

# Bylaws of Seacrest Beach Club, Inc.

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Revised and updated 2014  
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**TABLE OF CONTENTS**

		<b>Page #</b>
	<b>PRESIDENTS</b>	<b>4</b>
	<b>INTRODUCTION</b>	<b>5</b>
<b>ARTICLE 1</b>	<b>MEMBERSHIP</b>	<b>6</b>
Section 1	Eligibility	<b>6</b>
Section 2	Admission	<b>6</b>
Section 3	Membership Responsibilities	<b>6</b>
Section 4	Membership Voting Privileges	<b>6</b>
Section 5	Termination of Membership	<b>7</b>
<b>ARTICLE II</b>	<b>OFFICERS</b>	<b>7</b>
Section 1	Organization	<b>7</b>
Section 2	Election of Officers	<b>7</b>
<b>ARTICLE III</b>	<b>DUTIES OF OFFICERS</b>	<b>7</b>
Section 1	President	<b>8</b>
Section 2	Vice President	<b>8</b>
Section 3	Treasurer	<b>8</b>
Section 4	Secretary	<b>8</b>
Section 5	Trustee	<b>8</b>
Section 6	Indemnification	<b>9</b>
Section 7	Beach Manager	<b>10</b>
<b>ARTICLE IV</b>	<b>DUES, FEES, &amp; ASSESSMENTS</b>	<b>10</b>
Section 1	Dues, Fees, & Assessments	<b>10</b>
Section 2	Initiation Fees	<b>10</b>
Section 3	Yearly Dues	<b>10</b>
Section 4	Transferable Fees	<b>10</b>
Section 5	Assessments	<b>10</b>
Section 6	General	<b>10</b>
<b>ARTICLE V</b>	<b>COMMITTEES</b>	<b>11</b>
Section 1	Membership Committee	<b>11</b>
Section 2	Social Committee	<b>12</b>
Section 3	Nominating Committee	<b>12</b>
Section 4	Grounds Committee	<b>12</b>
Section 5	Budget Committee	<b>12</b>
Section 6	Building Committee	<b>13</b>
Section 7	By Laws Committee	<b>13</b>
Section 8	Reports	<b>13</b>
<b>ARTICLE VI</b>	<b>MEETINGS</b>	<b>13</b>
Section 1	Meeting Announcement & Schedule	<b>13</b>
Section 2	Voting	<b>13</b>
Section 3	Order of Business Meetings	<b>14</b>
Section 4	Business Meeting Procedures	<b>14</b>
Section 5	Board of Trustees Meetings & Special Meetings	
<b>ARTICLE VII</b>	<b>ASSESSMENTS</b>	<b>14</b>

**TABLE OF CONTENTs ( Con't.)**

	Notice	<b>15</b>
Section 2	Payments	<b>15</b>
Section 3	Renter Fees	<b>15</b>
Section 4	Seasonal Renters	<b>15</b>
Section 5	Initiation Fees	<b>15</b>
Section 6	Late Payment	<b>15</b>
<b>ARTICLE VIII</b>	<b>COMMUNITY RULES &amp; REGULATIONS</b>	<b>15</b>
Section 1	Quality of Life	<b>15</b>
Section 2	Beach Access	<b>15</b>
Section 3	Parking Restrictions	<b>16</b>
Section 4	Beach Conduct	<b>16</b>
Section 5	Ball Playing	<b>17</b>
Section 6	Noise	<b>17</b>
Section 7	Tenants & Guests	<b>17</b>
Section 8	Pets	<b>18</b>
Section 9	Speed Limit	<b>18</b>
Section 10	Property Maintenance	<b>18</b>
Section 11	Payments	<b>18</b>
Section 12	Building Construction & Renovation	<b>18</b>
Section 13	Penalties for Violation of Club Rules & Regs	<b>19</b>
Section 14	Appeal Process	<b>19</b>
<b>ARTICLE IX</b>	<b>FISCAL YEAR</b>	<b>19</b>
Section 1	Fiscal Year	<b>19</b>
<b>ARTICLE X</b>	<b>MISCELLANEOUS</b>	<b>19</b>
Section 1	Deputies	<b>19</b>
Section 2	Grievances	<b>20</b>
Section 3	Amendments	<b>20</b>

## Presidents

## Year(s)

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Harry Gardner	1956 - 1957
Dr. Joseph C. Banyar	1958
George Von Hote	1959
Charles Zorner	1960
Charles Lyon	1961
Joseph Kuruc	1962 - 1963
Thomas Brennan	1964
Eugene F. Schwarzenbek	1965
Frederick R. McMullen	1966 - 1967
Rev. Donald Cooper	1968 - 1969
Ron Okulski	1970
Paul Giblin	1971
Frank Birkner	1972 - 1973
Garry De Boer	1974 - 1975
Joseph Kuruc	1976 - 1977
Louisa Pellack	1978
Robert Comer	1979 - 1980
Garry De Boer	1981 - 1982
Victor Jacalone	1983 - 1984
James De Rosa	1985 - 1986
George Keenan	1987 - 1989
Robert Schwarzenbek	1990 - 1992
Robert Comer	1993 - 1994
Iris Brennan	1995 - 1996
Brian Timmons	1997 - 1998
Dominick Giordano	1999 - 2000
Rev. Richard Rento	2001 – 2005
Jack Horwath	2006-2009
Robert Schwarzenbek	2010- 2018
Thomas Kuruc	2019 - Jan 2020
John Nunziato	2020 -2021
James Conover	2021- present

## INTRODUCTION

The Seacrest Beach Club, Inc. (the "Club") is an incorporated, nonprofit organization of property owners in the Seacrest community, formed to:

- A) promote and protect the general welfare and property rights of property owner members in their use and enjoyment of Seacrest property
- B) develop, protect, and ensure the improvement of all natural facilities of the said community
- C) protect and safeguard the rights of members in the use and enjoyment of such facilities

The purpose of the Club is the maintenance and control of the bathing beach and other recreational facilities for the exclusive use of the members, guests, tenants, and daily badge holders to see that high standards of neatness and acceptability of homes and properties are maintained.

These Bylaws were approved by the members at the Meeting held August 27, 2022 *with revisions in italicized font* and have been accepted as the governing instrument of the Seacrest Beach Club, Inc.

## **ARTICLE I - MEMBERSHIP**

### **Section 1 - Eligibility**

All property owners or lot lessees at Seacrest are required to be members of this Club. All members shall be entitled to one vote per property. Each property owner member, or representative, if held in another form, may designate in writing one immediate person to serve and act in the owner's members best interest in reference to all matters of the Club, including running for election to positions on the Board. Each member may designate a proxy in writing to serve and act in the member's best interest in reference to all matters of the Club, including voting at meetings.

### **Section 2 - Admission**

The Club provides a standard application form to be completed by new members. Persons become members of the Seacrest Beach Club upon (1) the approval of their application for membership and (2) payment in full of all required dues, assessments and initiation fee.

### **Section 3 – Membership Responsibilities**

A) When applicants are accepted into this Club as members, they shall agree to abide by the provisions of the Certificate of Incorporation of the Club, these Bylaws and any subsequent rules or regulations imposed by this Club as on file with the Club Secretary.

B) Membership shall apply only to lots in Seacrest which are used, or are to be used, for dwelling purposes. Property owners shall be entitled to enjoy all rights and privileges of owners, including the use of the beach and the facilities of this Club, subject to the provisions of the Certificate of Incorporation of this Club, these Bylaws, and the rules and regulations approved by this Club.

### **Section 4 – Membership Voting Privileges**

All members of the Club in good standing shall be eligible to vote at the Fall and Spring Annual Meetings of the Club and special meetings as convened. A member shall not be considered to be in good standing unless all past dues and assessments have been paid. Eligibility of any member shall be determined by the President of the Club in consultation with the Board. Members suspended for violations are not permitted to vote until reinstated.

Each member or lessee of a single residential lot as shown on the map or plan of Seacrest shall be entitled to one vote for each property. Where one person is the recorded owner or lessee of more than one residential lot of land as shown on the aforesaid map, he/she shall be entitled to one vote for each such property or lot of land owned or leased by him. Where any such lot of land is owned or leased by two or more

persons, such members shall each be members of this Club and shall be entitled jointly to one vote at any such meeting. Duplex residential units are considered a single lot property. Owner(s) of duplex units are entitled to one vote per lot.

If, due to prevailing circumstances, a member is not able to be present at a scheduled meeting, a bona fide adult (18 years or older) member of the owner's immediate family may act as his authorized representative by presenting a written proxy signed by the member and after presenting proper identification.

## Section 5- Termination of Membership

Membership in Seacrest Beach Club shall automatically terminate when the owner no longer owns, leases or has any recorded interest in any parcel of property at Seacrest.

# ARTICLE II – OFFICERS

## Section I - Organization

The Seacrest Board shall be comprised of Officers and Trustees as delineated in the Seacrest Beach Club Certificate of Incorporation. The Officers and Trustees of the Club shall consist of property owners who shall be elected by the members in good standing. Members shall elect a President, whose term shall be for one year and can succeed himself/herself; a Vice-President, whose term shall be for one year and can succeed himself/herself; a Treasurer whose term shall be for one year and can succeed himself/herself; a nonvoting Secretary whose term shall be for one year and can succeed himself/herself. One individual may accept both Secretary and Treasurer positions.

There shall be five Trustees, one of whom shall be the past President who shall serve for a minimum of one year to facilitate the transition of officers. Four other Trustees are to be elected from the membership at large, serve for a term of one year, and be eligible to succeed themselves.

In the event of a tie vote by the Board, the President shall have the authority to break the tie with an additional vote.

## Section 2 - Election of Officers

Officers and members of the Board shall be elected by a majority of the members of the Club present at the Fall Annual meeting. Such election may be held by secret ballot at the request of a majority of the members present at such meeting.

## **ARTICLE III – DUTIES OF OFFICERS**

### **Section 1 - President**

The President shall be the chief executive officer, whose duties it will be to preside at all Club and Board meetings. The President shall call special meetings of the Board, when necessary, and appoint all committees provided for by the Certificate of Incorporation or these Bylaws and any other committees deemed necessary. The Board shall set the President's remuneration.

### **Section 2 - Vice-President**

The Vice-President shall assist the President, preside during the President's absence, and perform such other duties as may be designated by the President and shall serve as Chairman of the Membership Committee. *The Board shall set the Vice President's remuneration.*

### **Section 3 – Treasurer**

The Treasurer shall keep full and accurate records of receipts and disbursements of all funds of the Club in books, electronic media or hard copy backup belonging to the Club.

The Treasurer shall deposit all monies and other valuables of the Club in such depositories as may be designated by the Board . All records of the Treasurer shall be available at all times for examination by any member in good standing.

The Treasurer shall control all expenditures within approved budget allowances. Any major notes or negotiable papers shall be brought before the Board for proper assessment and action as needed.

The Treasurer is authorized to make emergency expenditures following consultation with the Board.

The Board shall set the Treasurer's remuneration.

### **Section 4 - Secretary**

The Secretary shall keep records of the minutes of all meetings and shall transcribe such records into a file in order to constitute a permanent record.

The Secretary shall maintain the Bylaws and make copies available to members.

It shall be the duty of the Secretary to notify all members of Fall and Spring Annual Meetings and special meetings. The Secretary may use regular mail, email, postings, and other social media communication avenues to notify membership.



The Secretary shall initiate and respond to any correspondence as directed by the Board.

The Secretary shall archive all records of the Club for a period of not less than seven years.

The Board shall set the Secretary's remuneration.

## Section 5 - Trustees

Any one of the Trustees, designated by the Board, may be vested with all the powers, and shall perform all the duties of the President in his/her absence and shall also perform other such duties as may from time to time be designated to him/her by the President or the Board.

A vacancy in the position of any Officer or Trustee shall be filled by action of the remaining members of the Board for the unexpired term.

All appropriations and expenditures by the Club shall be defined in the budget and shall be voted upon by the Board who shall have the full power of control. Any expenditure that exceeds 5% of the line item in the budget shall require approval by the majority of the Board.

## Section 6 Indemnification

No Board or committee member, agent or employee of the organization shall be liable for his acts or failure to act on any part of any other Board or committee member, agent, or employee of the Association; nor shall any Board or committee member, agent or employee be liable for his acts or failure to act under these bylaws, except only acts or omissions to act arising out of his willful misfeasance.

A Board or committee member shall perform the duties of a Board or committee member, including duties as a member of any committee of the Board on which the Board or committee member may serve, in good faith, in a manner such Board member believes to be in the best interest of this Association and with such care, including reasonable inquiry, as an ordinarily prudent person in a like situation would use under similar circumstances. In performing the duties of a Board or committee member, a Board or committee member shall be entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by:

- a) one or more Officers or employees of the Association whom the Board or committee member believes to be reliable and competent in the matters presented;
- b) counsel, independent accountants or other persons as to matters which the Board or committee member believes to be within such person's professional or expert competence; or
- c) a committee of the Board upon which the Board member does not serve, as to matters within its designated authority, which committee the Board member believes to merit confidence, so long as in any such case, the Board member acts in good

faith, after reasonable inquiry when the need therefore is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted.

A person who performs the duties of a Board or committee member in accordance with the above shall have no liability based upon any failure or alleged failure to discharge that person's obligations as a Board or committee member, including, without limiting the generality of the foregoing, any actions or omissions which exceed or defeat a public or charitable purpose to which the Association, or assets held by it, are dedicated.

The Association shall not be liable for bodily injuries unless those injuries were caused by the Association's willful, wanton, or grossly negligent action of commission or omission.

## Section 7 - Beach Manager

It shall be the duty of the Beach Manager to oversee all beach operations and assume responsibility for the overseeing compliance with beach regulations, maintenance of any and all safety devices, the employment of lifeguards, the maintenance and cleanliness of the beach, and all other matters incident to the proper operation and control of the beach. The Board may designate a Beach/Patrol person to assist the Beach Manager and to be responsible to enforce Club written rules. The Manager and Beach/Patrol persons are subject to the direction of the Club Officers and Trustees in enforcing the Rules and Regulations. The Beach Manager and Beach/patrol person shall adhere to the job description provided by the Board.

## **ARTICLE IV – DUES, FEES, AND ASSESSMENTS**

### Section 1 - Dues, Fees and Assessments

Yearly dues, initiation fees and assessments shall be collected by the Treasurer from the owner/lessee of each lot after same has been assigned, bargained for, or transferred to said owner or lessee by the developers, or after same has been assigned, bargained for or otherwise transferred by one lot owner or lessee to another.

### Section 2 - Initiation Fees

Initiation fees will be set by the Board over and above the yearly dues and will begin at the transfer of any property.

### Section 3 - Yearly Dues

Yearly dues on each lot shall begin on January 1, following the date of acceptance by the Membership, and shall represent the member's share of the approved budget for the period from January 1st to December 31st of that year.

### Section 4 - Transferable Dues

Yearly dues on each lot are transferable. Each lot transferred shall require the new owner or lot lessee to pay the full initiation fee. The Yearly Dues, paid by the seller, shall be credited to the new owner, upon date of closing. However, if the seller has not paid past or current Yearly Dues, the buyer is obligated to do so. All outstanding dues, fees and/or assessments shall become a lien against the owner or lessee. Evidence of this lien may be fixed against the member's property.

## Section 5 - Assessments

In the event the Club incurs non-budgeted but approved expenses that exceed the Club's ability to pay and maintain its reserve, an assessment, with board approval, will be issued to each lot owner/lessee to cover the cost of these expenses.

## Section 6 - General

When a member already owns or leases one or more lots, the above rule applies to each lot acquired by him/her, the same as it would be to a new member.

At the expense of the Club, a bond for the Treasurer shall be obtained as written by a responsible surety company.

The Treasurer shall execute all checks for expenditures approved in the budget. Dual Board member signatures are required for notes or other negotiable papers in the name of the Club and for expenditures above a limit set by the Board.

## **ARTICLE V – COMMITTEES**

Note: All members or the designated property representative of the Club in good standing may serve on any standing or appointed committee.

### Section 1 - Membership Committee

A) The Board may serve as the Membership Committee. The Vice President shall serve as the chair of the Membership Committee.

#### B) Procedure

Owners or lot lessees shall, upon purchase or lease, complete the standard Club membership application. The Membership Committee shall review the application for completeness. Accepted members shall receive, after payment of their initiation fee and all outstanding dues and assessments on each lot owned or leased by them, a notification of acceptance signed by the Treasurer. Yearly membership dues shall be payable by the date of the Spring Annual Meeting.

#### B) Suspension of Membership

Membership shall decide, upon a majority vote of the Membership Committee, to suspend members for any violations of the Club's rules and regulations as cited in Article IX. Any member whose dues or assessments remain unpaid as of June 15<sup>th</sup> of that year shall be considered in delinquency and shall have membership suspended not later than July 1st of that year. Violating members shall be notified verbally of the specific violation. If they do not respond within two weeks, then a written notice of delinquency will be sent. Owners may request a hearing by Board. If the Membership Committee suspends membership, all occupants of that residence shall then be prevented from beach access and other Club facilities until such time as the suspended member(s) are reinstated by a majority vote of the Membership Committee, and by paying back dues and assessments up to date. A list of suspended members will be given to the Patrol and/or Beach Manager and be posted on the Club bulletin board.

## Section 2 - Social Committee

The Social Committee shall stimulate interest in community planning, sociability and good fellowship, by organizing the operation of all membership social affairs. This committee may raise funds for any and all entertainment or other social functions as sponsored by it. All such financial records/receipts are to be submitted to the Treasurer of the Club accordingly. This committee shall be at all times responsible directly to the Board.

## Section 3 - Nominating Committee

The Nominating Committee shall be appointed by the President with the approval of the Board. It shall be the duty of the Nominating Committee to recommend nominations for officers and trustees of the Club for election at the Fall Annual Meeting.

## Section 4 - Grounds Committee

It shall be the duty of the Grounds Committee to see that all properties in the community are kept neat, well painted, maintained and in good repair. The Committee is authorized to notify owners in writing who do not comply with property and parking restrictions as noted in Article IX Section 3 Regulations /Parking Restrictions and in Article 1 Section 4: Suspension of Membership

## Section 5 - Budget Committee

It shall be the duty of the Budget Committee, with the cooperation of the Treasurer, to prepare a budget for each fiscal year and submit it for approval at the January meeting of the Board. The amount of Yearly Dues against the members will then be determined by the Board based on the need of the Club for the ensuing year, provided, however, that all Yearly Dues will be so regulated and determined so that the bank balance of the Club shall not exceed the sum of 30% of the past fiscal year's expenditures, any legal reserve excluded, after all debts, obligations and beach rental lease payments have been made to the beach owners.

## Section 6 –Building Committee

It shall be the duty of the Building Committee to review all plans for construction, reconstruction, exterior changes or improvements of homes. Plans shall be submitted to the Building Committee, showing sufficient detail to permit a complete review. The recommendation of the Building Committee shall be submitted to the Board for final approval. *As a courtesy, the Building Committee will make a good faith effort notify all Seacrest Beach Club members of all proposed building variances.*

## Section 7 – By Laws Committee

*It shall be the duty of the By Laws Committee to periodically review and propose amendments to the Seacrest Beach Club By Laws.*

## Section 8 – Reports

All Committees shall present a report at the Spring Annual Meeting and the Fall Annual Meeting of the Club.

# ARTICLE VI – MEETINGS

## Section 1 – Meeting Announcement & Scheduling

- A) All meetings of the members shall be held at Seacrest or at a nearby, easily accessible meeting place arranged for by the Board.
- B) The Fall Annual Meeting of the Club shall be held on the Saturday one week before Labor Day. The Spring Annual Meeting of the Club shall be held on the Saturday before Memorial Day.
- C) Notice of the Fall Annual Meeting, the Spring Annual Meeting and any special meetings of the Club shall be given to the members at their primary addresses via email, text, or the President's letter as the same appears on the records of the Club, at least one week prior to the date of the meeting.
- D) Meeting dates shall be posted on the Club bulletin board.
- E) Special meetings of the members of the Club may be called by the President upon the written request of 20% of the Club members eligible to vote; upon the request of the Board; or by the President at his/her discretion, if such a meeting is deemed necessary.
- F) No resolution or motion to commit the Club on any change of policy shall be considered by the Club until it has been considered by the Board. Such resolutions or motions, if offered at a Club meeting, shall be referred to the Board without discussion.

## Section 2 – Voting

One quarter (1/4) of the membership of the Club shall constitute a quorum, for the Fall Annual Meeting, the Spring Annual Meeting, or any special meeting of the Club. A majority vote of the members present shall be required for all matters except as shown in Article V Section 1 C.

### Section 3 - Order of Business Meetings

The order of business at all membership meetings of the Club shall be as follows:

1. Roll Call and Salute to the Flag
2. Reading of Minutes
3. Communications
4. Financial Report
5. Committee Reports
6. Miscellaneous
7. Old Business
8. New Business
9. General Welfare

### Section 4 – Business Meeting Procedure

Robert’s Rules of Order, as the approved and recognized standard manual on practice and procedure shall be the authority on all questions of parliamentary law and proceedings.

### Section 5 - Board Meetings and Special Meetings

A) The Board shall hold regular meetings prior to the Spring and Fall general meetings, once during the off season (usually January or February) and any other time during the year as may be deemed necessary by either the President or other member of the Board. Five (5) members of the Board of eight (8) voting Officers and Trustees shall constitute a quorum for both the Fall and Spring Annual Meetings or any special meeting of the Club.

B) At the discretion of the Board, Board meetings may be conducted as telephonic or electronic media meetings.

C) Board meetings shall be open to the members of the Club.

## **ARTICLE VII – ASSESSMENT**

### Section 1 - Notice

Notice of yearly dues and the amounts thereof shall be sent in the month of April to each member annually, along with the President’s letter and copy of the budget.

Duplex units are defined as single-lot properties and as such, owners shall be assessed the same annual dues as single lot property owners.

## Section 2 - Payments

All payments of yearly dues, initiation and penalty fees as well as assessments shall be paid to and received by the Treasurer. Checks or money orders shall be made payable to the Seacrest Beach Club.

## Section 3 - Renter Fees

Renter beach fees will be set by the Board. Owners are responsible to inform tenants that this fee is to be paid to the Club when requisitioning a renter flag or badges. Owner flags are not to be used by any renter. Any unpaid fees, either through nonpayment or lending of an owner's pennant to paying tenants, is a violation of this regulation and will be the responsibility of the owners and added to their following year dues assessment.

## Section 4 - Seasonal renters

A single season-long renter will pay 125% of the annual beach dues fee as is imposed on owners. The property owner shall still be responsible for paying the annual beach dues.

## Section 5- Initiation Fees

Initiation fees shall be received from owners of each lot purchased in accordance with Article I Section 1.

## Section 6 - Late Payment

Yearly Dues shall be paid by members prior to the Spring Annual Meeting. Any member failing to pay Yearly Dues as of June 15<sup>th</sup> of any year shall forfeit his or her power to vote and shall not be entitled to any of the rights and privileges of the Club. He or she may be reinstated by making payment of all unpaid assessments by June 30. Late dues payments are subject to 1% service charge per month, beginning July 1 of that year. .(Reference: 1994 Fall General Meeting motion presented and passed).

## **ARTICLE VIII – COMMUNITY RULES & REGULATIONS**

### Section 1 – Quality of Life

Owners are responsible for maintaining a positive quality of life within the Seacrest Beach community.

The term *positive quality of life* refers to the extent to which individuals benefit from the environmental and social environment of the Seacrest community and have a peaceful,

respectful, and safe experience that reflects Club values of civility, friendliness, and hospitality.

## Section 2 – Beach Access

A) Summer Season: The summer season at Seacrest is defined as extending from 10 weeks from the Saturday before Labor Day.

B) Pennants: Each member shall purchase a pennant and staff with the member's surname, to be used on the beach, unfurled, as a form of identification. A pennant or badge, with a SBC number for identification and tracking, is required for tenants. No non-member pennants, or self-made pennants are allowed.

## Section 3 – Parking Restrictions

A) Street Parking: No automobiles or other motorized and non-motorized vehicles shall be parked in or on any of the roads, streets or ways of Seacrest Beach Club at any time, day or night. Strict enforcement of this rule shall be maintained as a measure of personal safety and to provide unencumbered access for emergency vehicles. Violators may have their membership suspended as defined in Article V Section 1B.

B) Property Lot Parking: No parking of house trailers, trucks larger than panel or pickup shall be permitted on Seacrest lots. Trucks of mechanics or suppliers, while they are repairing or supplying homes, are permitted during day time, but not at night. External construction work is prohibited during the Seacrest season as defined herein.

## Section 4 – Beach Conduct

A) Walkways to the beach are to be properly delineated and all owners and tenants advised to use the walkways at all times as access to the Seacrest beach and not to walk to or from the beach between beach front houses.

B) No picnicking is permitted on the beach. Only light snacks are allowed. Light snacks are defined as small quantities of food that are consumed between regular meals as simple refreshment. This excludes larger food portions such as pizzas or packed meals to share as a picnic. Individuals are fully responsible for collecting and disposing of all garbage and recyclables generated by any items brought to the beach.

Tables, serving trays, warming trays, pots, pans, and devices used for the storage or preparation of food may not be brought onto the beach unless approved for a special event.

C) Small coolers are allowed on the beach. These are defined as coolers with a capacity no greater than 12 quarts and no longer than 12 inches in length.

D) Alcoholic beverages are strictly prohibited and are not to be brought into the beach areas, day or night.

E) Smoking is not permitted on the beach.



F) Shade Devices: Umbrellas with a collapsible circular shade no greater than eight feet in diameter are permitted on the beach. No shade devices except umbrellas are permitted.

Devices designed or used to shade infants and small children, also known as “baby tents,” no larger than 36 inches high by 36 inches wide by 36 inches deep, are permitted on the beach.

No person shall locate any shade device in an area obscuring a lifeguard’s view of the ocean or in an area impeding a lifeguard’s egress from a lifeguard stand, as determined by a lifeguard.

G) No fires are permitted on the beach.

H) No night swimming parties may be held without permission of the Board of Trustees.

I) Firearms, fireworks, and campfires are forbidden at or on the beach areas at all times.

(J) No kites are allowed on the beach during swimming hours.

(K) Fishing is not allowed during swimming hours.

(L) Motorized vehicles of any type are not permitted on the beach during the Summer Season as defined in Article VIII Section 2 A.

## Section 5 - Ball Playing

A) Hard ball playing on the beach is prohibited at all times.

B) Ball playing on the streets is limited to tossing only. Baseball type games with hard or soft balls are prohibited at all times.

## Section 6 – Noise

Members and tenants are expected to respect the peace and privacy of their neighbors and to maintain reasonable noise levels that do not disturb the peaceful environment. This means that individuals may not use human, digital, technological, and equipment noise sources, including but not limited to speakers, boom boxes, sound systems, construction and landscaping machinery, that cause loud noise. Any violation of the Township noise ordinance or the State Noise Code shall be considered a violation of this provision.

## Section 7 – Tenants & Guests

All tenants and visitors of Club members shall be known as "guests" and are obligated to abide by the rules and regulations of Seacrest Beach Club. Members of the Club shall

be responsible to inform guests as to the Club's rules and regulations. They shall also be responsible for all of their guests' actions.

## Section 8 – Pets

Dogs shall be tied or kept on leashes and prohibited from the beach at all times, in accordance with Toms River ordinance # 3-76 Section 43-38. Dog droppings must be picked up immediately and removed from public as well as owner's properties for health reasons.

## Section 9- Speed Limits

Speed limits must be observed as posted.

## Section 10 – Property Maintenance

Members shall ensure that their properties are kept neat, weed controlled, well painted, and in good repair.

## Section 11 – Payments

Members are expected to comply with timely payment of Association dues and any assessments as stipulated in Article V, Section B and in Article VIII, Section 6.

## Section 12 - Building Construction & Renovation

*A) ALL Building and renovation plans including proposed variances shall be submitted to the Building Committee, showing sufficient detail to permit a complete review which complies with Tom River township zoning ordinances of the R-B-3 zone as of August 27<sup>th</sup> 2022 and approved variances. This also includes any changes subsequent to submittal of the application.*

B) External construction work is prohibited during the Seacrest season as defined in Article VIII, Section 2.

C) In exceptional cases of hardship or in case of an emergency such as a roofing crisis, homeowners may appeal in writing to the Board to lift building restrictions for short periods during the summer season.

D ) No construction may be commenced until the Board issues a decision, in writing, approving the proposed construction. Any subsequent changes to the approved construction plans must be resubmitted for additional written approval.

E) Interior construction work may be authorized by the Building Committee during the Seacrest summer season under these conditions: 1/ all noise-generating equipment must be used in a closed space to control noise; and 2/ delivery and construction-related cars and trucks must comply with Seacrest Beach Club parking restrictions as listed in Article IX Section 6. Windows must be closed if interior construction is proceeding in the summer season.

## Section 13- Penalties for Violation of Club Rules & Regulations

Owners will be fined a penalty for each occurrence of non-compliance with Club rules and regulations.

Initially, a verbal and written warning will be issued. Monetary fines will be incurred from the time of written warning. Warnings will be issued electronically via email, via text, or via certified or regular mail.

Monetary fines will be imposed at the discretion of two thirds of the Board and will depend upon the severity of the infraction.

Failure to comply with parking regulations after verbal and written warnings	\$100 per day of non-compliance
Failure to comply with building restrictions after verbal and written warnings	\$1000 at time of written warning \$500 per additional day of non-compliance
Failure to comply with other regulations as stated in Article VIII after verbal and written warnings	\$100 per day of non-compliance

Incurred fees will be due within one week of the issue of a penalty or the Board will vote to suspend membership.

## Section 14 – Appeal Process

Members have the right to appeal the fine in front of two thirds of the Board who shall move to accept or deny the appeal.

## **ARTICLE IX –Fiscal Year**

### Section 1 - Fiscal Year

The fiscal year of the Club shall begin on the first day of January and end on the 31st day of December each year.

### Section 2 – Statement of Financial Position

The Club shall engage an accountant to compile a “Statement of Financial Position” in accordance with Standards of Accounting and Review Services issued by the American Institute of Certified Public Accountants.

## **ARTICLE X – MISCELLANEOUS**

### Section 1 – Deputies

Deputies, where possible, shall be duly authorized or commissioned by the Municipal Authorities of the Township of Toms River, and to the extent of their authority, shall maintain law and order in the community.

## Section 2 - Grievances

Nothing contained in these Bylaws shall limit, restrict or prevent any member or group of members from presenting grievances or complaints in writing to the Club or to the Board.

## Section 3 – Amendments to Bylaws

A) The members of this Club by a two-thirds (2/3) vote of the members present at the Spring Annual Meeting, the Fall Annual Meeting, or at a special meeting of the Club membership may alter or amend these Bylaws and assessments if notice thereof is contained in the notice of such meeting.

B) Any proposed amendments or revisions to the Bylaws shall be distributed to members at least 14 days before the meeting at which the vote shall be called. Distribution of proposed changes may be made by website posting, email, text, facsimile, hand delivery or regular mail.)