



SHELTER BAY COMMUNITY, INC. RULES COMMITTEE GUIDELINES

Mission Statement: In accordance with the By-Laws, Article VI, Sections 3 and 9, to interpret, enforce and propose changes to the By-Laws, Declaration of Protective Covenants, and any regulations made by the Board of Directors, and impose such fines, sanctions, denials of privileges and take such actions as may be necessary and proper for the enforcement of any of the above listed documents. Additionally the Rules Committee is responsible to review committee guidelines, in coordination with the affected committee, for compliance with the governing documents. *(Res. 09-08, 2/18/09)*

I. AUTHORITY

A. The Rules Committee is guided by Article VI, Section 9, of the Shelter Bay Community, Inc. By-Laws, Powers and Duties of Directors, to-wit:

Section 9. To appoint a Rules Committee of not less than five, nor more than seven members, of whom two will be Board of Directors members, for the purpose of interpreting, enforcing and proposing changes to the By-Laws, Declaration of Protective Covenants, and any rules or regulations made by the Board of Directors appurtenant to Section 3 of this article. Within seven (7) days of a request by any member or by any committee of the Board, the Rules Committee will schedule a hearing to collect evidence, take testimony and take such other steps as it deems necessary to make determinations of fact regarding violations of any of the above listed documents. All meetings of the Rules Committee shall be open to attendance by any member of the corporation. The Rules Committee shall have the power to impose such fines, sanctions, denials of privileges and to take such actions as may be necessary and proper for the enforcement of any of the above listed documents. An appeal of a decision of the Rules Committee must be made in writing to the Board of Directors within thirty (30) days after receipt of a notice of such decision, in accordance with the Declaration of Protective Covenants, Article V, Section 3, Administrative Appeal Process. *(5/87, 5/92, 5/97, 5/00, 5/09)*

B. The Rules Committee is guided by Rules and Regulations, Part II, Administrative, Chapter 20, Committees, the Rules Committee will review committee guidelines, in coordination with the affected committee, for compliance with the governing documents and as to form. *(Res. 09-08, 2/18/09)*

II. OPERATING GUIDELINES

A. General Guidelines

1. The Rules Committee is to enforce all such Shelter Bay Community Rules and Regulations, By-Laws and Covenants as currently written and to be the procedural experts on all such governing documents.
2. Committee guidelines will be reviewed by the Rules Committee, in coordination with the affected committee, for compliance with the governing documents, edited into proper form as prescribed by the Board, and forwarded to the Board for consideration. *(Res. 09-08, 2/18/09)*
3. Should the mediation of a problem be proposed or more information needed, no less than two members of the Committee shall be present at any meeting with the parties involved.

B. Business Operations

1. The Rules Committee will meet monthly, each month at a date, time and place to be duly publicized. If there is no business to be transacted, the chairperson may cancel the meeting. The Rules Committee will meet in special session to conduct appeal hearings and to conduct other business as necessary.

2. The Rules Committee chair person will approve agenda items for the regular and special meetings of the committee, will conduct the committee meetings, and, with the assistance of the secretary, prepare and deliver correspondence and reports as are appropriate.
3. The Rules Committee chairperson will appoint a secretary, who will take meeting notes and file a copy of the notes in a book in the business office for committee minutes/notes. Copies of records pertaining to appeals shall be kept in the lot files.

C. Hearings

1. The Rules Committee Chair shall schedule, within seven (7) business days of the filing of an appeal, a meeting for the purpose of hearing the appeal. The hearing will be held within 30 days of the filing of an appeal. *(Res. 11-14, 9/21/11)*
2. The processes and procedures for an appeal, as found in the Rules and Regulations, Part II, Chapter 20, Committees, shall be followed by the Rules Committee chair person, secretary and members.
3. Per the Shelter Bay By-Laws, Article VI, Section 9, when a Committee decision is appealed to the Rules Committee, the Rules Committee will collect evidence, take testimony and take such other steps as it deems necessary to make determinations of fact regarding the Committee decision. Rules Committee decisions may be appealed to the Board relevant to the merits of the issue and governing documents followed. *(Res. 11-14, 9/21/11)*

D. Fines

1. The Rules Committee has the power to impose fines, sanctions, and denials of privileges and to take such actions as may be necessary and proper for the enforcement of governing documents. Fines will be imposed as outlined in Rules and Regulations, Part I – General, Schedule of Fines, and will not be reduced or suspended. Only the board of directors can mitigate fines and/or determine compromises.
2. Appropriate committees may file a “Request to Rules Committee for Levy of a Fine” form with the Rules Committee. Upon receipt of filing of the form titled “Request to Rules Committee for Levy of a Fine”, (attached hereto) from any appropriate committee, the Rules Committee chair shall schedule a hearing to be held either at a regular or special meeting within 30 days of the filing of the Request. The member being recommended for fining will be notified of their opportunity to appear at the hearing and provide documentation and testimony on the matter. Such notice to the member being recommended for fining will be in writing and mailed to the last known mailing address not less than 10 days prior to the hearing. The committee chair for the committee recommending the fine will also be notified of the hearing and the committee will be asked to furnish the Rules Committee a record to support the levying of the fine. Any representative of the committee proposing the fine may be present at the Rules Committee hearing and provide testimony supporting the committee’s recommendation of the fine.
3. When a fine is levied, the manager will keep the Rules Committee apprised if and when the fine is paid.

E. Ballot Issues

1. A deadline for members and committees proposing ballot issues for consideration of the board will be established by the board. At no later than the regular March meeting, the Rules Committee will review and formalize a recommendation to the Board of Directors on each submitted proposal for a ballot issue. The Rules Committee chair will deliver the Committee’s recommendation to the Board of Directors at their regular March meeting.
2. The Rules Committee may, on its own initiative, propose to the Board of Directors any ballot issue which would change the By-Laws, Protective Covenants, and/or Articles of Incorporation.

F. Request to Rules Committee to Levy a Fine Form – next page

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