

**BY-LAWS  
OF  
MELBOURNE SHORES PROPERTY OWNERS ASSOCIATION, INC.**

**Article 1.     NAME:                     Melbourne Shores Property Owners Association, Incorporated**

**Article 2.     MEMBERSHIP AND PRINCIPLES**

- Section 1.**     Owners of property in Melbourne Shores, Brevard County, Florida
- Section 2.**     Honorary membership may be conferred by vote of the Trustees.  
These members may use facilities, but have no vote. The honorary membership roll shall be revised, if required, at each annual meeting.
- Section 3.**     “Tenant Membership” shall be limited to persons renting improved property of members in good standing, except for temporary guests of hotels and motels located in the area of Melbourne Shores, Subdivision, Brevard County, Florida. Further, Tenant Members shall be entitled to non-voting membership provided they pay annual dues of \$150.00. Such members shall not hold corporate office as an Officer or Trustee nor shall they remove oysters or clams from the property leased or owned by the Corporation. The Melbourne Shores Property Owner who is a member in good standing will be responsible for collecting this annual fee from the Melbourne Shores tenant and forwarding the annual dues to the MSPOA Treasurer. Commercial tenants are excluded from MSPOA Tenant Membership. Tenant Membership is not transferable to a new tenant and is not prorated.
- Section 4.**     Membership in Melbourne Shores Property Owners Association (MSPOA) must be applied for in writing. The Secretary will keep application forms on hand. Authority is delegated to the Board of Trustees giving full discretionary power of admitting or expelling members in accordance with the Corporation Charter and Charter 617.10 of the Corporate Laws of the State of Florida.
- Section 5.**     Any person who has been a member in good standing of MSPOA and terminates membership due to selling property in Melbourne Shores can be reinstated as a member provided:
1. They attain property in Melbourne Shores.
  2. Pay all back dues and late fees at the current rate or the current initiation fee and annual dues.
- Section 6.**     Guests of members in good standing, other than house guests, using facilities of the MSPOA must be accompanied by the member.
- Section 7.**     The River Park is named “Spiro Park” and shall remain so in memory of our founder Mr. Fredrick Spiro.
- Section 8.**     Annual dues to be waived for the Board of Trustees for the year they serve on the board.

**Article 3.     DUES**

- Section 1.**     Dues shall be \$125.00 per year.
- Section 2.**     Dues shall be payable to Melbourne Shores Property Owners Association (MSPOA) on or before the January Annual Meeting. After January 31st, there will be a \$25.00 penalty for each month until dues are paid. Members, who do not pay their dues by December 31<sup>st</sup> of current year, shall be removed from the roll and must pay back dues and penalties, plus current dues to be re-instated. Those failing to pay dues by March 1<sup>st</sup> of the current year shall be denied use of facilities at the Ocean and River Parks.
- Section 3.**     The membership fee for joining the MSPOA shall be \$300.00. New member’s dues will be half of the annual dues if they join after June 30th.
- Section 4.**     MSPOA Members owning multiple properties in Melbourne Shores will need to pay the current annual dues for each property in order for their tenant members to obtain tenant member use of the Ocean and Spiro Parks.

**Article 4.     OFFICIERS**

- Section 1.**     The name of the officers of Chairman and Vice-Chairman shall be synonymous with the titles, President and Vice-president and may be used interchangeably.
- Section 2.**     Any qualified voting member may be a Trustee of the MSPOA. Any Trustee who fails to attend two (2) consecutive regular meetings, unless absent for good cause, may be relieved of his office by simple majority vote of the members at a regular meeting.
- Section 3.**     **CHAIRMAN of the BOARD of TRUSTEES**  
The Chairman of the Board of Trustees, shall preside at all meetings; appoint committees as required; sign checks together with the Treasurer; at the January Annual Meeting

report to the membership on the financial position, achievements and other activities during the preceding year. The out-going Chairman shall prepare an annual letter including the proposed budget for the coming year. The annual letter and the budget will be approved by the membership at the January Annual Meeting.

**Section 4.**

**VICE-CHAIRMAN of the BOARD of TRUSTEES**

The Vice-Chairman of the Board of Trustees shall assume the duties of the Chairman when he or she is absent or incapable of performing. He or she shall assist the Chairman whenever possible. Signs checks.

**Section 5.**

**SECRETARY**

The Secretary shall keep accurate records. The Secretary shall take minutes at all MSPOA meetings; keep a hard copy and electronic copy of meeting minutes to pass to the following Secretary; keep a record of all dues paying property owners; handle all correspondence and notices as approved by motion of the membership at a regular or special meeting. Sign checks.

**Section 6.**

**TREASURER**

The Treasurer shall receive all monies; deposit all money in the bank; pay all bills approved by the membership at a regular or special meeting. All checks must be signed by the Treasurer and by one of the other officers (President, Vice-President, or Secretary). The Treasurer shall make and present financial reports at all regular meetings, such as membership dues, new members' fees and donations. Also, an annual financial report shall be made and approved by the financial review committee to be appointed by the President. In case of the absence of the Secretary or Treasurer for more than 3 months, the President shall appoint a substitute. The Quick Books format of record keeping approved by the Trustees and purchased by the Association will provide the basis of financial reports to be provided to the membership.

**Section 7.**

The Trustees of the association shall be at least seven (7) and not more than nine (9). The term of office for a Trustee shall be one (1) year. Trustees shall act on behalf of the members in matters of law, deeds, incorporation or reincorporating and matters not specifically outlined in the MSPOA Charter or by these by-laws. The Board of Trustees shall at the time elected, elect from its own membership a President, Vice President, Secretary and Treasurer.

**Section 8.**

In addition to the elected Trustees in Article 4; Section 7, the two (2) most recent past Presidents will be Trustees with all the responsibilities and voting privileges as an elected Trustee. These individuals must be in good standing and able to serve. If either or both of these individuals are not able to serve, then the President will ask the next most recent President(s) to serve in order to fill the position(s). This process will continue until the pool of past presidents has been exhausted.

**Section 9.**

Trustees, who die, resign or otherwise become non-members, need not be replaced so long as the minimum number (7), seven Trustees remain. If there are less than (7) seven, the membership will elect a replacement(s) at the time the vacancy occurs.

**Article 5.**

**ELECTION OF TRUSTEES AND OFFICERS**

**Section 1.**

The Chairman shall appoint a nominating committee consisting of three (3) members. The Nominating Committee slate shall be read to the membership at the meeting in the month prior to election. The election of Trustees and officers shall take place at the Annual Meeting. The nominations shall be presented by the Chairman of the Nominating Committee. Nominees may also be presented from the floor.

**Section 2.**

The term of office shall be from the time of election at the January Annual Meeting, to the election the following year.

**Article 6.**

**MEETINGS**

**Section 1.**

Meetings will be held January, April and October. The December meeting will be the Christmas dinner. The Board will meet at the request of the President.

**Section 2.**

The Annual Meeting shall be held each January.

**Section 3.**

Voting shall be done by the members, including the Trustees, except the Chairman of the Board of Trustees, who shall have one vote only in case of a tie vote. Only members present at a meeting shall be entitled to vote.

**Section 4.**

A meeting for the conduct of Association business, which requires voting, may not be held unless at least twenty (20) members, other than Trustees, are present.

**Section 5.**

Motions shall be approved by simple majority vote, unless otherwise specifically stated in these by-laws.

- Section 6.** Special Meetings may be called by the Chairman of the Board of Trustees, or as approved by vote of the membership. All active resident members shall be notified of a special meeting as far in advance as conditions will permit.
- Section 7.** All meetings shall be conducted under the Roberts Rules or Order unless otherwise specifically stated in these by-laws. The Pledge of Allegiance to our Flag will be spoken at each meeting.
- Section 8.** Amendments to these by-laws will be made in accordance with Article 8 of the Association Charter. Amendments or revisions to these by-laws, at the January Annual Meeting must be by two-thirds (2/3)-majority vote of the voting members present.
- Section 9.** Proposed by-law changes are to be presented in writing by individual members to the Board of Directors by the October Board of Directors Meeting.

**Article 7. MANAGEMENT AND POLICY MATTERS**

- Section 1.** In accordance with Article 6 of the MSPOA Charter (revised), rules and policies necessary to manage the Corporation and provide guidelines for such things as Maintenance; Shellfish Lease Management; vehicle and people ingress and egress and other matters shall be established by vote of the members at a regular or special meeting.
- Section 2.** All approved motions that contain rules or policy pertaining to MSPOA management shall be separately compiled and filed by the Secretary for easy reference as required for enforcement or modification.
- Section 3.** Boats will only be permitted to dock at the pier for the purpose of taking on or discharging passengers or emergency repairs. At no time, will they be permitted to park indefinitely.

**Article 8. FISCAL MATTERS**

- Section 1.** The fiscal year of the Association shall be the calendar year, January 1 through December 31.
- Section 2.** Indebtedness, assumed liability and amount of Real Estate holdings of the Association shall be in accord with Article nine (9) and ten (10) of the Association Charter.
- Section 3.** Each year, 20 percent (20%) or \$5,500.00 whichever is less, of all money received by the MSPOA, including donations, will be placed in an interest bearing account. Money in this account will only be expended for unforeseen emergencies. Such emergency expenditures must be approved by the Trustees and by majority vote of the members at regular or special meetings. Once this account has accrued \$80,000.00 of deposits, no more money is required to be deposited. However, at the discretion of the Board of Trustees, additional monies may be deposited in this account in order to capitalize on interest rates. Any funds in excess of \$80,000.00 may be withdrawn at any time to meet MSPOA expenses.
- Section 4.** The Board of Trustees will insure that the MSPOA maintains adequate insurance for its operations. As a minimum, the President and or his/her designated representative(s) will meet with the MSPOA's Insurance Agent(s), not later than February of each year. At the Board Meeting following the meeting with the Insurance Agent(s), the Board of Trustees will discuss and approve or change the MSPOA's insurance coverage. Insurance coverage may be increased or decreased during the year as the Board of Trustees deems necessary.
- Section 5.** Special projects that are over \$1000.00 and not of an emergency nature will require approval of funds at a general membership meeting. Emergency projects are limited to \$2,000.00 and require Executive Board majority approval. An Emergency General Membership meeting will be scheduled as soon as possible to address emergency situations.
- Section 6.** Upon the death of a Melbourne Shores Property Owner member \$50.00 will be sent to the remaining member as a token of condolence.

The above by-laws were revised and adopted at the January Annual Meeting 2024

Barbara J. Van Dam Barbara Van Dam, Secretary

Alice Robbins-Fox Alice Robbins-Fox, President

2/13/2024 Date

2/13/2024 Date