

HAMMER POINT OWNERS ASSOCIATION, INC.

CONSTITUTION AND BY-LAWS

ARTICLE 1 - NAME, PURPOSE AND BOUNDARIES

The name of this organization shall be, Hammer Point Owners Association, Inc. under the provisions of Chapter 617 of the Florida Statutes, hereinafter referred to as "The Association". The purpose of the Association is to represent owners, protect their interests, aid and advance the development and improvement of the community, and to cooperate with county, town, city, state, and national officials and with other civic and public organizations for the general welfare of the entire community of Hammer Point Park. A Governing Board shall manage all affairs and business of The Association. The area of the community represented by this Association shall consist of the subdivision of Hammer Point Park, Key Largo, Monroe County, Florida.

ARTICLE 2 - MEMBERSHIP

The membership shall consist exclusively of residential property owners in Hammer Point Park, in good standing, upon full payment of dues and assessments and membership shall be conditioned upon observance of the restrictions as set forth in deeds and agreement for deeds or imposed by the rules and acts of this Association. The Association shall be the sole judge as to eligibility and the right to continue membership of any of its members. Only one membership is needed for each home site.

ARTICLE 3 - VOTING

Voting privileges shall be limited to one (1) vote per paid membership. Voting shall be by majority vote of the paid up members. Voting for election of officers and any important issues at the Annual Meeting shall be conducted by a roll-call vote of members present.

ARTICLE 4 - CALENDAR/ YEAR

The calendar year of the Association shall commence on the First (1st) of January and end on the thirty first (31st) of December.

ARTICLE 5 - OFFICERS

- Section 1. The officers of the Association shall be five (5) in number in the following order of rank: 1. President 2. Vice President 3. Secretary 4. Treasurer 5. Past President, as ex officio member.
- Section 2. There shall be a governing Board of the Association, herein after referred to as "the Board", consisting of the five (5) officers and a minimum of three (3) members elected at large. There shall be not more than 1) member of a household on the Board. The officers and members at large of the Board, shall be property owners of Hammer Point Park and paid members in good standing. The Board shall have complete authority to represent the Association in the interim between meetings. In the absence or inability of the President to act, the next senior officer of the Association shall preside. In the absence or inability of any officer to act for the remainder of their term, the Board by a majority vote of its members, may appoint a successor for the remaining term.
- Section 3. There shall be an uneven number of officers and members at large for a majority vote.
- Section 4. The term of officers and board members shall be one (1) calendar year and said officers and board members shall be elected at the Annual Meeting by a majority of the voting members present.
- Section 5. Anyone running for President shall be a member of the Board for at least one (1) year prior, unless otherwise approved by the Board.

ARTICLE 6 - DUTIES OF THE OFFICERS

- Section 1. **The President** shall preside at meetings of the Association and Board, and may call special meetings. The President sets the agenda based on the needs of the membership and the development and improvement of the community. The President shall appoint all committees and be ex-officio member of all committees. The President shall represent the Association in the community.
- Section 2. **The Vice President** shall assume the duty of the President in the latter's absence.
- Section 3. **The Secretary** shall keep the minutes of the Annual meeting, all other meetings and Board meetings. A copy of these minutes shall be given to the President in a timely manner after the meeting. The minutes will be available to all members upon request.
- Section 4. **The Treasurer** shall collect all dues and pay all bills as directed by the Board. The Treasurer shall deposit all funds in the name of the Association in such bank or banks as may be approved by the Board. The Treasurer shall keep the membership database/list up to date. The Treasurer is authorized to sign checks, for the business of the Association, up to one thousand dollars (\$1000.00) . The Treasurer, plus one other authorized officer, shall sign any checks exceeding \$1000.00. The Treasurers books/records shall be audited as needed, by an audit committee appointed by the Board.
- Section 5. **The Past President, Ex officio** shall act as the historian, parliamentarian and consultant to the Board.

ARTICLE 7 - MEETINGS

- Section 1. The Annual Meeting of the Association, shall be held in first quarter of the Calendar year, at a time and place to be designated by the President/Board..
- Section 2. Special meetings of the Association may be called at any time at the discretion of the President. Notices of all such meetings shall be in writing and distributed to the membership fifteen (15) days prior to the date of the meeting. All notices shall state the purpose of the meeting. Ten percent (10%) of members, shall constitute a quorum for a meeting. Voting shall be by a majority vote, cast in person or remotely.
- Section 3. **The** Board shall meet from time to time, preferably every three (3) months. The President, or in his absence or inability to act, the next senior officer of the Association, shall call these meetings. A majority of the Board shall constitute a quorum. Voting shall be by a majority vote, cast in person or remotely.
- Section 4. Any Board Member missing two (2) consecutive meetings will be subject to replacement, unless otherwise approved by the Board.

ARTICLE 8 - AMENDMENTS

The Constitution and By-Laws may be amended at any meeting of the Association by a majority vote of the members attending. The proposed amendment shall have been recommended by the Board. The notice of any such meeting(s) shall contain a summary of the proposed amendment(s).

ARTICLE 9 - DUES

Full voting membership in the Association requires the annual payment of dues. The amount of these dues shall be recommended to and approved by the membership at the Annual Meeting of the Association and shall be payable within 30 days thereafter. The Treasurer shall then send a statement for unpaid dues. Follow-up statements will be sent to unpaid members.

ARTICLE 10 - SPECIAL ASSESSMENTS

If the membership is to be assessed for any special unforeseen expenses, there must be at least two (2) readings of the proposed assessment at two (2) special meetings; special meeting as identified in Article 7, Section 2 of these By-Laws The-proposed assessment will be finalized by a vote of the majority of the voting members in good standing.

ARTICLE 11 - COMMITTEES/WORKGROUPS

The President, with the advice and consent of the Board, shall have the power to designate such standing and ad hoc committees or workgroups. Examples might be: Beautification, Crime Watch, Telephone, Business and Public Affairs, Safety, and others as may be required to further the interests of the Association and its members.

ARTICLE 12 RULES AND GUIDELINES

- Section 1. No permanent living on boats in canals or recreational vehicles on lots. Temporary guest usage must be unobtrusive and in accordance with Monroe County ordinance.
- Section 2. Property owners are responsible for their property care, any tenants, and tenants' behavior, in accordance with Monroe County Code. No lease/rental shall be for less than 28 consecutive days in accordance with Monroe County Code.
- Section 3. A seller of property should make the buyer aware of the By-Laws of Hammer Point Owners Association. New Buyers should be sent a copy of the By-Laws by the HPOA. Seller should notify HPOA of new owners.
- Section 4. Pet Control: Owners and tenants are responsible for their pets, according to County & State regulations. For example:
- Leash laws
 - Waste pick-up and proper disposal. Animal waste in canals is extremely hazardous ... don't hose it down.
- Section 5. Owners and renters will comply with noise ordinances in accordance with current Monroe County code
- Section 6. **Marine Vessel Handling:**
- Idle speed/No wake in all channels, canals and basins per Monroe County Ordinance No. 035-1997.
 - Idle speed/No wake within 100 yards of residential shoreline per National Marine Sanctuary Regulation 922.163 Part 5D.

Amended: 14 Mar. 1981; 26 Mar. 1988; 11 Jan. 2003; 13 Jan. 2018; 18 Jan., 2020, 20 Jan 2023