

01/22/2000 (revised 4/28/25)

**Bylaws of Hamilton Place Voluntary Homeowners Association**  
(A Non-Profit Corporation)

**ARTICLE 1 – Name, Principal Office, and Definitions**

1.1 The Name of the non-profit corporation shall be the Hamilton Place Voluntary Homeowners Association (“the VHOA”).

1.2 The Principal Office of the VHOA shall be in the state of South Carolina with its principal place of business at Ft. Mill, York County, South Carolina.

1.3 The Definitions of the following terms shall apply to these Bylaws:

- a. The term “VHOA” shall mean and refer to the Hamilton Place Voluntary Homeowners Association.
- b. The term “Properties” shall mean and refer to the real property which is, and shall be held, transferred, sold, conveyed, leased and occupied in the subdivision named Hamilton Place, and is more specifically described in Exhibit A.
- c. The term “Common Property” shall mean and refer to those areas of land with any improvements thereof which are maintained by the VHOA, as they may from time to time designate, and those areas granted to the VHOA by easement. All Common Properties are to be devoted to and intended for the common use and enjoyment of the owners, subject to the schedules and operating rules adopted by the Association.
- d. The term “Lot” shall mean and refer to any improved or unimproved parcel of land intended for the construction of a detached single-family dwelling, with the exception of Common Properties heretofore defined.
- e. The term “Family Unit” shall mean and refer to any single-family building.
- f. The term “Owner” shall mean and refer to the record owner, whether one or more persons, firms, associations, corporations, or other legal entities, of the fee simple title to any Family Unit situated upon the Properties.
- g. The term “Member” shall mean and refer to all Owners who are members of the VHOA as described in Article 3.

**ARTICLE 2 – Functions and Purposes of the VHOA**

The VHOA shall maintain and improve the Common Properties of Hamilton Place for the benefit of the Hamilton Place community. The VHOA shall also constitute a means of self-government of Hamilton Place and have the authority to perform the following functions and purposes:

- a. To take such actions as are necessary for the health, welfare, safety and the common good of the community.
- b. To adopt, implement, and enforce reasonable rules and regulations affecting the use of the Common Properties.
- c. To conduct recreational, sports, crafts, gardening and cultural programs for the benefit of the community.
- d. To establish communication services, including newsletters or other printed or electronic media, within or for the benefit of the community as the VHOA deems appropriate.
- e. To employ such personnel and to purchase or contract for such services as shall be necessary to carry out any and all the functions and purposes noted herein.

### **ARTICLE 3 – Membership and Voting Rights in the VHOA**

Every person or entity who is the Owner of any Lot or Family Unit shall be eligible to become a member of the VHOA. Members who have paid their VHOA dues for the current fiscal year shall be entitled to one vote for each Lot or Family Unit.

### **ARTICLE 4 – Meetings, Proxies, Quorum and Majority**

4.1 Meetings of the VHOA shall be held at a suitable place convenient for the Members as designated by the Board. The first meeting of the VHOA shall be held within one year from the date of incorporation of the VHOA, and subsequent regular annual meetings shall be set to occur as designated by the Board of Directors. Special meetings may be called by the President or upon a petition signed by Members representing at least 10% of the total membership.

4.2 The Secretary shall provide a written notice stating the place, day and hour of any VHOA meeting, either personally or by mail, to each Owner of a Lot or Family Unit, not less than ten or more than 60 days before the date of such a meeting.

4.3 At all meetings of the VHOA, each Member may vote in person, by mail-in ballot, or by proxy. All proxies shall be in writing, dated, and filed with the Secretary at least 48 hours before the appointed time of each meeting.

4.4 Except as otherwise provided in these By-laws or in the notice of the VHOA meeting, the presence in person, by mail-in ballot, or by proxy of Members representing 40% of the VHOA shall constitute a quorum.

4.5 Actions to be taken as a result of a properly called meeting shall be based upon a majority (more than 50%) vote of those Members attending.

4.6 The President shall preside over all VHOA meetings, and the Secretary shall keep the minutes of the meeting including a record of all actions taken at the meeting.

### **ARTICLE 5 – Board of Directors**

5.1 The affairs of the VHOA shall be managed by a Board of Directors, hereinafter referred to as the "Board." The Board shall consist of seven Members (or representative of Owner), serving in the offices of: President, Vice-President, Secretary, Treasurer, Newsletter Editor, and two Members-At-Large. A Member and another person within the same ownership interest may not serve on the Board simultaneously.

5.2 The President shall appoint a Nominating Committee to propose a slate of candidates for the new Board of Directors, including the officers. Normally the current Vice-President shall be nominated for the new President's office, ensuring continuity of the VHOA affairs.

5.3 The new Board shall be elected by ballot (unless dispensed by unanimous consent) and a majority of votes cast at the annual meeting of the VHOA or at such time as designated by the VHOA. Each Member shall be entitled to vote for as many nominees as there are vacancies to be filled.

5.4 Except as to the vacancies provided by the removal of Directors by members, vacancies on the board occurring between annual meetings shall be filled by the remaining Directors. Any Director removed by concurrence of two-thirds (2/3) of the Members attending a meeting of the VHOA shall be replaced by the Members at the same meeting.

5.5 The term of each Director's service shall be for a term of three (3) years, staggered so that there are no more than three Directors serving in the same three-year term. A Director replacing a resigning or removed Director shall serve the balance of their predecessor's term until a successor is duly elected.

5.6 Regular meetings of the Board shall be held at such a time and place as shall be determined by a majority of the Directors. Notice of a regular meeting shall be given to each Director, personally or by mail, telephone, or e-mail, at least three (3) days prior to the day named for such a meeting.

5.7 A quorum at a Board meeting shall consist of a majority of the currently elected Directors. Actions to be taken as a result of a properly called meeting shall be based upon a majority (more than 50%) vote of those Directors attending.

## **ARTICLE 6 – Powers and Duties of the Board of Directors**

All of the powers and duties of the VHOA existing under these bylaws shall be exercised exclusively by the Board of Directors. Such powers and duties shall include, but shall not be limited to, the following:

- a. To set the amount of and collect dues from Owners and thereby qualify them as Members of the VHOA. Such funds shall be properly deposited in a bank account under the corporation's name by the Treasurer.
- b. To use the proceeds of the dues in the exercise of such powers and duties.
- c. To prepare and adopt an annual budget.
- d. To provide for the care, upkeep, maintenance and use of the Common Properties via contract or employment of personnel and services.

- e. To obtain insurance coverage as required for the performance of the VHOA actions.
- f. To obtain legal representation as required for the performance of the VHOA actions.
- g. To maintain records of detailed accounts of the receipts and expenditures of the VHOA.
- h. To prepare an annual report, to be distributed to all Members within 60 days after the close of the fiscal year, consisting of at least the following: (1) a President's Report; (2) a balance sheet; (3) an operating (income) statement.

## **ARTICLE 7 – Miscellaneous**

7.1 The fiscal year of the VHOA shall be from October 1 of each year through September 30 of the following year.

7.2 The conduct of the VHOA proceedings shall be governed by Robert's Rules of Order.

7.3 The membership register, books, records, and minutes of meetings of the Members and the Board shall be made available for inspection and copying by any Member of the VHOA with reasonable notice by the requester.

7.4 These Bylaws can be amended at any time if such amendment is necessary to bring any provision hereof into compliance with any applicable governmental statute or regulation, or by 67% of the Members attending any VHOA meeting. Any proposal to amend these Bylaws must be included in the Secretary's written notice of the meeting.