitled to vote who are present or represented at the meeting.
- g) If within half an hour from the time appointed for the holding of a general meeting a quorum is not present, the meeting, if convened on the requisition of Members, shall be dissolved, in any other case it shall stand adjourned to the same day in the next week, at the same place and time, or at such other place as the Chairman of the meeting shall appoint, and if at such adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting, the Members present shall constitute a quorum.

ARTICLE XI PROCEDURE AT GENERAL MEETINGS

- a) At all General Meetings, the Chairman shall take the chair, and in his absence, the Vice Chairman. In the absence of the Vice President, the members shall elect a

Chairperson.

- b) The Chairman may, with the consent of any general meeting at which a quorum is present (and if so directed by the meeting) adjourn a meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business which might have been transacted at the meeting from which the adjournment took place. Whenever a meeting is adjourned for ten days or more, notice of the adjourned meeting shall be given in the same manner as of an original meeting. Save as aforesaid, the Members shall not be entitled to any notice of adjournment, or of the business to be transacted at an adjourned meeting

ARTICLE XII AMENDMENTS

- a) The provisions of this Constitution may be added to, amended, substituted, or repealed from time to time by a Special Resolution of the Members passed at a general meeting. The notice of such meeting or the annexure to such notice shall specify the proposed addition, amendment, or substitution of a provision of the Constitution, or the provision of the Constitution to be repealed.
- b) The notice of the proposed amendment or amendments shall have been handed to the Secretary in writing not less than 28 days.
- c) The Association shall give written notice of this meeting of at least twenty one (21) days to the members before the date of which such a meeting shall take place.
- d) The approval of an amendment requires the approval of two-thirds of the members in good standing, present and voting, at a meeting at which a quorum exists.