

HARRISON HOLIDAY PARK ASSOCIATION  
**CONSTITUTION AND BYLAWS**  
**INDEX**

**CONSTITUTION**

- |         |           |             |
|---------|-----------|-------------|
| 1. Name | 2. Object | 3. Location |
|---------|-----------|-------------|

**BYLAWS**

**A. MEMBERSHIP**

1. Definition of Membership
2. Membership Limits
3. Definition of Member in Good Standing
4. Site Limitations and Conditions
5. Transfer of Membership
6. Termination of Membership
7. Application for Membership
8. Extension of Privileges
9. Annual Dues and Charges
10. Violation of Bylaws, Rules and Regulations - Suspension or Expulsion
11. Sale of Membership by Board of Directors
12. Winter Security

**B. RIGHTS and OBLIGATIONS of MEMBERS**

1. Use of Recreational Site
2. Conformity to Bylaws, Rules and Regulations
3. Residency Restriction
4. Contravention of Occupancy Limitations
5. Maintenance of Site
6. Observance of Rules

**C. POWERS and DUTIES of the ASSOCIATION**

1. Insurance
2. Maintenance and Repairs
3. Payment of Obligations
4. Assessment of Dues
5. Operation of the Association
6. Changes to the Constitution and Bylaws
7. Charges for Negligent Damage
8. Removal of a Director
9. Improvement of Facilities or Services
10. Authority to Levy Fines or Take Legal Action

**D. The BOARD of DIRECTORS**

1. Management of Property and Affairs
2. Duties of Directors
3. Duties of Officers
4. Indemnification
5. Number of Directors – Quorum
6. Method of Election
7. Exercise of Power and Duties
8. Books of Account
9. Power to Borrow Money
10. Rules and Regulations Authority
11. Frequency of Meetings
12. Election of Officers
13. Members Rights to Call Meetings
14. Appointment of Auditor
15. Minutes of Meetings
16. Books of Record
17. Association Seal
18. Inspection of Accounts and Records

**E. GENERAL MEETINGS and VOTES**

1. Annual General Meeting
2. Quorum
3. Voting Entitlement
4. Plural and Gender

**F. NOTICES**

**G. TERMINATION of SITE SERVICES**

**CONSTITUTION UNDER THE SOCIETIES ACT**

1. The name of the Society is **HARRISON HOLIDAY PARK ASSOCIATION**.
2. The object of the Society is to organize and maintain a membership recreational camping club.
3. The operations of the Society are to be chiefly carried on at the Village of Harrison Hot Springs, in the Province of British Columbia.
4. This society is a member-funded society. It is funded primarily by its members to carry on activities for the benefit of its members. On its liquidation or dissolution, this society may distribute its money and other property to its members.

## BYLAWS

### A. MEMBERSHIP

1. The members of Harrison Holiday Park Association (HHPA) are the subscribers to the Constitution and Bylaws of the Society and those persons who subsequently have become members, in accordance with these bylaws and, in either case have not ceased to be members. All applications for membership shall be submitted to the Board of Directors and on acceptance by the Board of Directors the applicant shall become a member.
2. The total membership shall consist of no more than 410 voting members and 410 non-voting members.
3. A membership is deemed to be in good standing if said membership is not in default of any dues, fines, or other levies as set out by the Board and is in compliance with the Bylaws and/or Rules and Regulations.  
A membership that is NOT in good standing:
  - a). Cannot attend, give a proxy or vote at a General Meeting.
  - b). Cannot second a member resolution or nominate a candidate, and
  - c). May have their site services and gate card access provided by the HHPA withheld.
4. Applicants accepted for membership, will be limited to acquiring a maximum of two (2) sites subject to the following conditions:
  - a) The membership is subject to acquiring and maintaining valid liability insurance for each site.
  - b) HHPA will issue a single certificate and membership card per site.
5. Transfer of Membership  
A valid membership may be transferred by sale, gift or bequeathal, subject to the provisions of the Constitution, Bylaws and Rules and Regulations.
6. Termination of Membership
  - a) Any members in good standing, upon giving notice of termination, shall have the exclusive right to nominate another person as a potential member;
  - b) Said member shall complete and submit the appropriate forms to the Association's office;
  - c) All gate cards and washroom keys shall be returned to the Office upon notice of approval of the transfer by the Board of Directors, and prior to completion of the transfer.
  - d) Terminating members shall be responsible for the correction of any/all outstanding infractions prior to the Board of Directors approval of transfer.
7. Application for Membership - Steps
  - a) Each applicant shall complete the appropriate forms available in the HHPA office;
  - b) All applicants shall be subject to interview by the Board of Directors;
  - c) The approval of membership by the Board of Directors is mandatory and the Board of Directors has an absolute discretion to accept or reject any applicant;
  - d) The approved member shall pay all costs due to the Association and agree to abide by these Bylaws and any regulations duly passed further to these Bylaws.
8. All privileges (excluding voting rights) and obligations of a member shall be automatically extended to the members of his household and to any person sharing his accommodation while he is present. Any other invitees will be considered "Guests" and shall comply with the Constitution, Bylaws and Rules and Regulations of the Association.
9. Annual Dues and Charges
  - a) Annual dues shall be set at a General Meeting by a majority vote. Such dues to include a levy for a contingency reserve replacement fund, which shall be not less than 5% of the total annual budget, until the reserve reaches an amount that the Board of Directors considers sufficient, having regard to the needs of the park, and thereafter raise further amounts of replacement of funds, from time to time and over a period of time as the Board sees fit. Advance payment shall not be construed as payment in full in the event of a dues change.
  - b) A member who has not paid his membership dues within thirty (30) days from the commencement of the fiscal year (May 1<sup>st</sup>) may have their hydro, gate cards and services disconnected or discontinued until such time as dues and/or fines are paid in full. If dues are increased said increase only will be payable sixty (60) days from the commencement of the fiscal year with no penalty being assessed.
  - c) If a member's dues have not been paid in full within sixty (60) days from the commencement of the fiscal year, he shall cease to be a member and upon failure to clear his site of all his property the Board of Directors may arrange to do so and charge all costs to such former member and may deduct the amount thereof from the sale of his membership.
  - d) The Board reserves the right however upon written application of a member, and for good cause to permit a member to pay his delinquent dues on such terms as they may deem equitable.
  - e) Any member terminated only for non-payment of dues to the Association may, upon written application to the Board of Directors, be reinstated as a member in the sole discretion of the Board upon showing that he has paid all dues and accrued penalties, and upon further payment of a reinstatement charge of fifty dollars (\$50.00).
  - f) A person whose membership has been terminated shall continue to be liable for all charges accrued and accruing so long as that membership is not otherwise disposed of.

10. Violation of Bylaws, Rules and Regulations - Suspension or Expulsion
- a) A member who is in violation of these Bylaws or the Rules and Regulations of the Association as may be adopted from time to time, may be suspended or expelled from the membership roll of the Association by the Board of Directors as outlined in the following steps:
- Step 1 - Notice  
Written notice by registered mail to last known address of member in question concerning the violation shall be issued by the Board of Directors or its representatives and corrective action shall be taken by the said member within fourteen days of being so notified
- Step 2 - Cease and Desist Order  
If Step 1 does not satisfactorily correct the infraction, the Board, by a majority vote, may deliver a written cease-and-desist notice to the member in question, and any such notice shall be deemed to have been received by the member five (5) days after posting thereof in British Columbia.
- Step 3 - Permanent Expulsion  
If Step 2 does not satisfactorily correct the infraction, or if the member has repeated said infraction on a regular basis, the member in question may be expelled from membership by the Board of Directors. Such expulsion to take effect immediately upon notice to the last known address of the member in question and thereupon the Board of Directors may arrange to clear his site of all his property and charge all costs to him and may deduct the amount thereof from the sale of his membership.
- b) Hazardous or Illegal Acts  
Should one or more members of the Board of Directors or its representatives observe or be advised of actions on the part of a member that are considered hazardous or illegal by the Board of Directors, the member indulging in the hazardous and illegal act may be immediately removed from the property of the Park and/or all rights of membership may be suspended until the following steps have been concluded:
- Step 1 - Formal Notice  
The member shall be informed by notice in writing by the Board of Directors as to the exact nature of the immediate suspension within ten (10) days of the same.
- Step 2 - Consideration of Charges  
Within thirty (30) days of the written notice of the immediate suspension, the Board shall meet to consider the nature of the charges against said member. Said member may represent himself or be represented by counsel before the Board of Directors. Following a complete presentation of the facts as known concerning said member, and defense has been heard, the Board of Directors may permanently expel or place on probation said member for a period of time to be determined by the Board. Permanent expulsion of membership or placement on probation shall require a majority vote of the Board of Directors.
11. In the event a member shall cease to be a member by virtue of Section 9 or 10 of these Bylaws, then said membership will be sold at the best available price, as determined by the sole and absolute discretion of the Board of Directors and the former member shall receive the amount remaining after deduction of his dues, other money owed the Association and selling expenses. In the event the Association is unable to locate the member the remaining funds shall be held in trust for a period of two (2) years from the date of sale of membership and thereafter shall be absolutely forfeited to the Association.
12. Members wishing to remain in the park for Winter Security (November 1 – March 31) must fill in the appropriate application forms available in the HHPA office and submit them directly to the board of directors. Applications will be accepted August 1 – August 15 and decisions will be made by August 31.

## **B. RIGHTS AND OBLIGATIONS OF MEMBERS**

1. Each member in good standing shall be entitled to the exclusive use of the recreational site in Harrison Holiday Park (HHP) assigned under his membership contract plus the use in common with all members of all facilities and all grounds not allocated for the exclusive use of any other member.
2. A member shall not do or permit anything to be done that is contrary to the Constitution, Bylaws, Rules and Regulations of the Association, or of the Village of Harrison Hot Springs bylaws;
3. Full time occupancy of a site shall be permitted between April 1<sup>st</sup> and October 31 of each year provided casual occupancy outside such period shall be limited to a total of fifty (50) days, but such casual use is not to exceed fourteen (14) consecutive days in any one month and upon completion of Form #10 REQUEST FOR CASUAL USE OF SERVICES DURING THE OFF SEASON.
4. Members in contravention of the casual occupancy limitations in item 3. shall be subject to the immediate withdrawal of electrical service and application of clause A. Membership #10 Violation of Bylaws, Rules and Regulations – Suspension or Expulsion.
5. A member shall be responsible for the safe and clean maintenance of the area of which he has been granted exclusive use and the handling of waste water and septic effluent according to the instruction of the Village of Harrison Sanitation Department, and will save harmless and indemnify the Association from any suits or costs of suits resulting from such violation.
6. A member shall not do anything or permit to be done that will interfere unreasonably with the quiet and esthetic enjoyment of HHP by other members, including the making of undue or unpleasant noise.

**C. POWERS and DUTIES of the ASSOCIATION**

1. The Association shall insure the facilities and buildings of the Association to the full replacement value and carry adequate liability insurance, pay all premiums of insurance, and apply all insurance monies received by it to the prompt repair or replacement of facilities and buildings.
2. The Association shall keep in a state of good repair all roads, fences, buildings and facilities of the Association, and hire all personnel required for the operation of the Association and the regular care and maintenance of the property, buildings, roads, fences and facilities of the Association.
3. The Association shall pay all sums of money up to the amount collected required on account of all services, supplies and assessments for the benefit of the Association, including but not limited to taxes, salaries, repair and maintenance, insurance, utilities, and municipal assessments, except that no Director shall be remunerated for being or acting as a Director but a Director shall be reimbursed for all expenses necessarily and reasonably incurred by him while engaged in the affairs of the Association.
4. The Association shall levy and collect annual dues sufficient to provide all services and supplies and pay all assessments as herein set out, provided that the dues shall not be increased without first obtaining approval of a majority of the members constituting a quorum at an Annual General Meeting. If the dues assessed are insufficient to meet the expenses agreed upon, the Association shall levy and collect a special assessment in the amount further required against all members on a pro-rata basis.
5. The Association shall do all things reasonably necessary for the efficient operation of the Association and the enforcement of these Bylaws and any regulations duly passed further to these Bylaws and in particular shall convene, as provided in these Bylaws, an Annual General Meeting.
6. The Constitution and Bylaws may be amended by a special resolution of the HHPA. A special resolution is required to be passed by a 2/3 majority of members entitled to vote, who are present in person, or by proxy, at an annual general meeting or general meeting. Notice of a general meeting must include the text of any special resolution to be submitted to the meeting. Notice to the Board from members for a member proposal must be submitted a minimum of 7 days prior to the notice of the general meeting
7. The Association shall charge to a member the cost of repairing or remedying any damage to roads, fences, buildings or facilities caused by the negligent act or omission of such member, and any such assessment shall be due and payable within 30 days of a statement of the amount owing being mailed or otherwise given to the member and failure to pay such assessment shall be cause for removal from membership.
8.
  - a) The Association may, by special resolution, remove any Director from office;
  - b) If a Director misses more than 3 consecutive meetings without the approval of a majority of the Board of Directors, the said Director shall be deemed to have resigned as a Director.
9. The Association may construct, improve, purchase, hire or otherwise acquire additional facilities, services, amenities or personal property for the use in common of all members, provided that if such action involves an expenditure in any one year in excess of 10% of the current annual dues, such expenditure must be approved, by 75% of the members, attending or (present by proxy), at a general meeting of the Association of which at least fourteen (14) days notice specifying the expenditure to be voted upon has been given.
10. Failure to comply with the Constitution, Bylaws and or Rules and Regulations of the Association may result in a fine being levied; the amount of the fine shall be set out in the Rules and Regulations, and may be changed from time to time by the Board of Directors. If fines remain unpaid after thirty (30) days notice being given the amount shall be added to and become part of the member's dues.

**D. The BOARD of DIRECTORS**

1. The property and affairs of the Association shall be managed by a Board of Directors, each of whom at the time of his election and throughout his term of office shall be a member in good standing of the Association.
2. The Duties of the Directors
  - a) A Director of the Association shall;
    - i. Act honestly and in good faith and in the best interest of the Association, and;
    - ii. Exercise the care, diligence and skill of a reasonably prudent person in exercising his powers and performing his function as a Director.
  - b) The requirements of this section are in addition to, and not in derogation of, an enactment or rule of law or equity relating to the duties or liabilities of Directors of an Association.
3. The Duties of Officers  
 The HHPA Board of Directors consists of 4 executive officers: the president, the vice-president, the treasurer, and the secretary.
  - a. The President
    - Is the chair of the Board.
    - Preside over all meetings of the Association and of the Directors;
    - Is responsible for supervising the other Directors in the execution of their duties.

- Appoints Privacy Officer(s).
  - Oversees all staff and the supervision of staff.
  - Will represent the HHPA Association with regards to all professional matters including, but not limited to, legal, financial, governmental, or media.
  - May delegate to one or more of the other directors any of his duties or powers as he sees fit.
- b) The Vice President
- Is the vice-chair of the board.
  - Is responsible for carrying out the duties of the President if the President is unable to act.
- c) The Secretary is responsible for doing, or making the necessary arrangements for the following:
- Coordinates the issuing of notices of general meetings.
  - Provides and posts minutes of general meetings and directors' meetings.
  - Keeping record of the correspondence to and from the Board in accordance with PIPA.
  - Keeping the records of the HHPA in accordance with the Societies Act.
  - Coordinates the filing the annual report of the HHPA and making any other filings with the registrar under the Act.
  - Is responsible for the maintenance and safe keeping of all the records and documents, to be kept in the association's office, as required by the Act.
  - Is responsible for the custody and usage of the common seal of the Association.
- d) The Treasurer is responsible for, or making the necessary arrangements for, the following:
- Shall keep full and accurate accounts of all assets, liabilities, receipts, and disbursements of the not-for-profit corporation in the books belonging to the corporation.
  - Keeping the financial records, including books of account, necessary to comply with the Societies Act; and render financial statements to the Directors, members and applicable others when required.
  - Ensuring the monthly and yearly financial records and government filings are completed, which should include monthly payroll and remittance, annual Work-safe BC, annual T4's, annual audit review, and all government filings required by CRA and the Societies to stay compliant.
  - Shall be one of three board signing officers having custody of the funds and securities of the not-for-profit corporation.
  - Shall be responsible for the coordination of the disbursement of funds with the Office Administrator for the not-for-profit corporation.
  - Prepares the annual budget with input from the board of directors for members' approval.
- e) The treasurer and two other officers, together with the HHPA Office Administrator, shall be designated cheque signing officers.
- f). A contract or other record to be signed by the Society must be signed on behalf of the Society by the treasurer and one other executive officer.
4. Subject to the Society Act, every Director of the Association shall be deemed to have assumed office on the express understanding and agreement and condition that every Director of the Association and his heirs, executors, and administrators and estate and effects respectively shall from time to time and all times be indemnified and saved harmless out of the funds of the Association from and against all costs, charges and expenses whatsoever which such Director sustains or incurs in or about any action, suit or proceedings which is brought, commenced or prosecuted against him or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him or any other Director or Directors in or about the execution of the duties of his or their office, and also from and against all other costs, charges and expenses which he sustains or incurs in or about or in relating to the affairs thereof except such costs, charges or expense as are occasioned by his own willful neglect or default.
5. The Board of Directors shall consist of seven Directors and a quorum of the Board shall be four. Each Director shall have one vote and all decisions shall be by majority vote.
6. Each Director shall be elected at an Annual General Meeting to hold office for two years. Any vacancy on the Board may be filled by appointment by the remaining Directors and the Directors so appointed shall serve until the expiration of the term of the vacating Director. Former Directors of the Board who remain members in good standing may be appointed by the Board of Directors as ex-officio members of the Board of Directors for any period of time deemed necessary.
7. The powers and duties of the Association shall be exercised by the Board of Directors which shall have, inter alia, the full power and authority to:
- 1) Manage the property;
  - 2) Hire personnel for management, supervision and maintenance of the Park. See D. Board of Director #1. for exclusions.
  - 3) Regulate and control memberships;
  - 4) Prepare a budget to determine dues requirements;
  - 5) Enter into contracts for repair and/or improvements subject to the limit as stated in Section C. Powers and Duties of the Association Item 9.

The Board of Directors shall not delegate any or all of its duties to Professional Management Persons or a Professional Management Company without a special resolution of the members at a General Meeting of which they have had at least fourteen (14) days notice.

8. The Board of Directors shall keep all proper books of account in respect of all monies received and expended by it and shall prepare a statement of account for each Annual General Meeting.
9. For the purpose of carrying out the objectives of the Association, the Board of Directors may borrow or raise or secure the payment of money in such manner as it thinks fit, subject to the limitations contained in paragraph C. Powers and Duties of the Association.
10. The Board of Directors may establish Rules and Regulations to provide for the use and operation of the Park. Those Rules and Regulations shall not contravene these Bylaws. The Rules and Regulations as adopted by the Board may be amended from time to time by the Board of Directors. Such amended Rules and Regulations shall become effective on the date of their adoption, and will be subject to ratification by membership at the next membership meeting.
11. The Board of Directors shall meet whenever it thinks fit but on average once monthly.
12. Immediately following an AGM, all board positions are available. The Board of Directors elect directors to specific board positions.
13. The Board of Directors shall, upon requisition in writing signed by 10% of the members, convene a special General Meeting upon the same notice being given to members as for an Annual General Meeting and such notice shall specify the general nature of the business for which the meeting is convened.
14. The Board of Directors may from time to time appoint an auditor or auditors to hold office for such a period as the Board of Directors may determine, or may waive the appointment of an auditor.
15. The Board of Directors shall keep Minutes of all General Meetings of the membership and all meetings of the Board.
16. The Board of Directors shall see that all necessary books and records of the Association required by the Bylaws of the Association or by any applicable statute or law are regularly and properly kept.
17. The Association may adopt a seal which shall be the common seal of the Association. The common seal shall be affixed when authorized by a resolution of the Board of Directors, and then only in the presence of the persons prescribed in the resolution, or if no persons are prescribed, in the presence of the President and Secretary or President and Secretary Treasurer.
18. The Directors shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of the Association of any of them shall be open to the inspection of members not being Directors and no member not being a Director shall have any right to inspect any accounts or book or document of the Association except as conferred by law or authorized by the Directors or by resolution of the members, whether previous notice thereof has been given or not.

**E. GENERAL MEETINGS and VOTES of MEMBERS**

1. The Annual General Meeting shall be held not later than six months after the end of the fiscal year upon fourteen (14) days written notice to members giving the day and time established by the Board of Directors for such meeting and the place within the Province at which it is to be held.
2. The quorum for the transaction of business at a General Meeting of the Association shall be 10% of the members in good standing.
3. At a General Meeting, each site has one vote. A member can register to vote at a General Meeting for only one site as the voting member. A voting member of a society has only one vote, as per the Societies Act. A membership in good standing is entitled to hold a total of two proxies for absent members who otherwise would be entitled to vote. Registration at all General Meetings will open no later than one hour prior to start and close no later than 5 minutes prior to start.
4. Wherever the singular or masculine is used throughout these Bylaws the same shall be deemed to include the plural or feminine as the case and gender may so require.

**F. NOTICES**

Notwithstanding any other provision contained herein any notice may be given by posting the same, addressed to the person to whom the notice is directed at the address in the records of the Association, by double registered post, at any post office in British Columbia and the same shall be deemed to have been received by the addressee five days after the date of posting

**G. TERMINATION OF SITE SERVICES**

Upon termination of a membership the services to the site of the former member may be terminated without notice